



# Legislature of Ontario Debates

Monday, April 8, 1968 - Friday, May 24, 1968

















# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, April 8, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 8, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have in our galleries visitors from several schools and we are pleased to welcome them. In the east gallery are students from Runnymede collegiate institute, Toronto, and St. Jerome separate school, Downsview; and in the west gallery from Gravenhurst high school, Gravenhurst, and Georges Vanier secondary school, Don Mills. At 3:30 this afternoon in the west gallery we will be joined by students from the H. B. Beal secondary school, London.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

### THE HOURS OF WORK AND VACATIONS WITH PAY ACT

**Mr. R. Gisborn** (Hamilton East) moves first reading of bill intituled, An Act to amend The Hours of Work and Vacations with Pay Act.

Motion agreed to; first reading of the bill.

**Mr. Gisborn:** Mr. Speaker, the present Hours of Work and Vacations with Pay Act in the province provides for one week after the first year with one employer and during the first three years of employment, and two weeks thereafter.

The amendment I have introduced will provide for three weeks vacation with pay after the first year and during the first 10 years of employment with the same employer, and four weeks after the tenth year.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I have a question of the Minister of Energy and Resources Management.

Will the Minister explain why his announcement regarding the postponement until January 1, 1969, of the effective date for anti-pollution regulations concerning pleasure boats was not given to the Legisla-

ture until Thursday last, April 4, when the House of Commons was being told as far back as March 25 that this decision had been made?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, let me assure the House the decision which I announced last Thursday, April 4, was made in the morning of the same day and arose from a recommendation of the advisory committee which met on April 2 to consider this matter.

I am completely mystified as to how Mr. Ralph Cowan, MP, was able to announce in the House of Commons on March 25 that the regulations had been changed, when in actual fact the regulation still is in effect requiring a compliance date of June 1, 1968, and the amended regulation has neither been drafted nor has it been submitted to the executive council.

**Mr. V. M. Singer** (Downsview): Does the Minister want him to draft it for him?

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Speaker, I have a question for the Attorney General, notice of which has been given.

Will the Attorney General investigate charges of racial discrimination directed at the Windsor police commission in connection with its decision to deny celebrations of Emancipation Day in Windsor?

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, I understand that a complaint has been made to the Ontario human rights commission about this matter. I think the commission is the proper authority to consider the complaint and I am informed that discussions are going forward with the parties concerned.

I would like to add, Mr. Speaker, I am sure the hon. members are aware that while this might perhaps be considered to have an element of discrimination there is a very large area for consideration of the rights of the public in the situation which prevails across the border at this time. This may improve, we trust it will.



**Mr. Gaunt:** Mr. Speaker, I have another question of the Attorney General.

Will the Attorney General revise the landlord and tenant regulations to make safety equipment mandatory on all windows on all high rise apartments in view of the death yesterday of a five-year-old girl who fell from a public housing apartment operated by the Ontario housing corporation in the Warden Avenue and Danforth Road area, Toronto?

**Hon. Mr. Wishart:** Mr. Speaker, first of all The Landlord and Tenant Act contains no regulations. Actually, while the Act is being reviewed and may hereafter perhaps contain regulations in this area, it would not be effective. The Landlord and Tenant Act governs contract rights between parties—the landlord and the tenant—and I do not believe this subject would be covered in the Act, and properly so. This is a matter of building codes related to safety. In construction work and other various areas of activity such as mining and construction; this is governed by The Department of Labour through inspection and controls under its jurisdiction.

In buildings the responsibility has always been legally, and I think properly, with the municipality for the type of control which tackles safety from various points of view—fire, stability and that sort of thing.

I think that this lies in the area of the council of the municipality. I do not believe that it would be fitting that the Legislature should, in the light of this single instance, start to legislate building codes in municipalities in this area of responsibility.

While I think we are all as much concerned as the hon. member about safety in the light of this unfortunate incident, I do not think you can legislate complete safety. They may require screens or bars but who is to say that they will always be maintained in place? In any event I think in the first instance that this is a matter for the local municipal council.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I have a question of the Minister of Municipal Affairs.

Will the province make a grant in lieu of taxes to the township of Whitney for the land and property of the Northeastern Ontario psychiatric hospital and the Porcupine campus of the Northern college of applied arts and technology?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, grants in lieu of taxes are paid to municipalities on certain

provincially-owned properties under the authority of The Municipal Tax Assistance Act. By section 3, subsection 6 of this Act, both hospitals and educational institutions are exempted from the payment of this grant, and consequently, under existing legislation the province would not and cannot make a grant in lieu of taxes to the township of Whitney for the land or property of either the hospital or the college of applied arts and technology.

**Mr. Ferrier:** Mr. Speaker, I have a question of the Minister of Highways:

What was the cost to the province of building and paving Highway 655 from Timmins to the Kidd Creek mine of Ecstall mining?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the answer is \$631,621.

But as an explanation of the above I would like to say that The Department of Highways built 4.4 miles north from Highway 101, this was in the township of Tisdale, at a cost of \$460,000. The balance of the money was paid through The Department of Mines under assistance available to finance mining and access roads. Also Texas Gulf contributed large sums to that particular project.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I have a question for the hon. Minister of Lands and Forests.

In view of the recommendation of the forestry unit study of 1967 will the Minister approach Domtar, Abitibi and Great Lakes to explore which of these three could take over the operation of Norply—that should read Nipigon—with assistance from Ontario development corporation?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in replying to question 308 of the hon. member for Thunder Bay, my department has indicated to several prospective purchasers that the department will assist in negotiating a suitable log supply within the area. We have already discussed the possible reopening of the plant at Nipigon with two of the three companies mentioned in the question.

Mr. Speaker, I had a question last week from the hon. member for Sudbury East (Mr. Martel). May I reply now?

Question 1: Can the Minister advise the House whether the road known as Portelance's Road off Highway 545 north of Capreol was built with government assistance or whether it was built as a private road by a company?

The road known as Portelance's Road extending generally northerly from the John Smith mine property in Parkin township north of Capreol was constructed privately and without government assistance by the Portelance Lumber Company.

Question 2 is answered by my reply to the first question.

And question 3: The Portelance Lumber Company controls travel on its road under the authority of a land use permit issued by The Department of Lands and Forests. The company has made a practice of issuing passes at its control gate during certain periods of the year, upon payment of a fee to members of the public wishing to use the road.

**Mr. Speaker:** Would the member for Beaches-Woodbine advise me whether the question of March 28, directed to the Minister of Health by him, which has never been put because of absence of either or both from the House, is still to be asked, and if so, now—

**Mr. J. L. Brown** (Beaches-Woodbine): I have no intention of asking the question at this time.

**Mr. Speaker:** It is to be withdrawn then.

Orders of the day.

**Clerk of the House:** The 58th order; committee of the whole House; Mr. A. E. Reuter in the chair.

#### COUNTY OF RENFREW

House in committee on Bill Pr6, An Act respecting the county of Renfrew.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill Pr6 reported.

#### CITY OF HAMILTON

House in committee on Bill Pr8, An Act respecting the city of Hamilton.

Sections 1 to 5, inclusive, agreed to.

Bill Pr8 reported.

#### OTTAWA SEPARATE SCHOOL BOARD

House in committee on Bill Pr9, An Act respecting the city of Ottawa separate school board.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr9 reported.

#### TOWN OF SMITHS FALLS

House in committee on Bill Pr10, An Act respecting the town of Smiths Falls.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr10 reported.

#### CITY OF PETERBOROUGH (1)

House in committee on Bill Pr11, An Act respecting the city of Peterborough.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill Pr11 reported.

#### COMMUNITY FOUNDATION OF OTTAWA AND DISTRICT

House in committee on Bill Pr12, An Act respecting the community foundation of Ottawa and district.

Sections 1 to 15, inclusive, agreed to.

Preamble agreed to.

Bill Pr12 reported.

#### CITY OF PETERBOROUGH (2)

House in committee on Bill Pr13, An Act respecting the city of Peterborough.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr13 reported.

#### VILLAGE OF CHALK RIVER

House in committee on Bill Pr14, An Act respecting the village of Chalk River.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill Pr14 reported.

#### RENFREW SEPARATE SCHOOL BOARD OF TRUSTEES

House in committee on Bill Pr15, An Act respecting the board of trustees of the



combined Roman Catholic separate schools of Renfrew.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill Pr15 reported.

#### COUNTY OF ONTARIO

House in committee on Bill Pr16, An Act respecting the county of Ontario.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr16 reported.

#### CITY OF BARRIE

House in committee on Bill Pr17, An Act respecting the city of Barrie.

Sections 1 to 8, inclusive, agreed to.

Preamble agreed to.

Bill Pr17 reported.

#### TRUSTEES OF THE TORONTO GENERAL BURYING GROUNDS

House in committee on Bill Pr18, An Act respecting the trustees of the Toronto general burying grounds.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill Pr18 reported.

#### TOWN OF BOWMANVILLE

House in committee on Bill Pr19, An Act respecting the town of Bowmanville.

Sections 1 to 6, inclusive, agreed to.

Preamble agreed to.

Schedule agreed to.

Bill Pr19 reported.

#### COUNTY OF PEEL

House in committee on Bill Pr21, An Act respecting the county of Peel.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr21 reported.

#### CITY OF LONDON

House in committee on Bill Pr22, An Act respecting the city of London.

Sections 1 to 5, inclusive, agreed to.

Schedules agreed to.

Preamble agreed to.

Bill Pr22 reported.

#### TOWNSHIP OF VAUGHAN

House in committee on Bill Pr23, An Act respecting the township of Vaughan.

Sections 1 to 7, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill Pr23 reported.

#### CITY OF OSHAWA

House in committee on Bill Pr24, An Act respecting the city of Oshawa.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr24 reported.

#### WOOL AND GIFT SHOPS (TORONTO) LIMITED

House in committee on Bill Pr25, An Act respecting Wool and Gift Shops (Toronto) Limited.

Sections 1 to 3, inclusive, agreed to.

Preamble agreed to.

Bill Pr25 reported.

#### TOWNSHIP OF NEPEAN

House in committee on Bill Pr26, An Act respecting the township of Nepean.

Sections 1 to 4, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill Pr26 reported.

#### TOWN OF PALMERSTON

House in committee on Bill Pr27, An Act respecting the town of Palmerston.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.  
Bill Pr27 reported.

#### CITY OF KITCHENER

House in committee on Bill Pr30, An Act respecting the city of Kitchener.

Sections 1 to 8, inclusive, agreed to.  
Schedule A agreed to.  
Schedule B agreed to.  
Preamble agreed to.  
Bill Pr30 reported.

#### TOWNSHIP OF RAYSIDE

House in committee on Bill Pr31, An Act respecting the township of Rayside.

Sections 1 to 5, inclusive, agreed to.  
Preamble agreed to.  
Bill Pr31 reported.

#### CARDINAL INSULATION LIMITED

House in committee on Bill Pr32, An Act respecting Cardinal Insulation Limited.

Sections 1 to 3, inclusive, agreed to.  
Preamble agreed to.  
Bill Pr32 reported.

#### CITY OF TORONTO

House in committee on Bill Pr33, An Act respecting the city of Toronto.

Sections 1 to 10, inclusive, agreed to.  
Preamble agreed to.  
Bill Pr33 reported.

#### COUNTY OF WELLAND

House in committee on Bill Pr34, An Act respecting the county of Welland.

Sections 1 to 3, inclusive, agreed to.  
Schedule agreed to.  
Preamble agreed to.  
Bill Pr34 reported.

#### CITY OF WELLAND

House in committee on Bill Pr35, An Act respecting the city of Welland.

Sections 1 to 8, inclusive, agreed to.  
Preamble agreed to.  
Bill Pr35 reported.

#### CITY OF WINDSOR

House in committee on Bill Pr36, An Act respecting the city of Windsor.

Sections 1 to 4, inclusive, agreed to.  
Preamble agreed to.  
Bill Pr36 reported.

#### BOARD OF EDUCATION FOR THE CITY OF LONDON

House in committee on Bill Pr38, An Act respecting the board of education for the city of London.

Section 1 agreed to.

On section 2:

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Chairman, on section 2, you will recall that the hon. member for Downsview (Mr. Singer) made some reference to this section when it was last before the House and was given second reading on the understanding that the Prime Minister (Mr. Robarts) would undertake to have a look at it in connection with OMERS. I might say in passing, Mr. Chairman, that the department and the officials of OMERS who report to the House through me are grateful that the member for Downsview saw fit to bring this matter to my attention, because frankly I was not aware of it until he raised it in the House.

**Mr. V. M. Singer** (Downsview): I just wanted to be helpful.

**Hon. Mr. McKeough**: You were very helpful and if there was some way in which either the Minister responsible or the board of OMERS could offer some small honorarium in this regard we would be delighted to do so. I doubt whether that would be in keeping with the traditions of the House.

**Mr. Singer**: I will think of something.

**Hon. Mr. McKeough**: Will you do that?

**Mr. E. W. Sopha** (Sudbury): I hope the Attorney General is listening to you.

**Hon. Mr. McKeough**: Seriously, Mr. Chairman, we are grateful that the member brought this to our attention. I am sorry the member



for London South (Mr. White) is not here today; he should move this amendment. But in his absence and in the interests of expediting this matter, sir, this amendment has his concurrence. It has the concurrence of the London board of education and also the board of OMERS. We would add the following subsection to section 2:

Notwithstanding any Act the board and the Ontario municipal employees retirement board may enter into an agreement to provide for the payment of retirement allowances referred to in clause (g) of subsection 1.

I would so move. This validates the existing agreement, brings the whole matter under OMERS and is very helpful indeed.

Section 2, as amended, agreed to.

Sections 3 to 7, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill Pr38, as amended, reported.

#### LUTHERAN CHURCH-MISSOURI SYNOD

House in committee on Bill Pr39, An Act respecting the Lutheran Church - Missouri synod.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr39 reported.

#### CITY OF EASTVIEW

House in committee on Bill Pr40, An Act respecting the city of Eastview.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr40 reported.

#### CANADIAN ORDER OF FORESTERS

House in committee on Bill Pr41, An Act respecting Canadian order of foresters.

Sections 1 to 5, inclusive, agreed to.

Preamble agreed to.

Bill Pr41 reported.

#### CITY OF OTTAWA

House in committee on Bill Pr42, An Act respecting the city of Ottawa.

Section 1 agreed to.

On section 2:

Mr. Sopha: Mr. Chairman, one can only express the hope, in respect of section 2, that any bylaws that the burghers of the city of Ottawa may hasten to enact in respect of the elimination of noises that disturb or attempt to disturb the quiet, peace, rest and enjoyment, comfort or convenience of the neighbourhood of Ottawa will, in the light of recent great events in that city, not be too Draconian in their intent and spirit.

Sections 2 to 12, inclusive, agreed to.

Preamble agreed to.

Bill Pr42 reported.

#### IMPERIAL SEWING MACHINE COMPANY LIMITED

House in committee on Bill Pr43, An Act respecting Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr43 reported.

#### TOWNSHIP OF PELEE

House in committee on Bill Pr45, An Act respecting the township of Pelee.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr45 reported.

#### CARLETON UNIVERSITY

House in committee on Bill Pr49, An Act respecting Carleton University.

Sections 1 to 3, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill Pr49 reported.

#### LAKE OF THE WOODS DISTRICT HOSPITAL

House in committee on Bill Pr50, An Act respecting Lake of the Woods district hospital.

Sections 1 to 5, inclusive, agreed to.

On section 6:

**Mr. Sopha:** Mr. Chairman, I move, seconded by the hon. member for Parkdale (Mr. Trotter) that subsection 2 of section 6 be deleted.

Mr. Chairman, perhaps we will separate the men from the boys or the sheep from the goats in respect of the matter of principle here, for at the private bills committee when this bill was under review I moved precisely the same motion and I report that all of my colleagues in the Liberal Party supported that motion. All of the Conservative members voted against it, and so did two of the New Democratic Party. So perhaps here, now, in this form, is the place to stand up and be counted about this item of discrimination.

I hate to see the Minister of Labour (Mr. Bales) leaving his seat when we discuss this matter, which can properly be called an incident of legislative discrimination against a very important section of our society. He is responsible to the Legislature for an Act entitled The Age Discrimination Act which protects in employment those, I believe between the ages of 40 or 45 and 65. But the government has no legislation on the books that protects those above the age of 70, although one would hope that as a matter of principle where people over the age of 70 can be protected the government of the province would hasten to their defence, instead of allowing their members who attend the private bills committee, when their vote counts on a matter of principle, to slough it aside and discriminate against these people.

To get down to some specifics: A year ago that committee took a stand on the University of Western Ontario bill. The thought occurred to me, in the same environment a year later, that some of the champions of those over 70 were missing. Because I recall very vividly—and my friend, the member for Carleton East (Mr. A. B. R. Lawrence) will remember also, because he was a very vigorous fighter for the principles in opposition to the University of Western Ontario bill—that when this matter of disablement of people over 70 from serving came up it was the former member for York East, Holly Beckett—but I do not know whether he is on the sunny side of 70 or on the other side—who moved the motion that that section be deleted.

He was supported, of course, very vigorously by that very virile representative who used to sit here for many years from York

North; they indeed were two of the people in the corridors of this Legislature who would be affected by the enshrinement of this principle.

I have been wondering whether the House now contains anyone who by reason of a lapse of time can call himself a septuagenarian, with the exception of course, of the former Treasurer of the province. But if he is a minority of one then he is in danger from the disappearance of people like "Lex" Mackenzie and Holly Beckett, Zeb Janes and Harry Allen, and many others whom we can recall to mind.

On the University of Western Ontario bill we took our stand. We struck it out. It was pointed out to President Hall, I think his name is—a man whose intellectual daring has never particularly impressed me to put it as kindly as I can—it was pointed out to him that when they wanted to found a law school at the University of Western Ontario they went and got a man who had passed the three-quarter century mark to be the Christopher Columbus in law at Western.

An hon. member: Or Mr. McRuer.

**Mr. Sopha:** Yes, I will come to him in a moment, and a very able job he did, Ivan T. Rand, in founding what has become one of the better law schools—well, one of the outstanding law schools of this province. I think he served for three or four years in capacity as dean, probably from his seventy-fifth to his seventy-eighth or seventy-ninth year. I say to you, Mr. Chairman, that if this section says: "No person may be elected or appointed director after reaching the age of 70 years," naked as it is in its categorical statement it must follow that the first citizen has to go to Mr. McRuer and Mr. Rand tomorrow and say: "I'm sorry, but you can no longer be employed in the service of the people of Ontario because you are past the age of 70 years."

What this section does in dumb terms—and I am not talking about intellectual agility when I use that adjective "dumb"; the member for Lakeshore will understand what I mean—is to say as a matter of categorical imperative that once you pass 70 years the risk of your contribution being acceptable or being vibrant or being worthwhile is so great and the chances that it is positive and constructive so minimal that as a group we must bar you. Now having put it that way, I would like to hear someone get up and say that if this Legislature adopts this categorical imperative, that the way I have

put it is wrong; I invite argument. I nail up the thesis on the door to invite argument.

It is exactly the same principle as the aptitude test for selection of pilots in the air force. Those aptitude tests would not determine that individual "A" would be a good pilot, but they did determine those who would be unsuitable. This is a negative test. By identifying a group as having reached the age of 70 they say, "You're finished, you're through, you can no longer serve on a body such as the Lake of the Woods district hospital."

Now I do not need to argue that proposition to win agreement from sensible people to whom I speak, of which you are the leader, Mr. Chairman. I need only say that it is common experience to us that many people over the age of 70 are still capable of making a remarkable contribution to the society in which they live.

As the *Globe and Mail* said—and I get some of my best ideas from the *Globe and Mail*—about Senator Roebuck, "many of his colleagues are younger but older." Younger but older; there is pregnant truth in those words. All you have to do is go to the Senate of Canada and take a look around at the incumbents and you will see they are true.

The other thing that needs to be said about it, of course, is in reference to the argument made to the private bills committee by the proponents of this bill—not the member for Kenora (Mr. Bernier) but those whom he brought. What they said was perfectly clear, it was not capable of being misunderstood at all. I tell the Minister of Financial and Commercial Affairs (Mr. Rowntree), they wanted to make conspirators of the private bills committee in doing an individual in. And to my great chagrin and disappointment, nay, almost disgust, the majority of the private bills committee were willing to become conspirators with them, for they said quite blatantly to the committee: "There is one individual with whom we are concerned, that we want to keep off. He is past 70 and if you give us this enactment we will be able to keep him out."

I for one say I am never going to become party to such a plot as that, I am not going to freely give my vote to anybody who comes and makes such a reprehensible proposition. In other words, because we want to get individual "X" out of it we are going to bar for all time anybody over 70.

Well that is one way to put it. The other way to put it, of course, is that we only heard the one side, those who were against indi-

vidual "X", and they wanted us to believe he is a terrible person, he upsets our meeting, he just rearranges the agenda, and all this sort of thing.

Well, we only heard those against him. If we had seen him and heard from him we might conclude that he is a neo-Einstein and the rest of them are fools. He might, for all we know, be the brightest fellow that ever walked through the doors of the Lake of the Woods district hospital. How do we know?

We were asked to take it on their word, and the fellow who said that had such an honest face when he wanted us to believe it, but it is the one with the honest face that makes me most distrustful. Really, the private bills committee fell far below its high standards of excellence that day. Rarely has it achieved its standards of excellence gained under the courageous chairmanship of the member for Armourdale (Mr. Carton), who I must say conducted it in exemplary fashion this year.

So really this is not a matter of party politics at all; this is not a Liberal motion, at all; this is a motion based on principle. We are saying here that as a matter of principle you cannot discriminate against people over 70, and I guess that this will be part of the just society. So if the winds of change are blowing in this country on April 8, may I just wonder aloud when they are going to have their leadership convention.

**Mr. Singer:** Grandpaw Douglas is getting a little old!

**Mr. Sopha:** Well, I notice that the old champion from North York is here, he is in the gallery. In saying what I said I merely say to him, through you, that if you take this subsection out, we are for you.

**Mr. Chairman:** The member for Carleton East.

**Mr. A. B. R. Lawrence** (Carleton East): I have a question that I would like to ask the member for Sudbury as to what attitude he takes toward the similar restriction in relation to judges and present senators. Will he answer the question?

**Mr. Chairman:** Is the member directing a question to the member for Sudbury?

**Mr. A. B. R. Lawrence:** Yes.

**Mr. Chairman:** Would the member for Sudbury like to answer the question put to him?



**Mr. Sopha:** Judges of course, under the constitution, retire at 75. Speaking entirely for myself—one who has always followed pragmatism; in the realm of reform and change I have been a pragmatist—as far as the senate is concerned, speaking for myself, I would abolish it.

Yes, I would abolish the senate.

Interjections by hon. members.

**Mr. Chairman:** The member for Lakeshore.

Interjection by an hon. member.

**Mr. Sopha:** Yes, always was.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, as a member of the private bills committee, the hon. member for Sudbury is quite correct that I and one of my colleagues did vote against this measure—being in the cause of flexibility. Also, we wish to reverse ourselves at this time. As the situation arose in the committee a very special case was presented to us. I do not wish to go into personalities concerning it, but it seemed to be an extremely hard case, connected with that particular board.

One said: Well, it is a private bill and really, to convenience these people and to avoid hurting anyone, it was better to let it slip through.

But hard cases do not make bad law and I cannot help, at this stage, but turn and come to agreement with the hon. member for Sudbury that this clause ought to be deleted.

**Mr. Chairman:** The member for Kenora.

**Mr. L. Bernier (Kenora):** Mr. Chairman, as a sponsor for this particular bill I cannot help but agree with the member for Sudbury and I would concur with his amendment that subsection 2, of section 6 be removed.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I am more than pleased to see agreement in the House at this time, because I can definitely recall, when this amendment was made in the private bills committee, how everyone seemed to be so much in favour of leaving this amendment, or this section, in the bill. Now that everyone has agreed, I think that the government, in their wisdom, should remove it.

**Mr. Chairman:** The member for Sudbury has moved that subsection 2 of section 6 be deleted.

Those in favour of the motion will please say "aye".

Those opposed will please say "nay". In my opinion, the "ayes" have it.

**Mr. Singer:** You can see how much easier it would have been if you had agreed with us in the first place.

Section 6, as amended, agreed to.

Sections 7 to 15, inclusive, agreed to.

Moved by Mr. Bernier that section 16 of Bill Pr 50 be amended by deleting the words after "force" in the first line and substituting therefor "on the first day of May, 1968".

Motion agreed to.

Section 16, as amended, agreed to.

Section 17 agreed to.

Preamble agreed to.

Bill Pr50, as amended, reported.

## DEPARTMENT OF TRADE AND DEVELOPMENT

House in committee on Bill 11, An Act to establish The Department of Trade and Development.

Section 1 agreed to.

On section 2:

**Mr. Chairman:** Moved by the member for Windsor West (Mr. Peacock) that section 2, subsection 2 of Bill 11 be amended by adding thereto,

Excepting The Ontario Housing Corporation Act, 1964, The Ontario Housing Development Act, The Elderly Persons Housing Act, and regulations made thereunder.

So that subsection 2, of section 2 will read as follows:

The Minister shall preside over and have charge of the department and is responsible for the administration of this and such other Acts and regulations made thereunder as are assigned to him by the provisions thereof, by the Lieutenant-Governor in council, excepting The Ontario Housing Corporation Act, 1964, The Ontario Housing Development Act, and The Elderly Persons Housing Act, and regulations made thereunder.



**Mr. H. Peacock (Windsor West):** Mr. Chairman, I move this amendment. Do you have a correct copy of it?

**Mr. Chairman** I move this amendment because in the opinion of this group the responsibility for such an essential sector of our economy and for a problem of the dimensions that we face in housing today, should not be in the hands of this Minister, the Minister of Trade and Development (Mr. Randall).

First of all, the responsibility does not belong within such a department. Second, by moving this amendment, Mr. Chairman, I and other members of our group express our complete lack of confidence in the way in which this Minister has undertaken to meet the challenge of housing in this province.

For these reasons, Mr. Chairman, I move this amendment. During the estimates, I think that we will find a much broader opportunity for discussing the purpose of the amendment in detail.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I would just like to express the views of our party on this amendment. We oppose the amendment for this reason, that despite the fact that we want numerous changes made in regard to the organization of the housing situation, there is no point in taking housing away from a Minister without providing some alternative, and if this amendment is passed it means that no Minister has any control over housing whatsoever. I hear it coming from the NDP and I admit that tremendous improvements need to be made in this province.

It may be questionable whether any Minister in this present government who is in charge of housing could do much more than they are doing. But, the truth of it is, as the situation stands today housing is under the control of the present Minister of Economics and Development, soon to be called the Minister of Trade and Development, and there is no point in supporting this amendment unless we have some clear alternative.

The present Minister is responsible for housing and we have to find where else the responsibility is going to be placed before we bring about a change. The present motion is foolish and useless. It does not build an extra house. It does not tell us how any more houses are going to be built, so that until we have a responsible alternative, we are going to oppose the motion.

**Mr. J. Renwick (Riverdale):** Mr. Chairman, the member for Parkdale, as usual, makes the

point that it is up to the Opposition to provide the government with the reasons why they should make a change, in that any amendment we propose is—

**Mr. Singer:** Whenever he gets annoyed he says “as usual”.

**Mr. J. Renwick:** —we propose is of no use unless we propound the alternative. Well the alternative is very clear. The government of this province cannot back away from the housing crisis in the province. It is their responsibility as the government.

**Hon. C. S. MacNaughton (Provincial Treasurer):** The government backs away from nothing.

**Mr. J. Renwick:** If this amendment were to pass it would be perfectly clear that the government would then have to take into consideration—because it would lack the confidence of the House—the establishment of a separate Ministry of housing and urban renewal, which is what is required in this province.

This is the reason why the member for Windsor West has put forward this amendment, and it is not up to this side of the House to provide the government with the solutions. We constantly give them to you; we give this one to you free. You can take it as soon as this amendment is carried with the vote of the House.

**Mr. Singer:** Mr. Chairman, as usual I do not know whether or not it is worth replying to the member for Riverdale, but we will have a housing debate in due course. Some of us have expressed, in our speeches in the Speech from the Throne debate, what we think of the present housing policy. And it is not very good—not good at all.

I am surprised, really, that the third party there keeps on racking its brains as to how to bring about a vote of lack of confidence. There are appropriate times and appropriate places to do it. I think this amendment is full of sound and fury and signifies absolutely nothing at this stage.

**Mr. Chairman:** The member for Windsor West moves that subsection 2 of section 2 of Bill 11, An Act to establish The Department of Trade and Development, be amended by adding thereto:

Excepting The Ontario Housing Corporation Act, 1964, The Ontario Housing Development Act, The Elderly Persons Housing Act and regulations made thereunder.

Subsection 2 of section 2 will then read as follows:

The Minister shall preside over and have charge of the department and is responsible for the administration of this and such other Acts and regulations made thereunder, as are assigned to him by the provisions thereof or by the Lieutenant-Governor in council, excepting The Ontario Housing Corporation Act, 1964, The Ontario Housing Development Act, The Elderly Persons Housing Act and regulations made thereunder.

The House divided on the amendment; which was negated on the following vote:

**Clerk of the House:** Mr. Chairman, the "ayes" are 19; the "nays", 66.

**Mr. Chairman:** I declare the motion lost and section 2 carried.

Section 2 agreed to.

On section 3:

**Mr. Peacock:** Mr. Chairman, on section 3 I move, seconded by the hon. member for Peterborough (Mr. Pitman), that subsection (a) of section 3 of Bill 11, be amended by adding thereto:

And without restricting the generality of the foregoing, to enquire into and report upon the extent and influence of foreign ownership or control of industries in the province.

So that subsection (a) of section 3 shall read as follows:

(a) Cause the department to acquire a detailed knowledge of industries in the province and, without restricting the generality of the foregoing, to enquire into and report upon the extent or influence of foreign ownership or control of industries in the province.

**Mr. Chairman:** I would like to put the House through another short exercise, perhaps not to the same extent but to produce to the same result as we had on the last section of this bill. Before speaking to that amendment I would like further to amend section 3 of Bill 11.

**Mr. Chairman:** Well, we are dealing with one amendment now; that is amendment 2.

**Mr. Peacock:** It is on the same section.

**Mr. Chairman:** Could we deal with this one amendment?

**Mr. Peacock:** I beg your pardon, Mr. Chairman?

**Mr. Chairman:** You have one amendment which you have numbered amendment 2; you are still dealing with that particular amendment.

**Mr. Peacock:** I also propose to further amend the same section 3, Mr. Chairman.

**Mr. Chairman:** All right. The member will proceed.

**Mr. Peacock:** And further, I move that section 3 of Bill 11 be amended by adding thereto the following subsection:

(d) Establish procedures to which any industry in the province shall conform if it intends to shut down or substantially curtail its operations.

**Mr. Chairman,** speaking to the first amendment, I would like to reiterate what the member for York South (Mr. MacDonald), the leader of this group, said in his Budget speech and to stress again what I said on second reading of this bill, and that is—

**Mr. Chairman:** May I interrupt the member to say that we will deal with both of these as one amendment to section 3. Will he please speak to the group of amendments as one amendment?

**Mr. Peacock:** Very good, Mr. Chairman, I will do so. I would like to stress again in this section the need for the undertaking by this Department of Trade and Development of a thorough examination of the extent to which foreign ownership or control affects our province's regional economic development, the productivity of its industries, their opportunities for export and their growing dependence on research and technology from abroad.

I would like to quote what the Watkins task force report had to say about the influence of foreign control and ownership.

On page 1207 of the debates of the Legislature, during the speech of the member for York South, he quoted, "the inference for Canadian national policy"—and here I leave the quotation, Mr. Chairman, and I would say by inference for our provincial policy also—"is that a strong government presence is needed to countervail both foreign private economic power and foreign governmental power."

And I move this first amendment to this section, Mr. Chairman, for the purpose of determining the extent of that foreign economic power in ordering the economic affairs of our province.

On the second amendment, Mr. Chairman, I discussed this matter also on second reading. This is the Minister, I suggest, whose department should be concerned with the impact of plant shutdowns and drastic reductions in manpower of industries in this province—particularly in those sections of the province which the Minister has designated, or intends to designate, as slow-growth areas under the equalization of industrial opportunity programme.

And I think he has had enough acquaintance with instances of such plant shutdowns since he became Minister of Economics and Development, that he knows the need for these kind of guidelines and the need for giving of advance notice when an industry intends to shut down so that manpower planning by The Department of Labour necessary to get employees out of that declining industry or plant which is shutting down can be effectively undertaken in time to deal with the needs of those employees for re-employment.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, we intend to support the amendment, particularly on the basis of the experience that we have had in recent days in this Legislature with regard to unilateral decisions taken by industries whose economic viability may at times come into question, or in fact may not be in question.

I am referring specifically to the decision taken by the sugar beet industry that they would, as a result of the decision made by foreign management, simply withdraw support of that industry in southern Ontario and actually eliminate a \$4 million agricultural industry from the economy of this province.

Of course, there have been numerous studies in this regard before. Walter Gordon, in his former capacity, had his own personal views which he stated clearly across Canada. As a result of the researches undertaken by Mr. Gordon's department, and the Watkins report brought down about a month ago, there is already a very serious study of the results of this sort of ownership and control on the economy of Canada.

No doubt it would be a relatively simple matter to use the facilities of the research group associated with that committee for the direct implications as they affect us here in Ontario. And since this particularly does not restrict, in any way, the generality of the section that it seeks to amend, it would certainly be a worthwhile endeavour for the Minister and his advisers with regard to these industries in our own province.

I am thinking of another example which would have some particular impact here, and that has to do with the control of one of the major farm machinery manufacturing corporations which, it is rumoured, may be considering a move from this province following the relocation of its headquarters in the United States.

This, of course, would be a serious matter, not only to the community in which Massey Ferguson is directly an important employer, but to the whole economy of the province. So, this motion, this amendment, which calls upon the Minister to investigate very carefully the ramifications of foreign ownership and influence, is a very useful one.

Now, the second amendment, which had to be jived in with the first because of the rules of this House, does have some overtones which I do not find very attractive. If it does call upon the Minister to enact regulations which would give him and his colleagues in the government direct control over the location of industry and the economy of the province, then we would not support this.

We believe that this is not, however, the basic principle in the amendment but is simply a requirement that industries which are contemplating relocation, or a serious change, in their level of output and effectiveness in a community, would have to inform the government so that all of the facilities in The Department of Education and The Department of Labour, and The Department of Economics and Development could be brought to play in relieving the difficulty, sometimes of crisis proportions, that have accompanied these changes in the past. So, I believe that the principles of both these amendments are valuable ones, and for that reason we will support them.

**Mr. Trotter:** Mr. Chairman, I would just like to add my few words in support of the amendments to this section. It is true that so much of this matter of foreign control depends upon what the Ottawa government does. But we, in the province of Ontario, cannot ignore the situation, and one of the weaknesses that our society in Canada suffers from is that both the Ottawa government and the government here in the province of Ontario have not taken a far stiffer view of the situation insofar as foreign control of our industries is concerned.

When we remember that 80 per cent of our manufacturing is foreign controlled, that 80 per cent of natural gas—and I believe mining and smelting—is foreign controlled, it is all well and good to talk of good corporate



citizens as our politicians, both federal and provincial like to talk about, but when the American government decides what the guidelines of their corporations are going to be, we are inevitably at the mercy of what they want to do in Washington.

So, it is up to us to see to it that what we do in the province of Ontario is going to protect industry in Canada, because the province of Ontario, being the greatest industrial province, being the leading province here insofar as industry is concerned, and in so many other things, it is almost as important what this government does here as what is done in Ottawa.

I believe that of 414 corporations in Canada with gross assets of over \$25 million, over half of those assets in each of the 414 companies is foreign controlled—so that you can see that this is a serious situation that seems to be getting worse instead of better and that anything that this government does is highly important.

When you think of an important growing industry like chemistry, 78 per cent controlled by foreigners, mainly the United States; and, of course, we all know that 97 per cent of our automobile industry is controlled by the Americans.

We have to ask ourselves where is it going to stop, because if we are going to have political freedom, we are certainly going to have to be in control of our economic house, and despite all the excuses that we are given by politicians, regardless of their party politics—and I am not saying for a moment that my party is faultless—regardless of the excuses we get, something has to be done, and the latest endeavour of the Watkins report emphasizes that this is an extremely serious situation.

The whole idea of whether a nation can be independent, can be something different, depends on whether it can control its own economy.

In the second part of the amendment, Mr. Chairman, if the NDP means by it the government having virtual control over industry, of course I would be opposed to it, but certainly governments have been far too lenient over the years as to when a company can open up in a certain area or close down. Think of the cost it is to the province and to local taxpayers when some large company moves in; it requires housing, it requires education, it requires all the necessary services in modern urbanized living. We think it is marvellous when a new company moves in.

But then when the head office of the company, sometimes in the United States says, "Let us cut off that plant, the new plant, it is not a prosperous operation," they cut it off and then we again, as a province, and the local municipalities, are often left with a lot of unpaid sewage installations and what have you.

This is a danger that, in modern times, governments just cannot sit back and let a large plant open where it likes, or close down where it likes. We are going to have to have, in our government, far more comprehensive planning without complete control. We need a lot more common sense and a lot more vigour in our administration of commerce here in the province of Ontario. So that I urge the government to support the two amendments. They are both needed, particularly when we take a long-range view of the province of Ontario and of Canada.

Again I emphasize, through you Mr. Chairman to the Minister of this department, that what this government does, and what the province does in the role of economics, is so very important to the country, because what decisions are made here affect the economy from coast to coast, and these are two worthwhile amendments and they deserve the support of every member of this House.

**Mr. D. C. MacDonald** (York South): Mr. Chairman, the case for some action to cope with foreign control of our economy is the first part of the amendment. I think it has been sufficiently made, but in any case, I am not going to speak to it further. But I do want to address my remarks to the hesitancy that has been expressed on the part of both the leader of the Opposition and the hon. member for Parkdale with regard to the second portion of the amendment, though both members have indicated that they are so interpreting it as to indicate their support.

May I clarify this so that I think their hesitancy, at least for the moment, can go out the window. I am a little puzzled as to where the Liberals split the hair on the issue of incentives for the direction of new industry and yet avoid what they choose to describe as ordering industry around.

**Mr. Nixon:** Somewhat short of your election position in that.

**Mr. MacDonald:** Well, the point I want to make is that that is not involved in the second amendment. On the second amendment, I repeat, I am a little unsure where you split the hair, but we will deal with that at some other point.



This amendment says, "establish procedures to which any industry in the province shall conform if it intends to shut down or substantially curtail its operations." This amendment is directed at an old problem in this House, and in this province, Mr. Chairman. The government has rather an ambivalent approach. If it is a new industry that is being established, providing the possibility of greater employment, there usually is a production involving the local member and The Department of Economics and Development, as it has been known up until now, and everybody who can get in on the act, sometimes starting from the Prime Minister down, who will go to open the new industry. There is an immediate association with this expansion.

But if perchance an industry fades out of the picture, completely or wholly, either curtails its operation or perhaps folds up completely, then there has been a tendency on the part of the government to seek no association whatever with this kind of disaster.

Mr. Chairman, you cannot have it both ways. To be fair to the government and to this Minister, if I recall correctly, and I am now relying on my memory, in one instance and I believe it was Studebaker, when we asked him, "Did you know that Studebaker was going to cut back, or curtail production in Canada?" my recollection is that some Minister said, "I was talking to some top official of that company and he gave me no such indication a few weeks ago," or a few months ago. The hon. Minister implied, if he did not state directly, that in his view the government was entitled to advance warning.

On this point—and this is the point I am addressing myself to—I think the government stands on firm ground, and we want to firm that ground up and get them to stand on it. In other words, what we want is an amendment which would place an obligation on this new Ministry, and I quote in terms of our amendment:

To establish procedures to which any industry in the province shall conform if it intends to shut down or substantially curtail its operations.

That might involve some investigation as to the validity of the proposed curtailment.

For example, I can recall the occasion when Mr. Frost was quite wrathful in his reaction to Ford pulling up stakes from Windsor and moving into Oakville. He said it left an economically depressed condition in

Windsor and faced the community and the province with great new expenditures to establish them in the Oakville area. It was his contention that no company has the right, just because it thinks it can make more profit in another area, to create dislocation in one area and the need for new expenses in another area, without consultation, without at least letting people know, and without meeting some of the costs.

In fact, one might even go further and say that this kind of a move, when it is just for an increase in profit, should be subject to some sort of public review. But for the moment let us forget that. If the company can prove—and let us assume for the moment that it can prove—that it has economic justification for cutting its production, or for eliminating its production, the communities involved and the government—which takes the overall responsibility for filling the gap in providing employment when you have got a sudden increase in the pool of unemployed—are entitled to know. Society as a whole is entitled to know.

So the purpose of this amendment is to have the government establish the procedures whereby they will be able to get the information that they have told us they want, that they have told us they are entitled to, that they have told us they need. But they apparently are not willing to establish those procedures up to now. This would make it a statutory obligation.

Mr. M. Shulman (High Park): Mr. Chairman, I would like to draw to the government's attention another aspect of the first amendment, which has not been mentioned as yet, and this is the effect of foreign ownership on Canadian shareholders and some very bad things that could happen as a result of foreign ownership. I would like to give a specific example, and I would draw the attention of the member for Peel South (Mr. Kennedy) to this particular company—Admiral Corporation, which came into Port Credit some 25 years ago, and set up a subsidiary to produce television sets and radios to sell to Canadians and made a very large amount of money in Canada. The company has done very well.

At the time the company was set up, it was a risky enterprise and nobody knew how this was going to go. They sold stock to Canadians and I particularly draw the attention of the member for Sudbury to what follows. As the company began to do well, the parent company attempted to buy the stock back from the Canadian shareholders. They bought

most of it back, but there were still some dozens of Canadians who did not sell back and because they refused to sell they have been punished since then. The company has made millions and millions of dollars, but they refuse to pay any dividends to these Canadian shareholders, but they are paying some quarter of a million dollars out each year to the largely American officers and board of directors.

This surely is not in the best interests of Canada, of Ontario, or the Canadian shareholders who bought stock in this company in good faith. And for that reason, I would like to suggest to the government that perhaps they should give serious consideration to accepting this amendment because it is one more way in which foreign ownership can act very detrimentally to this country and to the people who are investing and attempting to make this country grow.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, I want to support the second part of this amendment, the part that amends section 3 of Bill 11:

(d) Establish the procedures in which any industry in the province shall conform if it intends to shutdown or substantially curtail its operation.

Mr. Chairman, it is about time that we gave the employee, the workman in the plant, the same type of recognition given to the industries. We know that The Ontario Corporation Development Act provides loans and guarantees to industries when they find that they are running into some financial difficulty and they need money to bolster their industry and keep the thing going in some kind of shape. When this happens, they go with bleeding hearts to the government and the government has established procedures whereby it can give them the lift that is needed.

But on the other hand, if the change takes place whereby only the employee suffers, and the industry is going to relocate or shutdown its plans because it would be more efficient and more profitable for the management, then the employees have no recourse.

The Studebaker plant in Hamilton has been mentioned. Some two years ago, when they closed that plant down completely, there was chaos and anxiety and confusion as to the rights of the employees. I know that the government did step in after it was a question of no return, and worked closely with the unions to find new employment for the employees, but it was done in a very

unorganized and confused manner. Many have never been re-established.

As far as I know today, they have never corrected their rights to their insurance plan pension rights; I know that several have been cut very short in that regard, and this amendment would demand that the industry would give notice when it contemplates drastic change in employment or shutdown of its plant, and all would be better off in doing it in a regularized and more effective manner.

**Mr. S. Farquhar (Algoma-Manitoulin):** I would like to speak to the last amendment, to section 3 of Bill 11. It would seem to me that inherent in this amendment would be the responsibility of the department to examine one-industry towns, and the plans of any such industry in any such town.

Last week we spoke about the town of Blind River, which is virtually going down the road because when these announcements are made, it is too late to do anything because no department of government has been in a position to examine the policy or the potential operation of this company. When it happens, it is too late. Nothing can be done at that time.

I would feel that the wording of this amendment would cover and would give such responsibility to the department to make sure that in one-industry towns where the people are particularly vulnerable to an industry closing, that the department would, by virtue of this amendment, be required to make an examination into policy and require the industry or the company to give such notice.

**Mr. J. Renwick:** Mr. Chairman, I might comment very briefly on this amendment, particularly on the latter part of it, dealing with relocation of industry. Just let me mention the case of the Perfect Circle Company, which is in the Minister's own riding, where arbitrarily, on a Monday morning, a notice was posted shutting down the operations of that plant one week later.

This is not the way in which so-called responsible corporate citizens are to act in our society. I refer also, as the leader of the Opposition has done, to Canada and Dominion Sugar. My colleague has referred to Studebaker.

My colleague, the member for Cochrane South (Mr. Ferrier), has referred to the closing down of the Hollinger mine; and of course, we have had the extreme instance of a company—fortunately not in this province—

having its activities shut down, namely, the Dominion Steel and Coal Company.

Surely the Minister must appreciate, Mr. Chairman, that there is building up in the province a number of these instances causing serious concern to the men who are employed in the plants.

In the outlying areas of the province, it causes serious disruption to the community, and all we are trying to do in this bill is to give the Minister the utmost leeway as to the kind of procedures which he will establish in order to make certain that he has foreknowledge of changes which are going to take place and that he will be able to deal with them in the interests of that particular community, in the interests of the people who are affected by the shutdown, and in the interest of the province of Ontario.

I would think, Mr. Chairman, both parts of the amendment, would commend themselves to the Minister, and I would trust that he would feel that this is one of the instances where, with this bill, he could accept the amendments which have been moved by the member for Windsor West.

**Hon. S. J. Randall** (Minister of Economics and Development): Mr. Chairman, if nobody else has a word to say, I would like to make a comment or two on what has been suggested.

First, I say that I respect the opinions of the members who have made their suggestions today. Some of the things they have suggested have been given very careful consideration. In view of the fact that we are now establishing The Department of Trade and Development, whereas before it was a division or an agency of government, we looked at all these matters with reference to how much teeth we should have in the Act to deal with industry from here on in.

I think it would be a little premature for us to accept the amendment as proposed by the hon. member for Windsor West for a number of reasons. I think, first of all, that the Carter report is going to have some bearing on industry in this province. I think also the Watkins report is hardly off the press and we are studying it. I think one thing that is amiss with the Watkins report is that he talks about Ontario but does not come back to the fact that the world is shrinking and we are going to be living in a global village.

We no longer can live in the province of Ontario and say what happens out of Ontario does not hurt this province. I have

not seen anything in the Watkins report yet that would indicate to me that he is giving consideration to what is going to happen in Europe, with the trade blocks in Europe which can affect business in this province and business in this country.

For that reason, we are looking at the Watkins report and studying all the recommendations made—as we are, perhaps, the Smith report, which may have a bearing on industry although not as much perhaps as Carter or Watkins.

I would also suggest that some things are known about the Kennedy round but not sufficient yet, until it starts to come into play, as to what it will do for industry in this province or industry in Canada. And I would point out that Mr. Winters himself, just a few weeks ago, sent a letter to 6,000 industries in this province asking them what they felt were the non-tariff items stopping exports from this province.

I do not believe he has a reply to those 6,000 letters yet, but we have been working with The Trade and Industry Department in Ottawa and sharing that information with them, and they with us. I have also had a number of discussions with Mr. Drury with reference to the rationalization of industry in Canada, which must come about under the Kennedy round, and we recognize this. The member for York South talks about a branch plant economy; I would just like to suggest that, perhaps, if we do not want a branch plant economy, there is going to be a lot more rationalization of industry than we have had up to date. In view of that, we have felt that there should perhaps at the present time be the kind of legislation that we think will let us live without placing any further onus on industry than is there, already. But we are quite prepared to amend the legislation at a later day, but not particularly today.

I would also point out that in four years, 241 foreign plants have located in this province in an investment of \$440 million. From within Ontario, there have been 460 new plants created in this province, at \$305 million. And 1,619 plants have expanded, to the tune of over \$1,317 million, so I think that we are taking care of some of the plants that are folding up. I do not think that anybody has a magic wand on plants that are going to fold up.

You mentioned Hollinger mines a few minutes ago. I do not know what you do with a mine that runs out of ore, unless you want to put the ore back in again. I appreciate



that you have a problem with the people, and a problem with the people is the thing that we are interested in. I think that it is what you are referring to yourself, but I do not know what you do about a mine that closes down because it runs out of ore.

I do not know what you do about a plant that has to close down because it is losing hundreds of thousands of dollars a year, unless as you suggest, we get advance notice by a few years, so that we can get another industry in there, which is what we are trying to do with our incentive programme. The incentive programme is working. We are getting industry into these one-industry towns, but I would like to suggest to you that every day I have delegates in my office that have a vested interest in the town that is doing pretty well, but they say: "You have left us out of the deal."

We cannot be friends to everybody if we are going to run an incentive programme. We are not going to be able to take care of one-industry towns overnight. But we have started on this incentive programme and it is to look at one-industry towns—despite what my hon. friend from Peterborough (Mr. Pitman) said the other day about "cownowns" or words to that effect. But I think that Peterborough is in good enough shape to look after itself for the next 12 months. Perhaps in 12 months' time we can come back to Peterborough, as we have come back to other towns, but I simply say that we have to give these smaller towns an opportunity.

I listened to my friend talking about Blind River. I sat in on the meeting for Blind River, and I have a detailed report on my desk that was given to me by my own people within a week after we had our meeting down here with the mayor and his assembly from Blind River. There is not any easy answer to Blind River; the mill is obsolete, it has run out of materials, so you need a whole new plant of some kind, but you cannot just pick up a plant and shove it in.

An hon. member: You should have known!

Hon. Mr. Randall: We should not have known anything. They said that they were going to run for 18 months or more, but whoever is the member up there—that is Mr. Pearson, that is his riding—I think that Mr. Pearson should have done something about his own riding.

Mr. Singer: It is not our fault.

Hon. Mr. Randall: Let me just go back a few years—

Interjections by hon. members.

Hon. Mr. Randall: Just a minute, let me finish.

Just a few years ago we closed down Elliot Lake and Blind River, and I sent a six-page letter to Mr. Pearson and suggested how we could keep both Blind River and Bancroft open. And the letter was used, and Elliot Lake opened up but Bancroft never opened up. Bancroft is still closed. So we made recommendations in areas to assist these one-industry towns.

I want to suggest to you that we are well aware of the problems that we are going to have in the future with industries closing up for economic reasons or other reasons, and as we rationalize industry surely we have an interest in knowing what is going to happen in advance. I think that with the legislation we have here—without putting any further teeth into it—we can walk into any plant in Ontario, and I have proven that in the past, and get their co-operation.

They are just as interested in finding the answer for the employees as we are. Again I speak as one who helped a plant that closed down when 600 or 700 people were set free, and the management of the company followed up the directives I left. Most of those people are now employed, some are working for the Ontario housing corporation. I did not hire them, but I simply say that we gave consideration to closing down that Gerrard and River Street plant, and I left a blueprint behind with the hope that working with the CIO steelworkers' union, Mr. Don Montgomery, we could solve the problem for the employees, and I believe that it was solved in the main.

Mr. Nixon: Set free, or be fired overnight.

Hon. Mr. Randall: Beg pardon?

Mr. Nixon: You said "set free," what is that?

Hon. Mr. Randall: Unemployed.

Mr. Chairman, I think that it is a little too premature for this government to decide how we are going to police industry and put teeth into legislation as suggested, or the kind of teeth that they are suggesting. As I watched the convention over the weekend and listened to the man who will be the new Prime Minister, and some of those who will not be with him, I recognized that the government is

going to have to come up with some guidelines, and the kind of guidelines that they come up with, we as a province will have to abide by them. I do not think that we are in any position in this province to establish guidelines now—without doing this province a great deal of harm—until we find out what the federal authorities mean by guidelines.

I will just take one matter that was talked about the other day—the capital gains tax. Just as soon as we put capital gains tax on in this province I think you would find that industry would go to a province that did not have a capital gains tax. I think that you have to take a look at how much damage we can do the province if we move ahead of the federal authorities or without their co-operation.

**Mr. MacDonald:** You argued you could not increase corporation taxes, then you did so.

**Hon. Mr. Randall:** I am just suggesting, Mr. Chairman, with all due respect to my friends across the hall, we have to find about 100,000 jobs per year from here in. I have no intentions of doing anything to discourage branch plant economy or industry in this province, until we can come up with a joint programme with the federal authorities. I am quite prepared, when this legislation goes through, to sit down with my friends up in Ottawa and say: We have a trade and development department and these are the problems that are worrying us. We want to know what our friends across the hall are going to do, and we are quite prepared to amend our legislation accordingly. But, right now, I think that we want to leave the legislation as it is. I see nothing to be gained by amending.

**Mr. Singer:** Mr. Chairman, I think that the approach of the Minister is quite surprising. He talks on both sides of the question at the same time; he talks for and against it, and then he says that it is premature, because he wants guidance out of Ottawa. When any of these government fellows get into trouble, they want guidance out of Ottawa. Whenever anything else happens, including the—

**An hon. member:** You want a government that operates—

**Mr. Singer:** Oh dear, oh dear!

Well, I guess that we are hitting pretty close to home; the House leader is getting awfully excited. He agrees with me, that is obvious; I have struck pretty deep on that one.

Well, let us develop that a little further. Whenever any one of the Minister's colleagues, or the House leader's colleagues, gets into trouble, it is all the fault of the terrible fellows up at Ottawa. Where is this great Ontario government that we have been hearing about all these years? Can you not keep that fellow quiet, Mr. Chairman?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): I saw it on television; you were not doing very well. There has not been any leadership in Ottawa for years.

**Mr. Singer:** Mr. Chairman, if the hon. Minister wants to talk, I will give him my place, and I can come back later. Is that your desire, sir?

Interjection by an hon. member.

**Mr. Singer:** As I was saying before the interruption, it seems to me—

**An hon. member:** He is a rude one.

**Mr. Singer:** Oh, he is not rude, he is just over-exuberant this afternoon. It seems to me that this government should mean what it says when they take all the plaudits onto themselves, when they pat their own shoulder and say they are the greatest government ever seen, and they should not look around for other people to blame. These amendments simply mean that the Minister will have the power to do the sort of thing that he says that he is already doing. Well, now, if you are already doing it, why do you resist the direction of the Legislature to spur you on a bit, to drive you a little more enthusiastically?

In the Blind River case that you wanted to blame on a fellow named Pearson—I think that that was the fellow that you wanted to blame—you said that you did not know anything about it. Surely it is your job to know about these things! It is small excuse to stand up in this House and say that this is a terrible thing, somebody in another place should have known and he should have told me, so that I could have done something. What are you supposed to be doing? If you were as great as you say you are, you would welcome these suggestions.

**Mr. Chairman,** a more typical reactionary Tory speech than the one delivered by the Minister I have never heard before. It is really amazing that the government wants to resist any possibility of having written into the legislation sufficient authority to do the things that the Minister says are the things

he is already doing. If he is already doing them, he would welcome the suggestion, but obviously he is not doing them, and he condemned himself out of his own mouth. I would hope that the Minister would seriously reconsider what he himself said a few minutes ago, and will accept these amendments.

**Mr. Chairman:** The member for Windsor West moves that subsection (a) of section 3 of Bill 11, and Act to establish The Department of Trade and Development, be amended by adding thereto:

And without restricting the generality of the foregoing to inquire into and report upon the extent and influence of foreign ownership or control of industry in the province.

So that subsection (a) of section 3 shall read as follows:

Cause the department to acquire a detailed knowledge of industries in the province and, without restricting the generality of the foregoing, to inquire into and report upon the extent and influence of foreign ownership or control of industries in the province:

And further, that section 3 of Bill 11 be amended by adding thereto the following subsection:

(d) Establish procedures to which any industry in the province shall conform if it intends to shutdown or substantially curtail its operations.

The House divided on the motion by Mr. Peacock which was negatived by the following division:

**Clerk of the House:** Mr. Chairman, the "ayes" are 38, and the "nays" are 50.

**Mr. Chairman:** I declare the motion lost and section 3 shall form part of the bill.

Section 4 agreed to.

On section 5:

**Hon. Mr. Randall:** On section 5, subsection 2, I move that clause (a) of subsection 2 of section 5 of the bill be amended by striking out "development" in the second and third lines, and inserting in lieu thereof, the word "opportunity". This is expressly amended to make it agree with the corresponding expression of subsection 1 of section 5.

Motion agreed to.

**Mr. W. G. Pitman** (Peterborough): Mr. Chairman, I deferred to the Minister who had

an amendment, but we also have another amendment to section 5 of this bill.

**Mr. Chairman:** The amendment of the Minister of Economics and Development has been carried so do you have another amendment now for the same section?

**Mr. Pitman:** That is right, Mr. Chairman. I would like to move, seconded by the hon. member for Windsor West—

**Hon. Mr. Rowntree:** Without attempting to get into a big debate, but as a matter of regularity, when one amendment of the Minister was made and was carried, does it not carry the section with it?

**Mr. MacDonald:** Exactly, and we were up and shouting.

**Mr. Pitman:** Mr. Chairman, with due respect to the House leader, I did rise on section 5, and the Minister rose at the same time. I gave over to the Minister in deference and he moved his subsection.

**Mr. Chairman:** When a motion is defeated, then the section is carried; this motion carried, therefore your motion is in order.

**Mr. Pitman:** Thank you very much, Mr. Chairman. May I move, seconded by the member for Windsor West, that subsection 1 of section 5 of Bill 11, an Act to establish The Department of Trade and Development, be amended by adding thereto:

In co-operation with the regional development branch of The Department of the Provincial Treasurer, to identify growth centres in the various regions of the province, and to establish policies to advance their development.

So that the complete subsection 1 of section 5 shall read:

The Minister, with the approval of the Lieutenant-Governor in council, may approve any area in Ontario that is considered to require assistance to attract industrial development, as an area of equalization of industrial opportunity. And, in co-operation with the regional development branch in The Department of the Provincial Treasurer, to identify growth centres in the various regions of the province, and to establish policies to advance their development.

I would like to further amend that same section, Mr. Chairman, seconded by the member for Windsor West, that subsection 2 of section 5 of Bill 11, An Act to establish The



Department of Trade and Development, be amended by adding thereto a new subsection (c):

Have power to issue regulations setting forth the factors which shall or shall not be taken into account in designating areas of equalization of industrial development.

Mr. Chairman, the purpose of the first of the amendments which I presented is one which, I think, is clearly outlined in the amendment and I do not wish to repeat myself or other members of this House. I think it is extremely important that this department relates its activities to the new department being set up within The Department of the Provincial Treasurer—one which is carrying on the work towards some kind of regional development in this province.

One of the fears which was expressed at the time of the recent changeover which took place was that by taking the regional development programme out of this department, we might very well be undermining the economic aspects of regional development, and this particular amendment attempts to find a link which will allow regional development to go on in a rational and sensible way.

Now, we have suggested that there is a very close relationship between the work being done within this department, and the hopes for regional development which have been expressed in many quarters. If I might just quote for a moment one short sentence from an article by Arthur Bryden, which tries to explain some of the developments that have taken place in the area of regional development. Here I quote the article:

The Ontario government is moving into the second stage of a three-part regional development programme that sets the pace in the field for Canada and, perhaps, North America.

Well, this is a very commendable suggestion.

The aim is to implement a firm development plan in 1969 that will bring all ten regions of the province to their economic potential.

I am suggesting, Mr. Chairman, that this economic potential is impossible unless it is related very definitely to the regional development which is going on within The Department of the Provincial Treasurer.

In a recent budget in the Quebec Legislature, a further development took place in that particular province; there was an attempt to decentralize industry.

Where industry is moving into Montreal and making things more and more difficult

for the province, they are attempting to decentralize industry and place it in other areas. I would not say, Mr. Chairman, that this is, in a sense, an attempt to create growth centres but certainly, for example, they are designating certain areas such as the Ottawa Valley, the eastern townships and the Gaspé peninsula and making grants up to \$500,000 available to industries there. In other words, they are naming areas and indicating how the growth of a particular area should be carried on.

Mr. Chairman, would you like me to close off?

**Hon. Mr. Rowntree:** In view of the complexity of this matter, it would be desirable to continue on with this matter.

**Mr. Pitman:** I would be very pleased to. I do not wish to carry on this subject any longer, it is obvious that we must relate the development of the department to growth centres in each of these economic regions. We must see some kind of orderly development and this can only be done if we relate the economic development that is going on in this department to that which is going on in The Department of the Provincial Treasurer.

The second amendment which I have placed before the House, Mr. Chairman, is a policy which regulates the setting forth of the factors which shall or shall not be taken into account in these areas of designation of equality and equalization of industrial development.

I want to make this very clear, Mr. Chairman. I am not suggesting that we should set down almost a Hammurabi's code of how much unemployment there must be in a certain area, exactly how many people there are commuting from one place to another within a jurisdiction in order to secure these designations.

I am suggesting that at least the factors be known so that a community, when applying for an equalization of industrial opportunity, will at least know whether: (a) they have any opportunity of securing this designation and, (b) why they have not secured it if they are unsuccessful.

I am not going to strain the patience of the House this afternoon by going into all the details of the Peterborough situation. But in view of the fact that the Minister has already mentioned it this afternoon, in view of the fact that the leader of the Opposition was very helpful in his Budget comments.

and in view of the fact that the matter has even gone into the public press—and I think it is probably a very unusual thing when the Minister of the Crown takes his case to the letters of the editor of the public press—I think that some further comment—

**Hon. Mr. Randall:** It was time for the Minister to correct the editor, because the editor was entirely wrong and the editor has admitted he was wrong.

**Mr. Nixon:** Was this in Peterborough?

**Mr. Pitman:** No, I think this was in the *Globe and Mail*.

Mr. Chairman, I am not going to argue the case, either for the editor of the *Globe and Mail* or for the Minister. But I will say this, that I think the Minister will have to admit that at no time in my comments have I suggested that there was a political decision in regard to the equalization of industrial opportunity and the lack of designation in the Peterborough area.

I took the Minister's suggestion. I did go over the areas that were given designation and those that were refused, and I would be the first to admit that there were areas that were not designated who are represented by members of the other side, Mr. Chairman, and so I am not making the suggestion. What I am suggesting to you, sir, is that a terrible mistake has been made. A very ghastly mistake was made and I am suggesting that this amendment might stop that kind of mistake from happening again.

What I think happened was the city of Peterborough came forth very quickly for designation; its application came in very early. As a result of this I do not think it was really realized within the department exactly what the factors would be. In fact, in the beginning there was a certain degree of reluctance to see larger centres brought in.

At one point it was even suggested, perhaps not by the Minister but by someone in his department, that larger centres really would not have a place in this particular designation. I do not think it was the Minister's intention—in fact, I am sure it was not the Minister's intention—that in the final setup you would have a community which was designated as a growth centre ringed completely by areas that had been given designation as areas of industrial equalization and I am sure this was not the Minister's intention.

But I suggest to you that because of the lack of assurance at the beginning and the

lack of knowledge about what the factors were, and the fact that these applications were coming in one at a time, and that these applications came in later I suggest, they may very well have received a different consideration on the part of those civil servants whom the Minister mentioned in his letter as making this decision.

Now, when the Minister replied to my remarks the last time, he said, "I was trying to be helpful". I am trying to be helpful and I am suggesting to you, sir, that one of the things which your application did not indicate and we were not asked, and one of the things which is not brought out in your letter, is the fact that a change in industrial operation within the existing plants, with no closedown whatsoever, changes very radically the unemployment situation or the lack of employment in a certain community.

This kind of information was not given and not required. I think, too, having looked at some of the other applications of other centres that there were a great many questions that were not asked properly and thus not answered by certain applicants who are applying for this designation.

There was a lack of definiteness and I suggest to you that this amendment would, at least, stop the kind of letter that came back to the city council in Peterborough as a reason for lack of designation. Just simply:

In the last five years there have been three new plants and six expansions, adding 125 and 143 jobs respectively. The total commercial and industrial assessment is \$40 million compared to \$60 million in residential assessment.

This told the city council nothing and, as you can well imagine, there was a great debate in the community.

I suggest to you that the charges of politics did not come either from the sitting member nor did they come in the beginning from the leader of the Opposition. They came from people in the community who could not understand why this designation was made. I followed up this matter at some length, as you graciously suggested. We did come to see the Minister and we had a very helpful conversation, but even there the Minister was unable to give the definite factors to the people who came to his office, as to why they had been turned down.

I took the trouble to send a letter to the Minister's department, in which I asked a

number of questions and I will read one or two of them.

What municipalities in east central Ontario have been accepted under the new programme?

This was written in December.

How many manufacturing plants are located in each of these centres as of October, 1967?

What was the total number employed in each of these municipalities as of October?

How many new industries have located in each of these municipalities in the last five years?

I do not want to read the whole list of questions, but may I suggest to you, sir, that I have never received an answer to that letter. I received a letter from the Ontario development corporation, which said:

Dear Mr. Pitman,

I understand representatives of the city of Peterborough have held a meeting this morning with the Minister of Economics and Development, and have therefore had an opportunity to present their case to a higher authority than myself.

May I take this opportunity of wishing the compliments of the season.

Well, I was very pleased to receive this letter but this did not really help very much. That was not the end of my contact, as you know, sir, and I am not trying to leave you with the impression that that was all the treatment I got from your section of government. But I want to say that I sent another letter to the chairman of the Ontario development corporation and I quote:

Thank you for your letter of December 20 in relation to the Peterborough application for consideration in slow growth area under your recent plan of the Ontario government.

May I reciprocate your kind wishes for the season. I am afraid that my original letter did not make itself entirely clear. I was writing as a member of the Legislature requesting information about a policy of the present government. The fact that representatives of the city of Peterborough—and I was a member of delegation—met with the Minister of Economics and Development has not, in any way, relieved me of the duty of securing information about this particular policy.

As you are aware, I was attempting to determine the criteria on which decisions have been made in regard to these communities which have applied for designation under the plan. The meeting to which you refer did not reveal what this criterion was. I am sure the Minister would agree with this assessment as well as other members of the Peterborough delegation. I would appreciate it if you would be good enough to answer the questions posed in my previous letter. Either the further submissions now being prepared by the Peterborough delegation or any future meetings with the Minister will make this information irrelevant.

I have not received an answer to that letter. Now, I did receive a gracious invitation to come and speak to the gentleman who was the head of the Ontario development corporation and we had a very pleasant conversation, a very helpful conversation. But we still did not get any farther in finding out what the criteria were. And I suggest to you, sir, that establishing criteria does not mean inflexibility. This is the charge which will come up again and again in this House regarding this programme, that once you have set any kind of criteria down you have nailed yourself to the floor. This will not prevent you from helping smaller towns. Incidentally, I did not call them cowtowns. I have too many small towns in my constituency to refer to any towns as cowtowns. But you do nail yourself down, I admit it, if you take criteria which are so inflexible that you cannot move. But I suggest to you that at least the factors should be made evident.

Indeed, in answering a letter in the press the Minister indicated there was some criteria. After all, surely these men do not just simply sit down around a table, and say, "Well that is a nice place; I have visited there last summer and I am sure there is lots of industry there." This is just not reasonable, it is not rational and I suggest to you, sir, that accepting an amendment to this piece of legislation would not in any way make it more difficult for you to operate.

It would make it much easier for you, I would suggest, to defy those who suggest that this has been based on a political decision. And it would make it possible for you not to make the kind of ghastly error which has been made in regard to this.

I have been approached—and I suggest to you, sir, not simply by people who are supporting this side of the House, but by people who are friends of the Minister and



of his friends on that side of the House. And I think it would show a good deal of political courage, Mr. Chairman, if the Minister could stand in his place and suggest that this could possibly have happened; it could have been an error, and that possibly there might be an opportunity for reconsideration in view of what has happened as a result of accumulation of these applications that have taken place in eastern Ontario.

**Mr. Nixon:** Mr. Chairman, we have already advanced into the private members' hour by ten minutes. We want to make some comments about these amendments and perhaps the Minister would as well.

Hon. Mr. Rowntree moves that the committee rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain bills without amendment, certain bills with certain amendments, and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, we will take resolution No. 13 on page 9 of the order paper in the name of the hon. member for Oshawa (Mr. Pilkey).

#### NOTICE OF MOTION

**Clerk of the House:** Private member's notice of motion No. 13, Mr. Pilkey.

#### RESOLUTION:

That this Legislature enact legislation embodying the principles of the Freedman report concerning methods of dealing with the impact of automation on employees when the changes are introduced during a contract.

**Mr. C. G. Pilkey** (Oshawa): Mr. Speaker, I move, seconded by the member for Hamilton Centre (Mr. Davison), resolution No. 13 on the order paper in my name.

The words automation, computers and technological change have become common words in our everyday vocabulary. In effect, they mean change. What does this change mean? It means transportation systems are being redesigned, and manufacturing processes now exist where no human hand touches the product during the whole process.

The computer has taken over from the pen and pencil and more and more machines have taken over from man. The effects of technological change have been a matter of controversy since the early days of the industrial revolution. But as we approach the 1970s, the changes are having a more profound effect on employees and the community. Automation and technological advancement have been described in many circles as producing a more dynamic economy, increasing efficiency, improving our competitive position at home, as well as in the world markets, upgrading our education standards because of highly skilled technicians needed, less monotonous repetitive work, and higher standards of living, to name a few.

In my opinion, Mr. Speaker, this whole question revolves around two points, productivity and employment. If we can agree that automation and technological change have increased our productivity levels—and I really see no argument on this point, because of the very fact many companies and corporations have installed automated equipment in their various enterprises—this brings us to the other point, employment. This, Mr. Speaker, is what the Freedman report was all about. It was about the changes in employment as a result of improved methods and technological change. Though these changes could improve the standard of living of thousands of people here in Ontario, it is little comfort if you lose your job and are subject to dislocation and the very roots of family life are changed radically.

It should be pointed out that Mr. Justice Freedman's report was the result of controversy and a wildcat strike on the Canadian National Railways run-through at Nakina, Ontario, and Wainwright, Alberta. The judge found that the CNR was perfectly justified, under the law at that time, to order the run-throughs. He also pointed out that the work stoppage was an illegal strike and rejected the argument that run-throughs do not increase the efficiency of the railway.

After saying that, the Manitoba appeal court judge challenged the management theory of unrestricted right to implement technological change and change working conditions during the life of a collective bargaining agreement. He gave his unqualified support to the principle that organized labour must have a legal voice in the introduction of new work procedures made possible by modern technology. Commenting further on management introducing changes during the no-strike period of a contract, Mr. Freedman wrote:

There is a manifest inequity here which clamours for attention and correction.

Mr. Speaker, industry should no longer have the right to manage the total change. The innovation or technological application is one thing, but the human consequences are quite apart from anything else. In this regard, I support the suggestion made by Mr. Freedman that negotiations should take place on any change in working procedures that materially and adversely affect jobs.

Management have not assumed their share of the responsibility where jobs are affected because of a change, but have arrogantly maintained that this whole question falls in the sphere of management rights and they, and they alone, should make the determinations necessary, regardless of the human aspect. The Freedman report projected this basic philosophy.

An obligation rests upon the company to take reasonable steps toward minimizing the adverse effects which a change may have upon its employees. That obligation has its roots in the principle that when a technological change is introduced, the cost of reasonable proposals to protect employees from its adverse consequences is a proper charge against its benefits and savings.

And it went on to say:

A technological advance whose benefits accrue to the employer but whose burden falls on the employee is unacceptable in a society which is concerned about human welfare.

Mr. Speaker, it appears to me that the working people in this province are continually carrying the burden whether it be in the area of taxation or in the area of unemployment. Obviously, technological changes result in a planned dislocation of employees and should be treated on a different basis than other types of layoffs. How would it be possible for an organized union to provide language in a collective bargaining agreement on future changes in work practices or job security, as a result of automation or technological change?

I recall during the last election campaign the government stated in one of its many brochures that:

The Progressive Conservative Party means good government and we believe that every citizen has a right to benefits of the prosperity he helped to create.

Was this statement just an election gimmick to woo the electorate here in the province

of Ontario into a sense of false security; or does it have a meaningful purpose? If the government really means what it said in the past such as, "Your Date with Progress"—and this was one of its brochures, and this is the hon. Prime Minister's (Mr. Roberts') picture, and it says "Your Date with Progress"—

Mr. E. W. Sopha (Sudbury): One of the speaker's brochures—

Mr. Pilkey:—then it must devise legislation that will protect the victims of progress and guarantee the individual his right to the prosperity he helped to create. We must provide adequate safeguards within the framework of that collective bargaining against the dislocation of workers and the hardship that could result from new processes, methods and technological change.

I want to say also in this regard that when the Canadian labour congress were presenting their memorandum recently to the federal government, the hon. Bryce Mackasey, who at that time was in his third day as the acting Minister of Labour, made a comment on the Freedman report. He endorsed the recommendations of the Freedman report and then went on to say:

The Liberal Party have the moral obligation to transfer this into legislation.

I am suggesting that if the federal government is going to recognize the Freedman report and put its recommendations into legislation, then the government in the province of Ontario ought to take a lead. They cover more workers in the province of Ontario than the whole federal government does right across Canada. And so we ought to take a lead from this point of view and implement legislation in this province along the lines of the Freedman report.

Where there is technological change in a specific area or industry, the impact on the entire community could be severe and the end results could be detrimental to the people living within its boundaries. Every corporation likes to be looked upon as a good corporate citizen but it is my opinion, Mr. Speaker, that this citizenship carries responsibility in terms of that community. Direct discussion should take place well in advance of any contemplated change so that there can be an adjustment to the impact of the change.

In this regard, where necessary there is a government obligation to assure stability in that community. In addition, this government, because of the rapid changes that take place

during the life of a collective bargaining agreement in this technological era, should provide legislation that makes management and unions equal partners in the area of residual rights. The management rights theory simply means that any matter governing employment conditions which is not restricted by a collective bargaining agreement or prescribed by law is automatically considered to be an exclusive right of management. In effect, it gives the right to management to impose its will unilaterally.

Mr. Freedman pointed out that the residual rights doctrine "seems unsuited for the contemporary industrial scene." The whole question of management rights needs to be reviewed. If employers are not prepared to give concessions through collective bargaining in this area and in view of substantial changes in working conditions which occur because of technological change, then the law must be changed so that changes during the life of the agreement become negotiable items.

I want to say also in this regard, Mr. Speaker, that in many plants in the province of Ontario we witness inhuman speed-ups in that industry and many of it in the guise of technological changes. It is my opinion, Mr. Speaker, that this government ought to legislate in that area so that where there is inhuman speed-up in industry the employees have a right to strike during that period if they cannot resolve their problems because of speed-ups. This is applicable in the United States but not applicable here in the province of Ontario. I read just the other day where Mr. Hellyer was criticizing international unions in Canada. I want to say, because of Mr. Hellyer's criticism of international unions, that in this area the international union, at least in the auto workers' union, has provided a letter to the company that they are going to support Canadian auto workers where this inhuman speed-up takes place. As I said, this takes place because of technological change, or at least under the guise of technological change, in our industry and I think the government ought to recognize that and take some specific action in that area.

In conclusion, Mr. Speaker, I do not think there is any question but that in this province, through its giant industrial complex, we have made tremendous scientific and technological progress, but I think we have to use our ability to translate this technological and scientific progress into human progress and human values. And this is what we ought to be doing in the years ahead. Thank you.

**Mr. J. R. Smith** (Hamilton Mountain): Coming as I do from Hamilton, the industrial hub of Canada, I am deeply conscious of revolutionary changes in the field of technological automation taking place in our local industries, both large and small. I have been particularly impressed, Mr. Speaker, by the changes in some of our local steel plants. Several weeks ago I had the opportunity to visit a new bakery in Burlington, and even here too I saw the wonder of automation being used to increase productivity. However, I believe we stand only on the very threshold of automation.

The federal government did attempt a solution by commissioning Mr. Justice Freedman to make this report with respect to the problem of technological change as focused on the railway's "run on" question. However, I feel that he probably overstepped his terms of reference when he decided that the commission's findings included not only run-throughs but other disputes between management and labour that are similar in their general nature and effect.

I cannot help but think that this resolution is premature. We need not fear technological change—I would be the first to admit that the railway industry along with a few others are exceptions. Undoubtedly the principal Freedman formula is basically to provide for the acceptance of the principle of technological change in such a way as to ensure the minimization of damage to individuals affected by the change. Although I endorse this concept, I believe that there must be effective means to achieve this protection for the worker. The ruling of an arbitrator could instigate a strike and I think this province already has a bad enough strike record. Secondly, I consider that one-year union contracts would do little to maintain provincial economic stability.

As we stand on this threshold of technological change, which is going to challenge government, labour and management, I believe that not 90 per cent union agreement but 100 per cent co-operation will be required by all parties to cushion the impact of technological change. As a Progressive Conservative member I know that this is not the time for reaction but for progress. Mr. Speaker, I would urge all members of this House who are members of the labour committee to give this subject top priority. I sincerely trust that this committee will be revived and given a new sense of mission.

Mr. Speaker, I wish to compliment the hon. member for Oshawa for placing this resolution



on the order paper and thereby bringing this top-priority subject to our attention. I would like also to draw the attention of the hon. members to the fact that in Sweden the federation of labour's endorsement of technological changes was based on the knowledge that only a consistent adaptation of production to changing conditions and maximum ability of the country's productive resources can create the prerequisites of economic and social progress. The trade union movement of Sweden has to no small slight degree been an accelerating force in this development.

However, Mr. Speaker, I fail to see how the hon. member can in all honesty expect this House today to endorse his resolution—for several reasons, which I shall briefly enumerate. The federal government has acted on its own report and federal authorities have stated that collective bargaining is still the best vehicle. An increasing number of union agreements, such as Stelco's, do have clauses for technological changes. The hon. Jean Marchand, federal Minister of Manpower, one year ago pointed out that the Freedman report was unrealistic and impractical. It has been said that some of the early supporters of the Freedman report now consider it a lame duck. And how can we endorse this resolution when we are still awaiting the gold report—

**Mr. R. Gisborn (Hamilton East):** It is only the Tories' position.

**Mr. J. R. Smith:** —the report of the Rand Royal commission and while the Wood's task force, composed of Messrs. Crispo, Wood, Carruthers and Father Dione, are dealing with this subject. I only regret, Mr. Speaker, that my time allotment does not permit me to elaborate further on these particular points.

The Freedman report dealt with one industry, the federal Department of Manpower and Immigration has also produced the Cohen report, which was prepared by a tri-party committee, established to find solutions for problems resulting from modernization of grain handling equipment in the port of Montreal.

This report has already been hailed as far more practical in its detailed recommendations on how to solve a dispute involving technological change.

Professor Cohen said the present committee established at least three valuable and generally applicable points. The technique used in studying the problem was one deeply involving all parties. The "right people" and the "right chairman" must be sought

for such committees, preferably people not subject to immediate presents from either employees or employers—the principle that any clarification of a report should be left to its authors.

I would like to remind the hon. members of this House that the last principle was not applied to the Picard report which studied the Montreal waterfront longshoremen's dispute. It is still raging because both the union and the employers insisted on different interpretations of what Professor Picard said.

Let us search out all documented research on this problem and explore all vistas to devise a plan that would truly shield the individual affected by technological change, by providing assistance that will be tailored to the needs and the circumstances of the individual.

I know that such a plan will be costly, leaning heavily on government assistance, including technical training, moving allowances and academic upgrading. Dömtar of Montreal, Mr. Speaker, is to be commended for its joint union-management scheme to deal with human adjustment problems created by technological change.

I have been impressed by the plan devised under the chairmanship of Dr. John Crispo, director of the University of Toronto's centre for industrial relations, which as well as stressing the human dimensions, delineates the respective responsibilities of labour, management and government.

I would like our labour committee of this House to fully explore the concept of conversion insurance as instituted by Dömtar—founded by company contributions, but jointly administered by union and management and intended to supplement current public measures—and to experiment with private ones designed to ease the impact of change on the workers. Just as this province pioneered unemployment insurance, conversion insurance might be likewise advisable to adopt. The challenge of conversion insurance deserves our study.

Sir Anthony Geddes, managing director of the British Dunlop Rubber Company has wisely stated:

It seems natural to me that the Tories and socialists should disagree over the way wealth is distributed, but there should be some kind of consensus on the way wealth is created, and that is what has been missing.

Mr. Speaker, herein lies the challenge for all of us in this great industrial province of

Ontario, and as sure as I stand here today, we shall meet this challenge because the future is ours.

**Mr. Sopha:** Mr. Speaker, sometimes the private member's hour can take on some of the characteristics of a university seminar when we reach a resolution like this where one does not have to, by reason of the rules, come down on one side or the other, but rather may muse aloud in an analytical way about the merits of the matter before the House.

I am rather surprised at the member for Oshawa, staunch union man that he is, that he would not see that there are some particular hazards to the trade union movement in this statement of principle that Mr. Justice Freedman enunciated, and I point to two: I wonder really about his alacrity when The Labour Relations Act is almost completely silent now in its present wording about legislative commands directed towards the inclusion of terms in the collective bargaining agreement.

It comes to mind—and I do not look to refresh my memory—but it comes to mind, the provision that says that every collective bargaining agreement shall have the arbitration clause, and I point out to him that if he seeks the help of Legislature to make a command for the inclusion of terms, then that opens the way for the other side in the great dialectic upon which our labour relations are founded in this province that is the clash of opposites. It opens the way for them to approach the Legislature also and to say matters that benefit us should be included in every collective bargaining agreement.

The other thing is, of course, the member for Oshawa has hold of a two edged sword insofar as he is seeking to inhibit the mobility of labour. The natural extension of Mr. Justice Freedman's observations are that it is open to management also to bargain with all the force and all the measures of compulsion that they can command—and they are certainly fearsome.

It is open to them to seek adjustments in respect of the work force and whatever help the Legislature could give the workers, the operation of our labour laws, it would have to proffer an equal bargaining position to the other side. That is to say, to management. It bothers me that frequently the leaders of the trade union movement, for whom I have the greatest respect for the ends which they seek, sir, and I say to the member for Oshawa that my career in the

law makes that more than an empty generalization.

I worked for unions at the collective bargaining table and upon arbitration. It always bothers me that they appear to be so short-sighted in protecting in the immediacy of the moment, the position of workers, and fail to see the greater gains that frequently—some distance in the future—labour can win. And I would think, speaking as an observer, that the introduction of technological improvements, automation, the whole field of cybernetics will, in the long run, be of much greater benefit to the working man than it will be in restraining him by inhibition.

It has struck me that this technological change demands improved education; it demands a worker with greater intellectual agility; and it demands a greater insight and understanding into what the worker is doing in the processes of production.

To go along, to fall in with it, does that not presage the dawning of an age where the worker is better equipped under his leadership? He is intellectually better equipped to advance his claims to what the small liberal calls the ultimate goal of our society, the equitable distribution of the goods we produce among those who produce them. And our friends to the left can join with us, in both adherence to that principle, and in forwarding steps that will bring about its realization.

Mr. Justice Freedman, after all, was studying a specific area, and the run-throughs on the CNR where there was suddenly, in northwest Ontario, a danger of grave dislocation to workers on the railways. And I think it must have been almost the last act of Douglas Fisher's political career, that he called attention to the imminence of possible disappearance of such places as Armstrong in northwestern Ontario, and he took very vigorous measures which resulted in the appointment of Mr. Justice Freedman.

In dealing with these things, you cannot generalize from the study of a specific industry and its impact upon a given area, and extract from these abstract principles that will fit the whole of industry. I would rather think that each industry would have to be looked at individually to determine the changes, the metamorphosis, that will occur as a result of the introduction of technological change.

We have come a long way, we came a long way; exactly 155 years since the ending of the Luddite riots in Britain, which is in extreme form the same type of thing we are

talking about here. And there the workers of course, when faced with the danger of machinery depriving them of jobs in the home, in the industry located in the home, looked upon machinery as being the enemy.

Is my friend from Lakeshore (Mr. Lawlor) here? They almost credited machinery with having anthropomorphological characteristics—you will tell him that I said that, will you?

That is machinery was a monster, and in order to vent their fury, in Nottingham and other places, they rushed in and smashed the machinery to show what they would do to the enemy. Well, 155 years later we still face the same problem of the dislocation of people because of improvement in the processes of production.

But look, I merely invite you to look at it. As the years go by and automation brings about greater leisure, the facility to cut the work week, does that not open to us a much more bountiful and rewarding experience in the work-a-day world?

It was only a generation ago, in those hard times when a man had no capacity whatsoever, or virtually none, to select where he would work, the important thing was that he get a job. He would accept a job wherever he could find it, and in fact he would ride the box cars from one end of this country to another looking for a job, any job, to restore his sense of dignity, to provide for those dependent upon him.

Well all that is greatly changed now and the important thing is, I say to my friend from Hamilton Wentworth, is to fit people into jobs, where they—no, I am sorry, Hamilton—

**Mr. Gisborn:** Hamilton East!

**Mr. Sopha:** Yes.

To fit people into jobs where they will be able to adapt themselves emotionally, in an emotional way, and apply a temperament to it which will make them feel comfortable and worthwhile and an important part of the process of production.

Modern industry offers a great range of opportunities for various skills and aptitudes, so I think my friend from Oshawa is mistaken, if I judge him correctly and he looks upon automation as being something of an enemy. Though I am not prepared to say, since I said I am musing out loud and giving voice to my thoughts, I am not prepared to say that the union should not have the opportunity, on behalf of those whom they represent, to bargain for their future and what

will happen to them as the result of the introduction of far-reaching technological change. But I would be very slow to adopt the principle that any change, any minor change, in the process ought to give rise to that right. I think, Mr. Speaker, it would have to be reserved to some major change, some major method upon which the factory or the works or the process was characterized so that there would be a significant impact on a relatively important number of workers.

Finally, I say to him that it is no use for he and I at all, standing in the Legislature and trying to be like King Canute, to try to shout back the tide. Because we are not going to stop, nothing we can say here is going to stop the impact of automation and cybernetics, it is going to go on apace.

The work week is going to get shorter. I hope it will not be very long until 32 hours would be quite adequate and the great mass of workers will have a good deal more leisure. I never subscribe to the notion, I refuse to subscribe to it and the evidence tells me not to, that if you give people more leisure they are going to use it in a wasteful way. That is not so. They are going to use it, in fact, in a more productive way.

And to read—I am a little bit out of date, everybody is quoting Galbraith's recent contribution to the understanding of economics. I go back to his earlier one, the name of which actually escapes me—*The Affluent Society*; thank you—in which he said quite clearly that a much higher percentage of people will have to become unemployed.

I think, finally, that the only thing upon which I ever found myself in agreement with Pierre Berton was his statement that there is no inherent value in work; it has no worth. That is a Conservative doctrine that as a matter of fact, it goes back farther than that, I think it is a Knox and Wesley doctrine—that work in itself has an inherent value; I say that is rubbish—it has no innate value, I say to the Minister of Health, in itself.

**Hon. Mr. B. Dymond** (Minister of Health): The best therapeutic weapon we have.

**Mr. Sopha:** Pardon?

**Hon. Mr. Dymond:** The best therapeutic weapon we have.

**Mr. Sopha:** Well, that may be, but I do not ascribe to it as having an intrinsic value.

**Mr. H. Peacock** (Windsor West): That is right, It is not—



**Mr. Sopha:** I agree with you that from a practical point of view, it may be that "idle hands are the devil's playmates." But that is a matter of experience only.

**Hon. Mr. Dymond:** That is too Calvinistic!

**Mr. Sopha:** Who is to say?

**Mr. W. Ferrier (Cochrane South):** Calvinistic doctrine!

**Mr. Sopha:** That is a good Calvinistic doctrine, certainly! And who is to say that if, by the end of the century as I expect—I probably will not be around—but as I expect, about 10 per cent of those in their productive years, let us say of 30 to 50, in the 20 years from 30 to 50, 10 per cent of those numbers will be employed for something like about 15 hours a week to produce all that we need to satisfy us. Well, all of the rest may well be sitting around, reading books, writing poetry—

**Mr. Ferrier:** Making speeches!

**Mr. Sopha:** Yes, making speeches.

**Mr. Pilkey:** The member will be fighting to stay out of that 10 or 15 per cent.

**Mr. Sopha:** Yes, and engaged in all sorts of worthwhile projects. Now, having said that, I hope that it does not drive some of the editors of the press in this province into a state of frenzy that I am advocating idleness.

I am just saying that that is the dawn of the new era I can see coming upon us, and I can hardly wait; whenever that comes about, I am going to quit this place and sit around and drink wine, and read poetry and contemplate my navel, and make further plans for the just society—the dawning of a new age—and all I can say to the rest of you is: "Get with it, or you will be left behind."

Interjections by hon. members.

**Mr. Gisborn:** Mr. Speaker, it has been said before that when we are dealing with resolutions or bills put forward by the private members, that it would be proper and right that the Minister in charge of the department relevant to the motion or bill, might sit in the House and give consideration to the ideas put forward.

The resolution, of course and the hon. member for Sudbury has, in his usual flamboyant way, scraped the centre and come down on both sides of the issue as he does

in so many issues—the resolution deals with the impact of automation on employees when the changes are introduced during a contract.

Mr. Speaker, as has been mentioned, there would be hazards flowing from this type of legislation on the part of management as well as the employees. If we are going to consider any change in regard to the long-time consultation with management and the employees, we are going to face hazards. We can refer to the many strikes, as has been referred to by the hon. member for Hamilton Mountain, that we have had enough strikes in the Hamilton area and we do not want any more.

There is nothing in this proposal, in this resolution, that would generate more strikes.

In a sense, the strikes that have taken place in Hamilton have caused a hardship on some employees, maybe on many employees, but they have brought about a tremendous amount of good for the whole city of Hamilton because we have raised the wages and the conditions in that city by striking and by meeting management head-on, when it was necessary, to develop the fair wage and conditions that were necessary.

And we are going to have strikes again, I dare say, in the city of Hamilton, and they will be conducted with the full intent of bettering the position of the employees and the community at heart.

Management has all of its rights embodied in most agreements in what we call management clauses—say very simply, that management, regardless of any other terms of this agreement, will have the right to hire, fire, make changes, so on, so forth, that will bring about their protection.

The Freedman report has a simple connotation to it and it does stray from the particular problem of the run-through in Nakina that developed the enquiry. It purports to bring about a greater togetherness between management and the employees to avoid what was fairly prevalent in that year and the year subsequent to it—strikes, illegal strikes and wildcat strikes. And nobody can deny that when we have illegal strikes or wildcat strikes, something serious is wrong; that employees just do not go on strike because they want time off out of a plant. Something has built up to the point where they no longer can put up with the position with which management is facing them and they strike the plant.

On the other hand, if we deal with collective agreements, as soon as the agreement

is signed by the two parties, grievances begin to build up in the industries because of many reasons—not just technological changes, they can be simple policy changes. A multitude of things brought about by management can bring about an untenable position with the employees. Of course, these are only in the areas where they are not subject to the grievance procedures because they are not specifically covered by the terms of the agreement. And then the employees, through their unions, find themselves in a position that when they open negotiations for a new agreement, they have to rectify immediately all these built-in problems that arose during the last term of the agreement. Of course, this leaves the employees with an almost immediate agitation and anger at the company before they even get into the issues that should really be left to negotiations, that of the new conditions, and new fringes, and wages.

My hon. friend from Hamilton Mountain made some reference to the hon. Mr. Marchand. I would just like to quote a couple of things from the legislative proposals by the Ontario federation of labour and I think they hit one or two points:

Residual rights of management clauses are interpreted by management and most arbitrators as giving management almost unlimited rights in their relations with employees. Labour legislation must be updated to meet the problems of technological changes. Collective agreement provisions alone cannot cope with work changes, plant location, or close-down. The right to reopen the agreement in face of major technological change should be granted by enacting appropriate legislation.

In this respect, we could quote no better authority than the hon. Jean Marchand, federal Manpower Minister, who, enlarging on the Freedman proposal said, in effect, that where a major technological change affecting the dislocation of workers is contemplated, management, besides having prior consultation with the union on the proposed changes, should be compelled to submit its proposals to a govern-

ment board, which would decide that the change was of the order that would require the re-opening of the contract for negotiation.

I do not agree entirely with that approach. But it would be a step in the right direction. At least it would admit that we are recognizing the problem.

But what the Freedman report wants to do is develop the kind of dialogue with the employee and management during the term of the agreement which can bring to the attention of each other the problems that exist, that may arise, and cause a much more serious confrontation when the agreement opens.

I think it would put some pressure on management to start this kind of a dialogue. I know that in one particular plant that has been mentioned, Stelco, they have what they call section 105. It is one that deals with flexible experiments to deal with these sorts of things. And I understand that it has been very effective in the past two or three years. It is not strictly to give the employees the right to strike, but that right has to be there. If it is not there, then we are right back in the same position as in the original case.

So I think there will be hazards. There may be cases, if we change The Labour Relations Act to allow that—and I should mention that it would only necessitate a very minor change in that section of The Labour Relations Act that calls for no strikes or lockouts during the term of agreement. It could be changed to say, except in matters that are not specifically covered by the agreement.

We are now past the time of adjournment, but I would urge consideration for the resolution. I know that we have to face changes and have to face the hazards embodied in changes. But this is going to be a necessary one in the coming years and we should start thinking about it at the present time.

**Mr. Speaker:** The time having expired for this debate, the order will be discharged.

It being 6 o'clock, the House took recess.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, April 8, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 8, 1968

The House resumed at 8:00 o'clock, p.m.

The House in committee; Mr. A. E. Reuter in the chair.

## DEPARTMENT OF TRADE AND DEVELOPMENT

*(Continued)*

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, when the House rose at 6, or at 5 o'clock, when we left off the discussion of Bill 11, we had before us, an amendment that had to do with the equalization of industrial opportunity.

It is very fitting that this was put forward by the hon. member for Peterborough (Mr. Pitman), because in his view, and I agree with him in this, one of the most glaring examples of inequity in the programme that the Minister is responsible for is in that town of Peterborough, which has not had the advantages of the designation under the programme, even though the statistics, as we understand them, would indicate that such a designation should be forthcoming.

I think that it was in 1963, after the change of the federal government of that time, that the new administration brought forward a programme of designation of certain areas in the nation on quite specific grounds associated with the unemployment rate at that time.

I well remember the criticism that was levelled at this programme by the Minister who is administering something similar right now. The difference in the two programmes is that the grounds for designation federally were specific. I suppose that it made it easier for those who wished to do so to level criticism at the decisions based on those designations. But at least in federal circumstances, the responsible Minister could point to the regulations as they were laid down and administered without fear or favour and say that these were the regulations that controlled the decisions.

But under the provincial circumstances, under the so-called EIO programme, announced just before the last election, there

does not seem to be specific criteria, that the decision is based on, and it is bound to give rise to the difficulties that the people around Peterborough are complaining of.

This is not the only source of complaint by any means. The double-barreled amendment that has been put to the House in connection with this bill instructs the Minister to set out growth centres in the province, and further it gives power to issue regulations setting forth the factors that shall be taken into account in designation of these areas of equalization. I agree that the goal of both of these amendments is laudatory, and for that reason we would support it.

I think that when you look at the issue that is contained within the amendment you will realize that it has been brought before the House on several occasions previously.

But this is one method whereby it can be given specific point, and I suppose that it is here where the amendment of the bill will achieve at least part of the goal that the member for Peterborough, and I would suggest, a good many members of this House, would give support.

It is not all that specific. It simply asks the Minister to co-operate with the regional development branch in designating these centres, and it would further give him the power to issue regulations. It does not specify what the regulations would be other than the designation of the factors concerned.

I do believe that if you are going to use the credit of the government in some sense to give advantages to some areas of the province over others, then the only justification that such a programme can have is that there is a specific list of requirements which when they are lived up to, or perhaps when they are descended to in the areas which need special help, would then result in the designation of the area with the assistance that the Minister has in mind. Leaving it up entirely to the discretion of the Minister and his advisers is really not an effective way of being sure that those people who are going to benefit from the programme are going to be sure that they are not just getting some favour that is based on a decision other than

the most practical ones associated with the development of the province.

I am not at all convinced that these two amendments, even if they did carry, would force the Minister to implement a system of designation that would be acceptable to all concerned. Nevertheless, they do go a great distance in that direction and for that reason we, on this side, would support it.

**Hon. S. J. Randall** (Minister of Economics and Development): Well, Mr. Chairman, speaking to the member for Peterborough and his recommendations. First of all, I might say that regional development and the plan we have today certainly will work in conjunction with each other in time. But regional development is a long-term plan. I think that your leader in the New Democratic Party (Mr. MacDonald) recognized that.

We had our first conference here a few years ago. If we were going to do anything constructive in regional development we had to study all regions to find out what their potential is. I would just suggest to you that we have not lost sight of the fact that regional development is necessary, it is essential and it is being worked on 24 hours a day under Doctor Thoman, and now under The Treasury Department.

As a member of the group of Ministers who will work on regional development with industry, I am perfectly aware of what they are doing, and we are in contact with Doctor Thoman and his group and the chief economist, now the Deputy Minister of the Treasury, almost weekly on the progress that he is making in explaining to the people in the field.

And, I would suggest, that if there are any doubts we are not going to work with them, take a look at section 4, clauses A and B. We spell out very carefully there that the Minister will be working with all other Ministers in the departments, so I do not think it has to be spelled out in a further announcement or amendment that we are going to run one way, and regional development is going to run another.

So I think it is very carefully spelled out that this department will be working with all Ministers in conjunction with regional development.

During the election, I would remind my hon. friends across the hall, the Liberals, and the NDP said, "we will have an incentive programme as soon as we are elected." We were working on one for the last two years and I want to say that I do not think

I have criticized Mr. Drury in his programme too often. I think I have worked with Mr. Drury probably closer than—

**Mr. Nixon:** Remember your speech at the Lakehead?

**Hon. Mr. Randall:** Yes, I remember the speeches and we talked to Mr. Drury and he told us: Look, I set up the criteria—

**Mr. Nixon:** You were certainly critical there.

**Hon. Mr. Randall:** —I set up the criteria on the basis of two things and two things only. It was obvious to us that the criteria being used were not going to take in most of Ontario that we felt was being neglected—including northwestern Ontario, including eastern Ontario and so on. When we set our programme up, we set a programme to try and take in as many parts of this province as we could without that discrimination that the federal authorities were accused of. I do not know of any plan, at the moment—nobody has come forward with a better one than we have got, and I say if they have got a better one I am willing to look at it. We are flexible. The programme has only been in effect about three months.

And I would say, if you look at what has happened up in the Georgian Bay area, I think that the last figure up there was something like 47 industries since that programme went into effect. We are up to 23 industries now that have been allocated already on this programme and if we can do that since January 15, I do not think there is too much fault to find with the programme and its criteria at the moment.

I would say that when the hon. members ask us to be more specific, I have the application form here. We have put on it, everything we can think of, and as the member for Peterborough himself came in to see Mr. Etchen—he talked about the letter that was unanswered this afternoon—but the hon. member knows he sat with Mr. Etchen for two solid hours and I think he answered every question he was asked.

**Mr. W. G. Pitman** (Peterborough): No.

**Hon. Mr. Randall:** And he said, "Do you want me to reply?" and the hon. member said, "No, I think I have all the information." Now—

**Mr. Pitman:** Except the criteria.

**Hon. Mr. Randall:** Now if you would like us to reply, we would be very glad to set



down in detail and send you all that conversation. Very happy to—but I would just say that there are copies available of this application form we have here.

If you have any suggestions to make whereby we can improve the plan—I say the plan is flexible—but I just suggest that you sit down and figure out how you could work this plan and not discriminate against, for example, one-industry towns, or even towns like Peterborough, or even towns like Toronto. We have a situation out here in Pickering.

Pickering needs industry in the worst way, but at the present time the people are coming into Toronto to work, so Pickering is not included, but I hope one of these days we can take a look at these other areas that require this kind of assistance. So I say that the fact is for the decisions on qualification already on this application form, and we are quite prepared to change it but our people, we think, are well qualified to take all those factors and decide where the programme should work and I appreciate that.

As something like the Good Lord with the 40 loaves and the seven fishes, it is a rather difficult job for any Minister not to discriminate against an area of the province and yet, at the same time, have a programme that means something.

Already we have heard from our friends in northern Ontario. They say as long as you are giving the same kind of grant in eastern Ontario they will not come north, and I think we are going to be able to prove to them very shortly that that does not work, that people are going north. We have got some good grants going to northern Ontario, and we have people, not too far from Toronto, who say, "If you would just include us, put us in on the lower plan. The low incentive plan is all we ask for."

But we say that if this one is going to last for 18 months, not three or four years, 18 months at the outside and then we will change it around. In fact, as I have told you when you visited me in Toronto that if we take a town today and solve, we think, its problem by getting it some industry through the incentive plan, we will take it off the list and put some other town on, perhaps the two towns you talked about.

Lindsay may, in the next month, be satisfied with what they have got and we put Peterborough on. So we are not discriminating against any town, but we have to run the programme this way and work out the diffi-

culties, and there are plenty. I did not expect it to run too smoothly, I expected lots of problems and I am surprised it is running as smoothly as it is.

I would say to you too that this is, perhaps, the first time that the municipalities, when there is some money at stake, have really turned their eyes inward to find out what they have to offer to industry. This is the first time they have looked. They have hired an industrial assessment man, a development officer, and the guy says, "We have 50 acres of industrial ground, we want industry in here." They are beginning to analyze now to find out whether or not they have the things that industry wants. We talked to the industrial development officers. They are all in to see us every day of the week. I would say to you that we have something like 900 and some odd municipalities and each and every one of those have a different problem—believe me they have a different problem and we recognize that.

You commented this afternoon on growth centres. Growth centres are going to come, but not right away until we find out where the growth centres are. I do not think it would be fair for us to say, "Well, we have decided where the growth centres are, in the Georgian Bay area," just because industry went into Collingwood, Owen Sound and Midland. I can think of towns up there like Meaford and Wiarton and Thornbury, which did not get any industry. They are looking for industry still. They never got an industry all the time this programme was in effect.

If I had been removing that plan I would have taken the incentive away from the big towns, but I would have left those other towns included in the federal designation. But now they are not in the federal designation, they are in ours, so I think we could do something for them and I think they would qualify. So this is what I mean by not deciding where the growth centres are going to be. I think we would be discriminating against parts of Ontario if we decided tomorrow we are going to put the pressure on what we think is growth centre. I mentioned Smiths Falls the other day. I can mention Elliot Lake. Elliot Lake would like to be a growth centre, but it is not going to be a growth centre overnight.

**Mr. H. Peacock** (Windsor West): But it already has the base.

**Hon. Mr. Randall:** I do not think that industry is going to settle anywhere just because the government says this is where

we would like you to go. I think that the success of the federal incentive programme has been that they offered the rewards if the industry would go in there, and industry has gone in.

I think the programme that we have here will do exactly the same thing. Once this programme has been in effect for the next 18 months, then I think we would be in a position to sit down with regional development people and say, "This is an area we can develop into a growth centre." I think I mentioned the other day a town like Smiths Falls. Here is Almonte, seven miles from Smiths Falls, where the hon. Highways Minister comes from. They would like industry in there, but industry is flocking into Smiths Falls because of one big industry that started in there. It is attracting the others.

It was the same when Ford went into Oakville—Ford attracted a lot of industries in there. As Ford has gone down to St. Thomas, industries have been attracted down there, so this also has a bearing on where the growth centres will be without government forcing the pace. Again, I say to you that we are quite prepared to be flexible and change the programme after it has had an opportunity to operate for a while.

Replying to the hon. leader of the Opposition, I say it is too early to make these changes. We have not had the programme in effect any more than three months and if we made changes just because somebody was dissatisfied because they were not included today, we would be chopping and changing every day in the week. I do not think we would have a programme. I think you would agree with that.

The federal designated programme certainly suited the needs of this province during a time when we had an unemployment problem—when they brought the first programme in Windsor, in Brantford, in Cornwall and Three Rivers. When they brought in the second one, as you recall, they were not going into Collingwood and Owen Sound. We went up and talked to them, and they extended it. And fortunately for us they did.

I point out to you that the criteria was on income below the national level, and on jobs above the national level. We cannot work entirely on that basis. If we want to start a growth programme, we want to spread industry into the very heart of the province. I would say to you that we have given consideration to all of the things that you have suggested today. We discern the legislation, we believe, is satisfactory to get the

programme rolling for the next 18 months. We may come back and hear it next year and make some changes. It may be necessary to make some changes at the moment. I think the legislation suits the needs of the day, and I would not like to see any amendments to it, Mr. Chairman.

Mr. Chairman: The member for Windsor West.

Mr. Peacock: Mr. Chairman, on the amendment, I would just like to pursue the Minister's answer for a moment. He says in reply to the member for Peterborough that his committee, or the committee of the Cabinet of which he is a member, is devoting many hours of the day to determine the potentialities of the regions. Well, I want to ask him how he is deciding to fit these plants which are receiving aid or rather to fit these designations that the various municipalities are receiving into the forecasted areas of potential growth.

I suggest, Mr. Chairman, that when you give a designation to a town such as Wellington in the Bay of Quinte area before we have advanced into the final stage of the provincial regional inventory and regional development plan, you are distorting the economic growth of that region, unless the designations are going to wait on and fit into the potentialities that are discovered through the inventories and the development of the regional plan that is supposed to be now underway.

Secondly, Mr. Chairman, I still fail to understand what are the criteria for designation. The Minister cannot wave a copy of the application at us and say, "see, it is all here." These are the questions that he is asking of the municipalities applying for designation. They are not the answers and the reasons for those answers, Mr. Chairman. We still have no idea why a cheese manufacturing plant is sent to a designated area when the town of Wellington applies and why the municipality of Peterborough is refused. We do not know, and I intend to explore this a little further when we turn to the committee stage of the bill on the Ontario development corporation.

Hon. C. S. MacNaughton (Provincial Treasurer): I would like to make one comment, and it is this, that I simply do not believe that it is necessary to propose statutory amendments to provide for the type of co-operation that exists between The Department of Trade and Development as it will be, and The Treasury Department.

There is absolutely no requirement for this. The co-operative efforts take place, shall I say, every day.

In terms of this matter of regional development, there will be ample time to debate the merits of this, I suggest, under the estimates for The Department of the Treasury, but I simply have to submit to you, Mr. Chairman, and through you to the members who are proposing these amendments, that in the ten years that I have been a member of this House it has never been necessary to make it a statutory requirement that the departments of this government co-operate. They co-operate anyway.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** Yes, but they do. You see, I say to the hon. member for Windsor West, he has not been around here long enough to know the extent that this co-operation takes place.

I well recall, a number of years ago, in terms of debating the estimates—

**Mr. R. Gisborn (Hamilton East):** That is a big laugh.

**Hon. Mr. MacNaughton:** Or certain types of legislation, there were many efforts made on behalf of the Opposition, and it is quite their prerogative to do this, to propose situations that would pit one department against another in an attempt to divide these departments. But I suggest to you Mr. Chairman, it has never worked.

This type of statutory amendment as proposed by the hon. member for Peterborough adds nothing to the proposition that is under discussion here, and it will continue to be discussed in this House on the appropriate estimates. It is not required. It is a piece of window-dressing for purposes that I regard frankly as totally impractical.

**Mr. Peacock:** Mr. Chairman, the Minister is extremely capable of trying to derail us. What we are not after in this amendment, Mr. Chairman, I suggest, is a specific instruction from the Legislature to the departments to co-operate with one another. The purpose of the co-operation, as sought in the amendment, Mr. Chairman, I just remind the Minister, is to identify growth centres in the various regions of the province and to establish policies to advance their development. He has not dealt with that proposition.

**Hon. Mr. MacNaughton:** Well, one more word if I may, Mr. Chairman: I think the

place to debate this, quite frankly, is when the regional development vote comes up in the estimates of the Provincial Treasurer.

I do not propose to you, sir, nor do I propose to the House that the point at which we have arrived over the past few months constitutes perfection. But I am quite prepared to say to you, Mr. Chairman, that when that time comes I hope I can convince the House that we have come a long way. It is fair to say, I think, that we have attempted to start at the beginning and that is not a bad place to start.

We are well advanced in the inventory process in the ten regions of the province, and we are employing the councils for this purpose. Their work is not yet done, we are assigning them more responsibility, we hope to effect a measure of co-operation between these councils and the various municipal governments involved. But before we can pursue that any further—and I am really going further than I should in terms of the bill before us, Mr. Chairman, because this can be appropriately dealt with, as I have pointed out, on the estimates. We are doing our best. I suggest that we are making great headway to develop this inventory, we are making some strides, and I hope before very long this inventory process will be complete.

Really, I simply propose to the hon. member for Peterborough and the hon. member for Windsor West and through you, sir, to the House, that we need this inventory very badly, we need it to know what we have before we attempt to do all the things that you would propose on an *ad hoc* basis. It cannot be done, and it cannot be done intelligently and it cannot be done sensibly until this process is completed. So to me it makes this amendment, as I mentioned before, a very impractical amendment. You do not have to legislate co-operation as far as the departments of this government are concerned.

**Mr. Pitman:** Mr. Chairman, I appreciate very much the Minister's comments but I do not think that this amendment is going to do what the Minister has suggested—it is not forcing co-operation—it is there but it is extremely important I think. We have been listening to the Premier (Mr. Robarts) talking about blueprints, a design for development, which indicated that we are past the inventory stage; certainly that was indicated by those statements we have had for the last four years. Furthermore, there is nothing in this amendment which states anything about time, in other words it says it is simply to identify growth centres in the various



regions of the province. What we are suggesting is a concept of growth centres as a means of finding a viable and orderly way of developing regions. I think it finds its place quite logically in this legislation.

**Mr. Chairman:** The member for Peterborough has moved that subsection 1 of section 5 of Bill 11, An Act to establish The Department of Trade and Development, be amended by adding thereto:

And in co-operation with the regional development branch of The Department of the Treasury, to identify growth centres in the various regions of the province and to establish policies to advance their development.

So that the complete subsection 1 of section 5 shall read:

The Minister, with the approval of the Lieutenant-Governor in council, may approve any area in Ontario that is considered to require assistance to attract industrial development, as an area of equalization of industrial opportunity, and in co-operation with the regional development branch of The Department of the Treasury, to identify growth centres in the various regions of the province and to establish policies to advance their development.

And further, that subsection 2 of section 5 of Bill 11, be amended by adding thereto a new subsection (c) which would read:

Have power to issue regulations setting forth the factors which shall or shall not be taken into account in designating areas of equalization of industrial development.

Those in favour of the motion will please say "aye".

Those opposed will please say "nay".

In my opinion the "nays" have it.

I declare the motion lost and section 5 carried.

Section 5 agreed to.

Sections 6 to 10, inclusive, agreed to.

Bill 11, as amended, reported.

#### THE ONTARIO DEVELOPMENT CORPORATION ACT, 1966

House in committee on Bill 12, An Act to amend The Ontario Development Corporation Act, 1966.

On section 1:

**Mr. Peacock:** Mr. Chairman, I think a brief word of explanation from the Minister is required on section 1. The definition of industry is extremely broad, and while there was no such definition or anything approaching it in the Act which is being amended. I think the Minister should tell us why he is asking the Legislature to give him such a broad definition under which to work.

It seems to me it is far too broad and completely unnecessary to fulfill the job of locating the kinds of industry that he wants to locate in these designated areas, or elsewhere outside the designated programme, that would contribute to employment. I could think of a number of service industries that would be eligible under this programme for loans from the Ontario development corporation, directly, or under the designated area programme, that could not contribute substantially or significantly to an increase in employment or sustain that increase for any time. They would fall under this very, very broad definition.

**Hon. Mr. Randall:** Mr. Chairman, in answering the hon. members' questions, I have here before me a Winston dictionary, an Oxford English dictionary, a Funk and Wagnall Standard, Webster's International, Random House dictionary, and the Senior dictionary, and they all have a different connotation of what industry is. And what we are trying to do here is to spell it out as clearly as possible—to make the word industry not necessarily manufacturing, or not necessarily mining, but to leave the word industry such that we can help, let say a cheese factory, that we can help if a warehouse goes into an area where it will serve that community and give employment to people. This is the reason why we are broadening the word industry.

Unless we spell it out, it is quite possible, our legal people tell us, that if did not have it properly spelled out, the loan could be *ultra vires*, if anybody wanted to give us an argument on paying out their account. Or if, let us say, they did not fulfill their obligation of the incentive programme, and in three years they closed out and we wanted to get payment back on the advance, unless we spell out the word industry very clearly, we could be in difficulties. The IDB in Ottawa had to do exactly the same thing, because as a rule, too many people when they think of industry, think of manufacturing something. We wanted to make it as broad as we possibly could, and that is the reason for spelling it out the way we have it here.

Section 1 agreed to.

## On section 2:

Mr. J. E. Stokes (Thunder Bay): With regard to section 2, Mr. Chairman, I was wondering if, in view of the activity with regard to Ontario development corporation loans, particularly in the northern part of the province, and the equalization of opportunity grants, if the Minister had given any thought—particularly in one-industry towns, where it is impossible to attract industry by lending money and what is spelled out in section 3—to the government's considering some kind of a deal, such as SOQUEM has in the province of Quebec. Under it, the ODC or some appropriate body would initiate the action to get an industry started in that area, particularly in one-industry towns. Then when conditions look more favourable, it would attract private enterprise to come in and assist in such a project.

I think it is absolutely essential that this kind of approach be taken, particularly in the more isolated areas where industry is not likely to establish by itself. But if it was demonstrated by the government that they had confidence in a particular area, and were able to show some promise particularly in the mining and forest products industries, in the northern part of our province, I think that possibly we would be much more successful in starting the kind of industry that is so essential in one-industry towns, and I was just wondering if the Minister would like to comment on that particular aspect of it.

Hon. Mr. Randall: Yes, I would. I go back to Keewatin a few months ago, and they had the disastrous fire as you know. About the only industry left was the fishing industry and it was in rather a difficult position and in a very precarious position on account of lack of funds. The people working there were not the only ones involved; there were 600 or 700 Indians who were fishing and who would have been unemployed. There is a case there where the Ontario development corporation through loans did go in and take a substantial position with that group to get them operating again, and not only have we supplied them with funds but we supplied them with management advice which is working with them on a monthly basis.

Again, we have done that already in Centralia. The provision for sites there is an indication why we included this in our new legislation amendment. When Centralia was abandoned there was something like 350 people left unemployed there. The facilities for a good municipality were there. We took

it over under the Ontario development corporation, and that is now a very active area with a number of industries in there and more going. So, I just say to you, if you have any of those areas where you think there is an opportunity for the Ontario development corporation to work with a group in town, we are quite prepared to work with them. We would like to see them put some of their own equity in because anybody can walk off the street and say, "I have got a good idea if you will loan me the taxpayer's money". We get those every day in the week.

I do not think you mean this. I think you mean that if the townspeople got together and put some funds into a project would we support them? I say "yes". If they have a viable project that looks like it has even a 30 per cent chance of being successful, we are quite prepared to look at it.

Mr. Stokes: If I could make a comment with regard to what the hon. Minister has said. I was talking to the mayor of Keewatin of whom you just made reference, with regard to the money that was put into the fishing industry there. As a result of the fire that destroyed their only other industry, which was the flour mill, they lost industrial taxes to the tune of about \$105,000. They were down here, I understand, making representation to The Minister of Municipal Affairs (Mr. McKeough). You might have provided employment for 30 or 40 people directly by the infusion of money into the fishing industry, but it certainly did not compensate them for the loss of the major industry. So I would suggest that while you did contribute some measure toward relief for the town of Keewatin, it was in no way the kind of thing that was necessary to take up the slack as a result of the fire that damaged their only real industry.

What I am talking about is something much more meaningful than providing a job for 30 or 40 people in a community of say, 2,500. It is something much greater than that.

I am talking about a major industry around which the economy of an entire town could revolve. We have so many of them in the northern part of the province. A one-industry town, such as Geraldton, for instance, where, as you stated this afternoon, what do you do, do you put the ore back?

This is nonsense. By the same token, we have a community of 3,500 people who are going to have nothing to turn to if we do not start some kind of a plan as I mentioned when I was on my feet a few minutes ago;

when you have a forest product industry using less than half of the allowable cut.

I think it is the responsibility of this government to come up with some kind of assistance, either make it mandatory for licence holders in the area such as Domtar, Kimberly Clark, or Abitibi, to start an industry based on a completely integrated forest management programme. Or in the case of a mining industry, where there is proven reserves of iron ore relatively close to Geraldton; where companies like Anaconda and Canfer are sitting on hundreds of millions of tons of iron ore, and yet we let towns like Geraldton die. I suggest that if you are going to come up with a meaningful programme for northern Ontario, it should be along the lines of putting government money into a Crown owned corporation. When you prove it to be successful, in that way, you will attract private capital and the co-operation of both will come up with a meaningful programme that will, in some way, relieve the problems that we have in these one-industry towns.

**Hon. Mr. Randall:** I would like to put the hon. member's fears to rest. We also financed a plastic boat manufacturer up there at the same time, and shortly there will be an announcement of a mill going in just outside of Keewatin, which will again, do the job that you say should be done.

The details of this will be released very shortly, and this again has been brought into the Keewatin area because of this incentive programme.

I think that any town in northern Ontario will perhaps have a better opportunity to get an industry such as the one going outside Keewatin very shortly because of the incentive programme. But we have to have the incentive, and, as you can appreciate, the incentive is, let us say, scaring up the rabbits. As they come into the open we can sort them out, and see where they fit.

I would say that in the next 30 days you will be agreeably surprised at some of the industries that are going to locate in northern Ontario, particularly the area that you are talking about. I think that the one going in there will do a lot more for the town than perhaps the feed mill that burned down, as much as we would have liked to have seen that replaced. But management said no, it was antiquated, and if it burned down, we do not need it.

So, we have been looking for a new industry for Keewatin, and I say to you that not only have we helped the two that are there

to the best of our ability through ODC, but we will have this new one in there very shortly.

Section 2 agreed to.

On section 3:

**Mr. J. Renwick (Riverdale):** Mr. Chairman, on section 3 of the bill, would the Minister give us some relatively clear explanation of the criteria which he will use, or the government will use, in determining whether or not, any part of a loan is to be forgiven after the conditions in subsection 4 have been met?

**Hon. Mr. Randall:** I think that the forgiveness is on the basis that the company will stay there for at least six years. We think that if they stay for six years there is very little chance of them moving away.

The thing we wanted to make sure about when we gave a loan to a company for one quarter or one half a million dollars is, that they did not sell out in about three years, make a capital gain, and move off. Maybe the new owners would not run the business on the basis that the original owners were running it. So, the forgiveness part of the loan, as you know is written off at about 10 per cent per year, and if they are there at the end of the six years, the balance is written off. If they fold or change their method of operation, and they do not live up to the agreement that we sign with them, then they have to pay back the full loan.

**Mr. J. Renwick:** Mr. Chairman, I would like to ask the Minister two or three other questions that can all probably be subsumed into one. I am a bit concerned as to whether or not the Minister sees the corporation as a pretty flexible instrument for the development of industrial undertakings around the province. Or does he consider that he is going to deal mainly by lending money on security, and then if they meet certain conditions, after the limitation period has run, forgiving them the debt?

I may put it another way. There are many flexibilities of corporate financing which are available to this corporation. For example, would the Minister consider when lending money that they would provide, for example, security convertible into some kind of equity position? It might be a preferred equity position or a voting position, or a non-voting position, whether it was a common stock position, under either the kind of non-voting class A common shares or the voting class B common. This corporation would thus have,



rather than forgiveness of the loan, participation by way of equity capital in this on-going operation for which the government is providing the incentive payment.

**Mr. J. H. White** (London South): Well that is very clear.

**Mr. J. Renwick**: It would seem to me that if the government was prepared to say that this government will take, through this corporation, an equity position in the industrial undertakings, over a long period of time, you could achieve the same purpose and have a continuing interest in the industrial undertaking without having to forgive the repayment of the loan. Now I do not know—perhaps I have not made myself clear to the member for London South, but perhaps I have to the Minister.

**Hon. Mr. Randall**: Quite frankly, your leader the other day, brought up this fact. He said, do you think you could not make these grants and take an equity position in the company? It poses somewhat of a problem. Let us assume it is a small manufacturer starting out with very limited capital and he said, "I need equity, I have not got all the equity I need, I need a little more, suppose I give you common stock, preferred stock or bonds or convertible bonds; are you prepared to take it in this legislation?" Yes we can take it. But now, I give you the opposite example—Uniroyal Corporation or Allied Chemical, for the sake of five hundred thousand—

**Mr. Nixon**: Or Union Carbide.

**Hon. Mr. Randall**: Or Union Carbide for the sake of argument. These people are going into the area certainly to pick up the grant but I would think in some cases if we said "We want \$500,000 worth of your treasury stock," I do not think they would accept it and go into the area. They would probably say, "Well if you want it you can go and get it on the open market or we can buy it and give it to you."

This is the thing we are wrestling with at the moment. We are looking at a situation whereby perhaps the corporation, in time, will be able to take an equity position in some of these companies, but at the moment we have not done that; it is worth considering. I do not turn a deaf ear to it because the reason for changing over from an agency to a corporation and invoking the clauses we have in this, is to give the corporation more protection against some of the things we learned in the past.

Keep in mind when people come to us to borrow money—leaving aside the grant—when they come to us to borrow money they have gone to private sources and been turned down. Maybe they have been turned down by IDB and we take a look at it and say if they, as I said this afternoon, have a 30 per cent chance of success, we have taken a gamble on them. Now outside of the first five or six loans ever made by the development agency, our losses have been practically nil because we have had a follow-up team to make sure that when we do lend the money or guarantee them at the bank, we help them with the things that they find necessary to run the business—

**Mr. Nixon**: The former Minister took a few more risks.

**Hon. Mr. Randall**: Well that is right. Well he took the first six. We are taking lots of risk but we have found that people do not always need money, they need advice and I think you will find that when our estimates come along there are more people need advice—

**Mr. Nixon**: That is cheap to give!

**Hon. Mr. Randall**: —there are more people needing advice than needing money, believe me, even your bank manager will tell you that.

I want to say to the hon. member for Riverdale that I think this is a good suggestion. We are looking at it and if there is an opportunity for us to take a position in a company, certainly I am interested in that because I want to get as long a run for the taxpayers' dollars as I can. But at the present time, the incentive programme I do not think, would lend itself to taking an equity position with some of the companies we have been doing business with.

**Mr. J. Renwick**: Mr. Chairman, if I may just conclude briefly, following the Minister's comments. I was not thinking of a loan or an equity position in the initial instance. I was thinking of a taxable position by the corporation where at some time in the future they could convert that debt obligation, which is a heavy burden on the company, into an equity participation. I think the Minister and I are probably talking the same terms.

If I may comment about the industrial development bank, which is not dissimilar from the set-up of this corporation—one of the disabilities that the industrial development bank ran across in its operations was

that it demanded too much in the initial instance. It locked the company up so tightly and it locked the principal shareholders up so tightly in return for a minimal number of dollars, because they could not get it elsewhere, that those companies found they had no room to manoeuvre.

The Minister is probably aware that they would take a first mortgage on the plant and equipment and they would take a floating charge on everything else; they would take an assignment of receivables, they would take life insurance on the life of the president, they would take almost every form of security that they possibly could, and the net effect was that that company had no room for manoeuvring at all.

I would certainly hope that this corporation would learn from the experience of the industrial development bank and use the resources which the government is making available for this programme, on a much more flexible basis so that the company can become a company which is eligible to borrow money or to raise money elsewhere.

I am sure the Minister is aware of the problems that the IDB ran into. I simply make that as a note of caution in which this corporation should operate.

**Hon. Mr. Randall:** Well, I might say to the hon. member that I guess there are three or four instances that I know of where we have taken the IDB out of the piece and given them back their money and then we have turned around and refinanced the company, in order to give it sufficient working capital. What we found with IDB, in many instances, was they had loaned the man just enough money to get organized and pay off his creditors and then he had no operating capital.

One of the things that I did with the development corporation is this: If a man comes in and wants to borrow \$25,000, you look at the debt that he has to finance. There is no use giving him \$25,000 of the taxpayers' money to pay off his creditors, and then see him go down the drain. We give him \$50,000 and then watch this \$50,000 loan until he is on his feet. We have a number of cases where we have doubled the amount of money required in order to take care of the creditors and give them working capital, but always making sure we leave the bank position so the man can get his operating credit at the bank. And this is one of the things that I believe has made it very successful for the development corporation to finance a number

of these companies that were on the doubtful side. I agree with you, that to get just a small loan to pay off the creditors is the quickest way to go bankrupt that I know of, and we have had those experiences and have been involved in some—some of them amounting to \$200,000, in fact, to bail out. But it has worked out very satisfactorily; we have not had any major losses. So we are aware of that situation.

**Mr. Peacock:** Mr. Chairman, I just want to deal, for a moment, with a firm locating in a designated area which did not receive a small loan. It received, I think, the maximum loan. Before discussing it, I would just like to state this point, and perhaps the Minister could answer it, if I am correct in stating it, and that is that under the designated area programme, the lending of money under that programme as set out in subsection (c) of section 8 of the Act, it is not incumbent on the applicant to show that he was unable to obtain funds elsewhere as is the case of an applicant applying under subsection (a) of section 8.

Under subsection (c), the equalization of industrial opportunity lending section of the Act, Mr. Chairman, we find in a report of a few weeks ago, in the *Toronto Star*, a story listing a number of firms receiving grants eligible for forgiveness if the firms meet the conditions at the end of the fifth year—one being the Allied Chemical Company of Canada, which was granted a loan of \$500,000 for a plant in Belleville to manufacture packaging materials. And the report goes on:

In the case of Allied Chemical, providing the conditions have been met, the \$500,000 loan will be forgiven at the end of six years.

Mr. Chairman, the Allied Chemical Company of Canada is a wholly-owned subsidiary of the Allied Chemical Corporation of New York, I think.

Last year, the year ending December 31, 1967, its net profit—consolidated profit on its world wide operations—amounted to \$73.2 million. Its stockholders' equity in that company, and I imagine some of them were Canadians, amounted to \$755 million, so its stockholders enjoyed a return of almost 10 per cent on their investment in the company—an extremely favourable, a not at all immodest rate of return, Mr. Chairman.

And yet this firm will receive from the taxpayers of Ontario, assuming that it meets the conditions, whatever they may be—and the Minister has merely touched on them—that



the firm must meet to be eligible for forgiveness, it will receive \$500,000 and will have paid only a small amount of interest on it from the time it took out the loan until it is forgiven repayment of the loan.

I want to ask the Minister why, in the instance of a major international corporation, settling in a designated area which includes an industrial centre, Belleville, why the taxpayers of Ontario are subsidizing this firm to this extent, because that is exactly what it will be—a subsidization for the sake of a number of jobs?

And secondly, Mr. Chairman, I want to suggest to the Minister that when loans of this size are going to be forgiven to firms of that size, the Legislature and the public deserve to know much more about the criteria under which the loans are granted, and the terms of those loans, Mr. Chairman.

And finally, I would suggest to the Minister that in many cases, it will be firms of that size only which will be able to take full advantage of the full amount of the loan which the Minister proposes to make under the equalization of industrial opportunity programme, because the calculation of that loan—I think it is found in subsection 4—calls for an investment in plant and machinery of something in excess of \$2 million in order for a firm to obtain the full loan that is available under this Act, or under this programme.

Mr. Chairman, I think it would be unfortunate if, under this formula, the only firms able to apply and successfully obtain such large sums of money from the public treasury, were large international corporations making this scale of investment, and that smaller independent firms, more likely to be Canadian-owned, would not qualify to the same extent.

**Hon. Mr. Randall:** Well, Mr. Chairman, I will try and answer the hon. member's questions as he asked them.

In the first place, let me refer to the section (a) that you referred to, that is an out and out loan guaranteed to the bank on the regular basis. A man comes in, he has tried two sources, they have turned him down, and so we guarantee him at the bank. That is what we have been doing since we started the development corporation. And under (a), at least under (c), that is the forgiveness loan on a demand note basis without interest—this is the loan that we have been talking about—the \$500,000 that had gone to Allied Chemicals—and so the two are not related. One is the forgiveness loan, the other is a guaranteed loan.

You mentioned Allied Chemical, and all I can suggest to you that any incentive programme, whether it be ours or the federal authorities'—and again I can go back to the federal authorities—you would probably find more wealthy companies took advantage of the federal designated programme to settle in the Georgian Bay area, or in Brantford in the original programme, or Windsor or Cornwall, than some small bicycle manufacturer.

I do not care how big a company is. I do not care if they earn a billion dollars a year—if it is the Ford Motor Company. If I could get the Ford Company to build a plant in eastern Ontario or in northern Ontario, and in doing so, with their investment they earned a \$500,000 grant—I do not think we are going to worry too much about the size of the company and its income.

What you are suggesting is that we should finance smaller companies, and we do. If a man can qualify for \$10,000 we are quite prepared to see that he qualifies for the same programme. I do not think the size of the grant and the size of the company have anything to do with the programme. The programme is to get as many good major-size companies into the areas of this province where we would like to see them located.

In the case of Allied Chemical, they went to Belleville because they could earn \$500,000 going to Belleville. If they had come into this province before the designated programme was taken out of northern Ontario, perhaps they could have earned up to \$5 million, if they had spent, say \$20 million in the Georgian Bay area.

So I say to you that we are not going to be in any position to say that because a company makes money, or has money, it cannot qualify, because they are the kind of companies that we want to encourage to go into other areas. Allied Chemical are going into another area in northern Ontario very shortly, which I think will be very happy news again for northern Ontario people. They are going in there because of circumstances that have been brought about by the incentive programme.

Again, I say to you that it is not a matter of giving the taxpayers' money to companies that are making lots of money. It is a matter of getting the money, using the money to entice these companies to go into other parts of the province that need that kind of a plant to service the people in that area, and increase their income, mop up any unemployment, and create industrial activity there.



I think if Allied Chemical goes down to Belleville, it is quite possible that in the next few years other companies will be attracted into the same area—because of Allied Chemical. I think if they go to northern Ontario it is quite possible that they will attract other companies up there. So, I think, you need have no fears that we are not encouraging the little fellow as well as the big fellow.

But, to be quite frank with you, I would like to take all the big fellows that have the kind of earnings that Allied Chemical has. If we had enough of those, I think the plan would work a lot faster. As I pointed out so many times, our economists tell us every time we provide a job to a fellow, even pushing a broom, this province collects \$670 in taxes directly and indirectly. And so, the more of those companies we get in, the higher the employment, the sooner that \$500,000 comes back to the treasury and, I think, to the town and municipality he settles in.

Mr. Peacock: Mr. Chairman, I assure the Minister I was not being critical of his desire to tempt these large corporations into such communities as Belleville. But I was concerned to raise the issue with him that the method of calculation of the loan might shut out a number of firms otherwise eligible who were not making the size of investment that Allied Chemical of Canada, for example, is making. I also appreciate, as I think I made clear in my remarks, Mr. Chairman, that I understand the distinction between subsections (a) and (c), but I fail to see why it should not be incumbent on a firm like Allied Chemical to say that, "Just because we intend to move into a designated area, we should not have to show that financing was completely unavailable to us." Allied Chemical does not need to turn to the market for financing, Mr. Chairman. It raises its monies for capital expansion through the prices that it charges to its customers, like any other major corporation does these days.

Hon. Mr. Randall: I think where you are confused is, the loan to Allied Chemical is not a loan in the same sense as the loan in (a). The other is a loan to be paid back with interest, and the Allied Chemical loan is a grant they earned by going to that area. We call it a loan at the present time, but it is a forgiveness loan. As you will see when we get to the end of this Act, we ask for the right to write that off over the period of six years.

Mr. Peacock: The Minister calls it a grant, it is written here as a loan. Is that not right?

Hon. Mr. Randall: We have to call it that in order to make sure that they follow the programme that we lay out for forgiveness loans. We call it a demand loan, and then we refer to it as a forgiveness loan in here, but it is a grant that we give. We did not want to call them grants, we want to call them forgiveness loans. They are loans made without interest and, as long as they stay there for the six years, we write it off at 10 per cent a year, and the balance at the end of six.

Mr. Peacock: Mr. Chairman, the Minister is saying that it is virtually a grant, at this moment.

Hon. Mr. Randall: Yes.

Mr. Peacock: And will not be repaid.

Hon. Mr. Randall: Not unless they move out before the six years is up.

Mr. Peacock: And I am, therefore, right in saying, I believe, that if the Minister treats this \$500,000 grant as a deposit in the treasury of the corporation, then it is unlikely that a penny of it will remain in Canada when the firm remits its dividends to its parent corporation in the United States. And that the sole benefit accruing to the province will be a number of jobs and the purchases made in Ontario, that will arise from its location in Belleville. I think this adds considerably, Mr. Chairman, to the point made by the member for Riverdale, that we must have in some way—the province must have some way—of taking part in the equity position.

This firm, as the Minister suggests, might well not be agreeable to undertaking such a commitment that it will offer to the province, in return for the grant, securities that it has issued. But at least it does call for the disclosure of the terms and conditions in fuller detail than the Minister has provided. I think it also calls for, Mr. Chairman, the kind of financial disclosure that I talked about in the second reading of this bill and which we do not now have in this province, when it comes to learning about and knowing about the financial operations of such corporations in this country.

Mr. Chairman: The member for Thunder Bay.

Mr. Stokes: Mr. Chairman, I would just like to make one more comment, in view of what the Minister has stated.

When you get a situation where, say, Allied Chemical can get a \$500,000 grant, forgiveable over six years, in a place like

Belleville on the fringe of the market, how does he anticipate that this is going to attract industry to more remote areas of the province? At last count, we had some 170 municipalities in the province that could conceivably qualify for an equality of opportunity incentive loan and I do not think that it is hard to conceive of where they are going to establish.

We have got only two industries in the north that they could conceivably establish an industry in on their own, or a business, and that is the mining industry and the forest products industry. Would not the Minister take into account the feasibility of providing extra incentives to these remote areas, in order that they can be put on an equal footing with regard to industries that might establish in any part of the province given that they would enjoy a much greater level of assistance by virtue of the fact that they did establish in more remote areas where the need, naturally is greater for the providing of more jobs?

**Hon. Mr. Randall:** Let me just suggest to the hon. member that in some parts of northern Ontario—up past Kirkland Lake, and the Moosonee area—the federal designation programme is still in effect. Anyone who wants to can earn up to \$5 million, but there is not anyone going in there. All that I suggest is that this Allied Chemical Company is going into northern Ontario because the products that it wants to work with are in northern Ontario. The company that I mentioned outside of Keewatin a few moments ago is going to Keewatin because the products that it wants to work with are in Keewatin.

We think that the programme—the \$500,000 is working and if we find later on that we need further incentive to get them into northern Ontario as against somewhere else, we are quite prepared to look at it. But the company that went down to Belleville went there, I think, because economically this is where it can operate better. The other plant that I am talking about will operate in northern Ontario and could not operate down here because it would not have the same opportunities. So, I agree with you that if we have to change the programme to put further incentives in there, we have lots of time, and we are quite prepared to look at it.

**Mr. Chairman:** The member for Windsor West.

**Mr. Peacock:** I have a question for the hon. Minister. Perhaps he will not be able to answer it at this time, but at a later stage. I would like to ask him if he can

tell the House whether any loans have already been forgiven under the programme, and secondly can he tell the House what number of the successful applicants are Canadian-owned or Canadian-controlled corporations, and what number are United States owned or United States controlled?

**Hon. Mr. Randall:** We have not forgiven any loans yet. The programme is just under way. Six years has not run out yet. I mean, we have made the loans, but until they have worked out their six-year period, we will not be forgiving any loans.

Insofar as the companies are concerned, I will be getting out a report—I do not have it with me tonight—of which companies are Canadian, and which are foreign. As far as I am concerned I am interested in any company that will come here and expand our opportunities for employment and fit into our communities. I think that as I said a few minutes ago, there are some 23 that have qualified so far since January 15, and I think that this is pretty good ratio for the first three months. If it keeps up, I think that you can see that it is going to be a programme that is working just as well as the federal programme in a wider area, and the areas that needed the incentive programme.

**Mr. S. Lewis (Scarborough West):** Mr. Chairman, there seems to be a pattern emerging, judging from the \$500,000 that has been granted to Allied Chemical. If memory serves me, several hundred thousands of dollars have been granted to Union Carbide in the Walkerton area. I understand that a considerable amount of money is about to be, or has been, announced to the same international corporation in the Arnprior area, and that the Holiday Inn franchise has received a major subsidy from the government in areas of Ontario. And one worries on this side of the House that the tendency is the essential thrust, to use Ontario taxpayers' money to subsidize American-controlled international corporations on a total forgiveness basis, and that again makes the argument of our friend from Riverdale about equity, that much more relevant. We put to you, Mr. Chairman, that there has to be some discretion intertwined with the granting of incentives, and there has to be some questioning of the tendency to continentalism which this programme is enforcing, and reinforcing, and that after all, while the jobs may be created in this province on a grant plan basis, in the final analysis we may be undermining provincial political autonomy by virtue of this public subsidy of international corporations.

That worries us greatly in this party, Mr. Chairman, and we will be most interested to see, when the Minister's estimates come down, or when he provides some of the details, how it breaks down. The way that it sounds tonight—the Minister is a sufficiently astute politician perhaps to have corrected the sense—is that the largest loans are going to international corporations of major profit status with fine returns to the shareholders, while rather more modest loans, if any, are going to very small independent companies. Indeed, Mr. Chairman, one would like to see the breakdown of jobs that are created when we provide to Union Carbide \$400,000. One would like to know what the return on the investment is, because the pattern is a little disquieting.

We do not for a moment denigrate the concept of incentives to eastern and northern Ontario for the location of industry, but one worries about the way that the money is proportioned. Now, I wonder, Mr. Chairman, what is being said to wholly owned Canadian subsidiaries or wholly owned Canadian industries, and what efforts are being made to bring in wholly owned Canadian plants in the same incentive programme. How many of them have applied; who has been refused; what efforts have been made on the open market to borrow? All of these things are of consequence because from what we have learned tonight, and from some of the announcements of the Minister, one senses a trend. And the trend is obviously in the direction of continentalism, and this is disquieting.

**Hon. Mr. Randall:** Let me just put your mind at rest. You say "borrow." These companies such as Allied Chemical do not have to borrow anything; they have sufficient funds to go into these areas and set up their \$2 million plants. Then we come to jobs, and your friend in the front bench, the hon. member for Oshawa (Mr. Pilkey), is very interested in jobs. I remind you of the figures that I brought into this House last year when we talked about the new industries over the 1965 and 1966 period. I pointed out very clearly to the members of this House that \$690 million was invested in those two years by Canadian corporations, and \$692 million by foreign corporations, and the foreign corporations provided 66 per cent of the jobs in that period.

I think that we have to realize that if we want to get the labour intensive jobs up here, some of the bigger industries are going to

are not turning down any opportunity to help Canadian manufacturers, and as a matter of fact, when our estimates are on for The Trade and Industry Department, I think we can show you we have talked personally to over 6,000 industries in this province, both foreign and Canadian. We have a record of what they are doing here, what their productivity is, what they have in the way of skills, what their machinery is. We are doing everything that we can to generate Canadians into big corporations, but it is not as easy as it sounds. I know that it is easy to talk about branch plant economies, but I just say to you that if we did not have a branch plant economy over here, there would be a lot of people here looking for jobs today.

We have no intentions of spending this money just to encourage foreign investment; we will encourage any investment regardless of where it comes from. And, I hope that when it comes in here, it is job-producing industry, because in the long run this is the way that we are going to get that \$500,000 back. We are not going to get it back in dividends; we are not going to get it back in any other way but jobs, income to the people and the spending power of this corporation to keep it operating.

**Mr. Chairman:** The member for Fort William.

**Mr. Lewis:** Mr. Chairman, may I reply?

**Mr. Chairman:** On the same point?

**Mr. Lewis:** What we want to say, Mr. Chairman, is that obviously an effort is made to attract those who can be attracted, but the adherence of the Minister to the branch plant economy—that total preoccupation with the term and with the economic pattern—is very worrying to the future economy of the province. After all, Mr. Chairman, there are no laws of corporate citizenship in Ontario; the law of corporate citizenship in Ontario is to be a good corporate citizen—that is the extent of the definition. And Ministers of the Crown, Ministers of these front benches, have lain themselves down as doormats and allowed international corporations to walk all over them if they so wish, and to violate them. The Minister of Financial and Commercial Affairs says, "Ah". I remind him of what the Studebaker plant did to him when he was Minister of Labour. They did not even have the interest to inform the Minister of Labour that they were going to close down a plant in Hamilton and throw several hundred men out on the street; and the Minister did not



feel that he as a Minister of Labour should ask that of an international corporation.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): How did I know they were going to close down?

**Mr. Lewis:** A very good point, Mr. Chairman. There are no ground rules at all. We say to the corporations: "Come into the province, we will foot you to the tune of \$500,000. It will not cost you a penny, it is in the nature of a grant. If you want to close down after six years, go ahead and close down, the Ministers of the Crown do not even think they should be notified."

**Hon. Mr. Rowntree:** Let me just clear one point. There was no loan to the Studebaker Corporation as far as I ever knew.

**Mr. Lewis:** I quite appreciate that, Mr. Chairman.

**Hon. Mr. Rowntree:** What an inference, what an unfair inference!

Interjections by hon. members.

**Mr. Lewis:** I know that the Minister, to be just, Mr. Chairman, to both the Minister of Trade and Development, and the present Minister now of Financial and Commercial Affairs, they were a little concerned at the behaviour of that international corporation and the flagrant disinterest they had in the affairs of government and the Ministers of the Crown.

But there was not a thing they could do; they were dictated to and they succumbed; and in this instance, we are inviting the same dictation, without laws of corporate behaviour whatsoever, subsidized through public monies. And the Minister may feel that the member for Oshawa wants jobs—indeed he does—but he also wants political autonomy in the province of Ontario.

And that is just as important in the long run as all the jobs in the world, and we suggest very strongly that when the Minister's estimates come forward, they may well show that the biggest grants have been given to international corporations that are American dominated, that they have a favoured position for public funds; that the job creation part of it in the labour intensive area is a factor but not the decisive one; and that frankly, Mr. Chairman, we are into a very tenuous area.

We ask the Minister to look at it carefully. There must surely be ways of discriminating more appropriately between an indiscriminate

granting of grants, to use the Minister's terms.

**Mr. White:** What did Mao Tse-tung—

**Mr. Chairman:** The member for Fort William.

**Mr. J. Jessiman** (Fort William): Mr. Chairman, I represent a very slow growth area. In 1967, Fort William grew less than 300, but I am amazed that we have not had some support from the member for Port Arthur (Mr. Knight) who, in the last 90 days, has received three new industries—a new plastic plant employing some 22 people; an addition to an insulation plant; an announcement was made just some two or three days ago that an additional 65 people would be employed on a third shift in a Port Arthur plant.

We in Fort William are still waiting for the first one, but we are very grateful that Port Arthur and the adjoining municipality of Neebing are going to have a new brickyard out there; these are all 100 per cent Canadian-owned, Ontario companies that have invested in Ontario, and I am very proud that the hon. Minister of Economics and Development has been able to help us up in the north to bring these factories to the northwest part of Ontario.

Section 3 agreed to.

On section 4:

**Mr. Nixon:** Mr. Chairman, the section under discussion at the moment provides the funds to meet the commitments that the Minister has already entered into, since the last section of the bill brings the bill into force retroactively.

I am very much interested in the provision of these funds, particularly in the light of the need that has been expounded on all sides of the House during this session for us to provide a channel through which our own citizens can invest with confidence in the expansion of our province.

I would not for a moment suggest that the government should use private funds to invest in those areas of our economy which have an undue level of risk; these should certainly be as a matter of specific government policy, and the use of public funds would encourage this sort of growth, or else these particular firms should resort to the open market for the kind of support that would allow them to function, at least for a time.

But I am very intrigued with the possibility of using private funds through the development corporation. This particular section provides only for those funds appropriated by the Legislature, but it seems to me that there should be a real possibility of using the corporation as a channel through which public investment, or investment from private funds could be made, in the kind of public programmes that this particular corporation undertakes.

Whether or not it would be accompanied by the guarantees through the credit of a province, I believe that some means could be found to restore the confidence in the small investor in this province in the sort of thing that would channel a greater share of the savings of the citizens of our province, and our nation, into this kind of development.

We know that Walter Gordon's concept of the Canada development fund has not really gotten off the ground as yet, although we, in our party, evidently accept it at the federal level with little or no action to substantiate it. But it seems to me that the responsibilities and the whole area covered by this development corporation is one that could very well employ the same concept for the development of this province.

I would like the Minister to comment on this because I think that this is one of the best ways—not in which we can buy back the ownership and management of our corporations which are controlled elsewhere—but to at least take a firm and positive step to see that capital is available for those corporations which are presently owned in this province and in this nation so that they can expand without going out of the country for the capital assistance that they will require.

The proposal is one that, I believe, merits serious consideration; it is one that should be entered into in my view by the government of Canada, but which should certainly be available through this corporation and to the citizens of Ontario, and I invite the Minister's comment.

**Mr. White:** Mr. Chairman, before the Minister does comment, may I speak briefly to this point? I think I was the first person to advocate a government-sponsored mutual fund. When I gave a speech on this subject about seven years ago in London, at that time it was the headline in the London *Free Press*.

The idea was taken to the Cabinet of the day by our London federal member, who happened to be the Secretary of State, and

the Minister of Finance of the day, the hon. Donald Fleming said it was the most dangerous idea he had ever heard of. He rejected the idea that I had advanced. I was naturally very gratified when Walter Gordon had the same idea a year or two later.

**Mr. Nixon:** He read your clippings.

**Mr. White:** And I followed the progress of that idea in his very capable hands and have been somewhat disappointed that the idea has not as yet reached fruition. For that reason, I was very interested in the modification of that proposal which the leader of the Opposition incorporated in his Budget address a couple of weeks ago. I think that idea of his has some merit too, and I think we should give some thought to that.

But I would have to say, Mr. Chairman, that this is something entirely different, because the whole basis of a government-sponsored mutual fund is to provide a high degree of security for large numbers of small investors, and, in fact, I suspect that Mr. Gordon was willing to sell Parliament, and perhaps other profitable Crown corporations, into the fund, to give a guarantee of sorts that those equity securities would not diminish in value, thereby broadening the participation of our citizens in the equity position of Canadian corporations.

This of course, would completely defeat the purpose because the primary purpose of this legislation, and complementary legislation, is to induce private capital into certain industries, and in the certain areas which would not be profitable in the absence of that inducement.

And so to ask that the proceeds of the sale of equity securities in the government-sponsored mutual fund be put into this kind of corporation, would be to defeat the whole idea of the government-sponsored mutual fund and, I suspect, the whole idea of the Ontario development corporation. They are quite different things and the more recent suggestion from the leader of the Opposition, I would have to say, is not appropriate.

**Mr. Nixon:** Thanks very much.

**Mr. White:** That is all right, there is no charge for it.

**Hon. Mr. Randall:** I could use all the help I can get.

**Mr. Singer:** Yes, you do.

**Hon. Mr. Randall:** Under section 9, powers embodied, it says:

Subject to the approval of the Lieutenant-Governor in council, the corporation may, from time to time, borrow or raise by way of loans, such sums of money as the corporation deems requisite for any of the purposes of the corporation if any one or more, or partly in one, or partly in another of the following ways; by the issue and sale of debentures, bills or notes of the corporation of such form or forms, and such denomination or denominations, bearing interest at such rate or rates and payable as to principal and interest as such time or times such currency or currencies, that such place or places of the corporation may determine.

So we have the powers to borrow on the open market once the corporation has sufficient assets on the books to use those assets to go out and raise money in the open market without going back to Treasury. This, I think will in the long run, be the way in which the corporation, I hope, will be able to operate.

I am not going to discuss the Canada development corporation until more is known about it, whether it is going to be good, bad, or indifferent remains to be seen. I think there are many people for it, but there are many people who feel that perhaps they may get in the same situation as GIC in Quebec.

I do not disparage their efforts down there, but let me say that GIC I think put out shares at \$10 a share. Many thousands of people in Quebec bought those shares and, as you know, they dropped to \$5 a share. Then the corporation needed more money and could not go out and float another issue and the Quebec government had to come to its rescue.

I saw their last report since they bought the marine industry down there. I think their earnings last year were about \$600,000, but still the corporation, with the amount of money already invested in it, is not in a position yet to go back on the market and borrow from the public.

One thing, I would want to make sure as far as we are concerned that our house was in good order and the assets we had were good earning assets before we went to the market to raise money on this basis. But I share your concern. I think that this is a very commendable way to run a corporation.

In fact, I think it is the reason why I was able to sell my colleagues on the fact that we should form a corporation, and I hope

in these days it would be independent of Treasury board, would be able to raise sufficient funds with the assets we have in the books. We will be presenting to the Legislature here before the session is out the balance sheet of the corporation.

I think you would be agreeably surprised with what success we have made in getting into a proper position with the corporation in this short period of time since it was incorporated last year.

**Mr. Nixon:** Well Mr. Chairman, I do not think there would be any thought that you would go out and sell share capital on the basis of the statute as we understand it if you are going to use the funds for the purposes outlined in this amendment. It was not my intention to confuse the two the way the member for London South has.

**Mr. White:** Well, you did indeed confuse—

**Mr. Nixon:** But it is obvious, surely that the difficulties experienced by the other jurisdictions which have attempted this could be accommodated so that we would not make those mistakes here.

We have the facilities of the Ontario savings office with business branches in most of the centres across Ontario. Surely, an imaginative approach—and I know the Minister is very capable of this—could enter into a programme that would involve the proper investment, the safe investment, and proper use of the savings of a good many of the citizens of the province. I urge on him the examination of the possibility that we can undertake something like this.

Section 4 agreed to.

On section 5:

**Mr. J. Renwick:** Would the Minister let us know how many loans have been made since December 1, 1967, on which the government has, in substance, undertaken to see that the agreements are revised to give effect to the forgiveness of repayment?

**Hon. Mr. Randall:** I do not have the figures here with me, but I believe the total to date since December 1 is roughly 20.

**Mr. J. Renwick:** Roughly 20 loans? What would the amount of the loans be that we are being asked to approve retroactively for forgiveness?

**Hon. Mr. Randall:** I would say roughly about \$2.5 million.

Section 5 agreed to.



On section 6:

**Mr. Nixon:** Just before the completion of the bill. This section, of course, provides for the dates upon which it comes into force, and the sections associated with the EIO program are retroactive in nature. We have, on previous occasions, been offended by amendments that make government action retroactive, but this is to accommodate the decision of the administration that they would bring this down as an election programme, even though they had ample opportunity so to do in the days during the last session.

Before that, the similar subject came under discussion with suggestions from this side and from sources that the administration might accept more readily even than that. So we find that the section that brings the Act into effect has the special clause that accommodates the election promise that was made.

Naturally we must support this since the government has entered into commitments based on a programme that went at least part way towards the incentive for industry that we have been calling for, even during the years when the Minister was objecting to the sort of hot house enticements which he felt would not give us a balanced economy.

He has been forced to change his views by the leader of the government and his colleagues of the front bench, and it shows up most dramatically in subsection 2, of section 6.

I just wanted to call this to your attention Mr. Chairman, because it indicates that the administration, if they were to receive and act on the advice that came from the Legislature and other sources of competent knowledge, then we would not have the kind of legislation like this that has to have retroactive enforcement, particularly when it involves large sums of money, and commitments made by this Minister before he has the legislation to base them on.

**Hon. Mr. Randall:** Mr. Speaker, may I just comment on that. I think that if you will look at sections 1 and 2. This Act except sections 1, and 2, comes into force on the day that it receives Royal assent. This is because of our situation at Centralia where the air field was abandoned as you know last April. We made a deal with the federal authorities to buy the field for \$600,000. We laid our money on the line, and we had to get our people down there to make sure that it was not stripped. We had a crew of people work-

ing down there so, as of June 1, that goes back to cover Centralia.

As you see, section 2 says that sections 1 and 2 shall be deemed to have come into effect on June 1. The rest comes into effect when it gets Royal assent, so I do not think that we have done anything wrong here.

We recognize that the loans that we have been making were demand loans which we could do anyway in the past without interest if we wanted to. But this gives us the forgiveness clause. I think you will find that we have not taken advantage of the Opposition in this matter.

**Mr. Peacock:** Mr. Chairman, on section 6, I would like to ask if it might be in order to bring up the matter of the issuing of regulations under this Act? There are none as far as I can determine. None have been issued under the 1966 Act, and within that Act, there is no power given to the Minister to issue regulations, and it is not proposed in this amending Act as the Minister—

**Mr. Chairman:** Is the member speaking to section 6? I fail to see anything pertaining to regulations.

**Mr. Peacock:** Yes, Mr. Chairman. Under which section or clause or preamble, could I speak to that matter?

**Mr. Chairman:** There are no regulations set forth in this particular bill, no provision for any regulation.

**Mr. Peacock:** That is my point, Mr. Chairman, and I suggest that there should be after tonight's discussion.

**Hon. Mr. Rowntree:** Well, that should have been raised in the principle of the bill.

Sections 6 and 7 agreed to.

Bill 12 reported.

#### THE SHERIDAN PARK CORPORATION ACT, 1964

House in committee on Bill 14, An Act to amend The Sheridan Park Corporation Act, 1964.

On section 1:

**Mr. Chairman:** The member for Riverdale.

**Mr. J. Renwick:** When the Minister introduced this amendment, did he find he was hamstrung without sufficient powers in the corporation?

**Hon. Mr. Randall:** Earlier in the House today I gave the explanation on second reading of the bill. What has happened here is we are now working on the west side of Sheridan Park and we are empowered under the Act, to sell land only and not to make any other commitments; to sell land and to service land. There are six buildings going up of which one is going to be used as a meeting room for the scientists out there until the 12-storey building, and the seven storey building, which is in the original plans, will be built.

It is too premature to build that building right now, so the contractor is building six buildings and we are asking for permission to go ahead and rent that bulding for the next seven years in order to accommodate Sheridan Park. Then they will take it over themselves. We do not have that in the original Act.

Sections 1 to 3, inclusive, agreed to.

Bill 14 reported.

#### THE ELDERLY PERSONS' HOUSING AID ACT

House in committee on Bill 15, An Act to amend The Elderly Persons' Housing Aid Act.

On section 1:

**Mr. Chairman:** The member for Windsor West.

**Mr. Peacock:** Mr. Chairman, could I ask the Minister a question on section 1?

In his reply or comment on the presentation of the Ontario federation of labour recently, I noted that the Minister indicated his desire to assist various organizations including trade unions in the construction of housing accommodation of the sort that might be made available to persons contemplated as being assisted by this Act. In his remarks, he stated that under the HOME plan, a co-operative organization would be eligible.

I would just like to ask him if he means by that, a continuing co-operative organization organized for the purpose of constructing and managing a residential project where the residents themselves are members in the co-op and do not hold title to the property itself, rather than perhaps his reference to a condominium form of ownership. I wondered if he was speaking of the former kind of co-operative development when he commented on the Ontario federation of labour's brief.

**Hon. Mr. Randall:** No. Let me suggest, referring to this Act here, it is a limited dividend or a non-profit organization building housing for elderly citizens through the welfare department, which used to make a grant of \$500 per unit. It was felt that that money should be granted by the housing corporation so we would be able to keep track of it and that is the reason for this Act. Insofar as co-operatives are concerned, if they are a non-profit organization or a limited dividend, yes they would qualify for this.

Sections 1 to 3, inclusive, agreed to.

Bill 15 reported.

#### THE TRANSPORTATION OF FOWL ACT

House in committee on Bill 16, An Act to repeal The Transportation of Fowl Act.

Sections 1 to 3, inclusive, agreed to.

Bill 16 reported.

#### THE THRESHING MACHINES ACT

House in committee on Bill 17, An Act to repeal The Threshing Machines Act.

Sections 1 to 3, inclusive, agreed to.

Bill 17 reported.

#### THE STEAM THRESHING ENGINES ACT

House in committee on Bill 18, An Act to repeal The Steam Threshing Engines Act.

Sections 1 to 3, inclusive, agreed to.

Bill 18 reported.

#### THE PROVINCIAL AUCTIONEERS ACT

House in committee on Bill 19, An Act to amend The Provincial Auctioneers Act.

On section 1:

**Mr. Chairman:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Chairman, speaking to this Act to amend The Provincial Auctioneers Act, there are a great many things in this Act which, on looking into them, I find it very hard to understand why these things were ever written as they are and why they should be amended in this form.

Under section 1, we are speaking here of transferring the powers which now are in the hands of the Minister of Agriculture and Food (Mr. Stewart), to the livestock commissioner, and I would like first, under subsection 1, to quote:

Livestock commissioner may grant to any person, who in his opinion, possesses special qualifications, a licence to sell purebred livestock only.

First I would like to inquire how many licences there are in the province of Ontario issued to people who sell purebred livestock only; the Minister could answer that first please.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): I would say that I suppose that I sign perhaps half a dozen licences a year. The real purpose of The Provincial Auctioneers Act is so that anyone wishing to absolve himself of the necessity of obtaining a municipal licence in the various counties or municipalities of Ontario to sell livestock can obtain a provincial auctioneer's licence which covers the province. I have not got the figures at my disposal right here, but they are available and I would not think that there are more than half a dozen, as I have signed them each year since I came here. There has never been one refused and never one revoked.

**Mr. Good:** This is precisely a point I would like to explore. The qualifications to obtain one of these licences are in the hands of the Minister. My understanding of this is that "special qualifications" could be your ability to write a letter and enclose \$50 or it could also be very stringent and demanding qualifications depending on the whims or wishes of the Minister. This power is now to be transferred to a livestock commissioner. At the present time, if a licence is refused or a licence is revoked, the Minister is responsible for doing that and at least he is responsible to the House here and his actions could be questioned in the House. If this power is transferred to the livestock commissioner I would feel very strongly that you cannot get at him; it provides arbitrary powers. I think others have something to say on this one point, as did Chief Justice McRuer. Others will explore this point further.

Getting to this point of special qualifications, under The Provincial Auctioneers Act, your municipal Acts giving municipalities the power to licence auctioneers do spell out certain qualifications. They say, for instance, by such means as a bylaw, whether an appli-

cant is not of good character or his premises are not suitable for business and for determining the time the licence shall be in force and revoking any licence. Now as the Minister has said, Mr. Chairman, no licence has ever been refused or no licence has ever been revoked. By the same token if there are no criteria for issuing a licence it would mean then that a licence could be revoked without the disappearance of any special criteria, and if the licence can be issued without certain qualifications, it could also be revoked without these qualifications.

Coupled in with this section in the original Act is the fact that the fee of \$100 for non-resident auctioneers is not being enforced. It might just as well not be there. American auctioneers can come in, act as assistants at purebred livestock sales, pay no fee for doing this, and then go out. Consequently I do not think any part of the Act is serving much purpose, other than to give an auctioneer a mandate to sell livestock throughout the whole province.

There is another point here that I think could be very disturbing to a general auctioneer, as they are referred to—those holding municipal licences, where the Act reads: "A licence to sell purebred livestock only". By the statement here that he can sell purebred livestock only, there could be the implication that others could be excluded. When you give somebody permission to do one thing exclusively, there is the possibility of an implication that a general auctioneer could be excluded from selling purebred livestock, and this is of great concern to a great many people.

When I read this Act to different auctioneers, they were shocked to know that this is what they were operating under. For instance, they said, "You mean to say the Minister has power to revoke my licence at his discretion?" I said, "Yes, according to the Act, the way it is written, that is what could happen. How did you get your licence?" "Well, I sent \$50 and wrote a letter and I got my licence." So those are the bases on which they are given and the bases on which the licence could be revoked could be equally as trivial.

I would think, Mr. Chairman, that a great deal of thought should be given to this whole Act, not just to this section, because I think that the Act in itself is wide open. Extreme powers, arbitrary powers are in the hands of one person, and here they are going to be transferred further away where you cannot get at them. I think men holding this licence



are in danger of being excluded, should the commissioner decide, and granted there has been no abuse to my knowledge of this up to now. But the possibility exists where this thing could either become too exclusive, or it could become too wide open when you have no standard for the issuing of these licences.

I wonder if the hon. Minister would like to comment on the fact that there are no general qualifications for issuing such a licence?

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, I did not intend to make any remarks insofar as this bill was concerned, but my colleague has brought up one interesting point, I think, and I would like to get the Minister's comment about it.

He mentioned that if an auctioneer comes to the Minister and it so happens that the Minister for some reason or other refused the licence—and I say at this point that the Minister gives us every assurance that this has never been the case, but I am just using this as supposition—then the auctioneer could go to the municipality and presumably get a licence to sell purebred livestock.

It seems to me that that is a very loose and easy way to play with licensing auctioneers, or licensing anyone for that matter of fact.

I would have thought that the tidier and neater way to handle this particular procedure would be to licence all auctioneers at the provincial level. I throw that suggestion out to the Minister for his comment, because it seems to me that the other way is just sort of a mixed up procedure, and if you cannot get it at one level, you simply go to the other level and secure your licence.

**Hon. Mr. Stewart:** Anybody else?

**Mr. V. M. Singer (Downsview):** Well, let us hear your answer.

**Hon. Mr. Stewart:** I simply tell you quite frankly, I do not really know what the argument is all about. There is really no problem at all. There has never been an auctioneer refused a licence, and not one has ever been revoked, and if no one applied to the province for a licence they could go ahead and sell livestock anywhere in Ontario.

**Mr. Good:** What are the special qualifications one needs to get it?

**Hon. Mr. Stewart:** I cannot define the special qualifications. I suppose it is that a man has had some experience in selling live-

stock. I would think that would be the case. There are no particular standards of qualifications. I would think that the man who had the livestock to sell, the operator of the sale, or the man who owns the purebred livestock would think enough of his livestock and have enough evaluation placed on them himself that he would want to have an experienced qualified auctioneer do the selling for him.

It seems to me the man's reputation for having sold livestock and one who knows the value of livestock. I think you will find that most livestock owners know the people who have that reputation, and they hire those people.

Now whether those auctioneers come to the province and get a licence that covers the province, or whether they go to the local municipality and get the licence, is entirely up to them. This was just a matter of convenience, as I understand it and it was introduced many, many years ago. I do not even know how long ago this was introduced.

We brought it forth as an amendment simply to avoid the necessity of the application coming to me and me signing it and sending it out to him if we transferred it back to the livestock commissioner.

But I have an amendment to make, Mr. Chairman, which would provide if an applicant was denied a licence; either refused or revoked a licence; that he could appeal within 15 days of the livestock commissioner's decision to the judge of the county or district court of the county or district.

**Mr. Singer:** Well now, isn't that nice?

**Hon. Mr. Stewart:** Well, I understood to do this at the agriculture committee meeting last week.

**Mr. Singer:** Yes, but you did not undertake to do it when you brought the bill in.

**Hon. Mr. Stewart:** That is right.

**Mr. Singer:** When the Minister is through I will tell you about it.

**Hon. Mr. Stewart:** We did this and there is no real problem as far as I know.

**Mr. Singer:** Mr. Chairman, this is where the Minister and I sort of lose track of what I think he is talking about. The Minister says nobody is refused and that it is an old statute. I do not understand. You just carry on old statutes because they are old? It is just sort of automatic, you send in your \$50 and automatically get the licence. What do you need it for? What are you controlling?

**Hon. Mr. MacNaughton:** We do not throw them away after they—

**Mr. Singer:** My colleague read to you the provisions in The Municipal Act. At least those people who many years ago drafted The Municipal Act had the good sense to write in certain criteria. But there are no criteria here in the bill.

What the Minister is telling us is—what all the fuss is about is that this is a statute that is meaningless.

You want a licence, write in, give us the \$50, the licence comes back in the return mail. Well, if it is that simple why do you need the bill at all? Are you just continuing a nuisance, or is there something much more subtle and much more sinister about it?

**Hon. Mr. Rowntree:** Sinister?

**Mr. Singer:** Out of the Minister's own mouth he has told us tonight that there is no need for anybody to get excited about it. We have a licensing bylaw, and all you have to do to comply with it is to fill out a form, send in \$50, by return mail the licence comes back. Well, why do you need a licensing system? Do you want to levy a tax?

**Hon. Mr. Stewart:** If my hon. friend wants to move an amendment to repeal that, go ahead and do it.

**Mr. Singer:** No, I am asking you—

**Hon. Mr. Stewart:** If you, in the Opposition, want to repeal the Act go ahead and do it, that is up to you.

**Mr. Singer:** Please call the Minister to order, Mr. Chairman.

**Mr. Chairman:** I am calling for order, because it seems to me that the session now is dealing with the principle of the bill which has already been settled by the House. We are now dealing with the sections of this bill one by one.

**Mr. Singer:** Mr. Chairman, with the greatest respect, section 1 says that the livestock commissioner may grant to any person who, in his opinion, has special qualifications a licence to sell purebred stock only by public auction. I am trying to reconcile in my own mind what those special qualifications are.

We have asked the Minister what they are and the Minister says: What are you getting excited about? It is very simple, nobody is refused. Send in the \$50, you get your licence back by return mail. So, I ask the Minister, why does he need subsection 1?

If it is as simple as that, why have we got a nuisance statute on the books that you are changing to carry on the nuisance? If you want to levy a tax, levy a tax. What is the point in going through all this nonsense? If you have qualifications, a criteria such as set out in The Municipal Act, why do you not say so? Could the Minister tell us that?

**Hon. Mr. Stewart:** I do not think it is necessary to tell you that, because if you knew anything—

**Mr. Singer:** No, I did not think you would.

**Hon. Mr. Stewart:** Mr. Chairman, I will tell you this, that if my hon. friend from Downsview knew anything about selling livestock, he would know that the man who engages an auctioneer to sell livestock would know that that man had the qualifications to judge the value of the animal he is selling. That is the first requisite.

I think that it is important enough that if the man comes to us and asks for a licence which he can get from any other municipality if he wants to, that we give him the right to get this so that he avoids the necessity of going into Renfrew county or to Essex county or to Huron county, or any other county to get a licence to sell livestock in that county. He can carry this provincial licence.

Of all the auctioneers in Ontario, only say half a dozen, and there may even be less than that, want this provincial licence. I see no reason why they should not have it. But if my hon. friend from the Opposition feels that this is too loose legislation, and they feel that there is no necessity for it, then as far as I am concerned, it can be repealed just the same as the other Acts that we repeal. It can be done.

**Mr. Singer:** Why do you not take it out?

**Hon. Mr. Stewart:** We can repeal it.

**Mr. Singer:** Well, do it.

**Hon. Mr. Stewart:** No reason for it at all. You are the one asking for it.

**Mr. Singer:** Mr. Chairman, is the Minister suggesting that he wants us to decide what legislation is here, or is he and his 69 colleagues deciding? You have the majority over there, you brought this in as a government bill, and then in the face of criticism you say that if nobody wants it we will withdraw it. Well, why do you not withdraw it?

My friend says—the Minister says—that the people who want to sell the cattle have

enough intelligence to select the person who is going to serve them best, and if that is true and I accept that that is true—you need a licensing system for it. Here is this great Tory party now just continuing a nuisance system of control that is meaningless.

Here you have a chance to review this and you have not told us a single bit of reason on which you base the licensing issue. There is no criteria that you are prepared to stand up in the House and say "apply". He does not have to be over 21; he does not have to be trained; he does not have to be of good character; he does not have to know a cow from a horse. According to you, all he has to do is send in his \$50 and the licence comes back by return mail, because it is the farmer who makes the decision, the farmer who wants to sell his cattle. So I ask the Minister what is the sense of section 1, and if there is any sense, the Minister should not tell us that we should vote against it; let the Minister withdraw it.

**Mr. Good:** Mr. Chairman, under this same section, my concern is this; if you need no special qualifications to get the auctioneer's licence, the concern is that the licence could be revoked, because there is no disappearance of any qualifications that existed to get the licence.

Now, I do feel that the inclusion here of an appeal, if a license is revoked, is a step in the right direction. I think this is very good, but on the other hand, I agree with the hon. Minister when he says that the holders of these licences are in demand by men with large purebred herds who wish to have a top notch sale.

Consequently, the holders of these licences cherish these licences very highly because there are very few of them, and whether the Minister is aware of it or not, of what qualifications these men have, they are fine judges of purebred cattle and that is why they can conduct these sales.

But they are equally concerned that if there is no basis of training or qualifications to get the licence, it could be taken away at the whim, not only of the Minister but, you are suggesting, the livestock commissioner, and I think there have to be safeguards in here to prevent this section where it says: "In the opinion of the livestock commissioner." This is where the danger is in this Act, Mr. Chairman.

**Mr. E. W. Sopha (Sudbury):** Could I ask the Minister a question? Are there any procedures relative to requiring livestock auc-

tioneers to adopt measures conducive to the good health of the animals that come under their care? I have seen on occasion a veterinarian employed by The Department of Agriculture and Food at auction sales. Perhaps the Minister, through you, Mr. Chairman, might think it a good idea that auctioneers be required to inform the local representative of The Department of Agriculture and Food of the times and places of their sales—and perhaps pay a fee to the department for the attendance of a veterinarian to inoculate these calves, say with vitamin A for scours and against brucellosis, and shipping fever, and of any other health measures conducive to the good health of the animals.

**Mr. Chairman:** Shall section 1 of the bill stand?

Section 1 agreed to.

On section 2:

**Hon. Mr. Stewart:** Mr. Chairman, I would move an amendment there if I might. I would move that section 2 of the bill be struck out and the following be substituted therefor:

Section 4 of The Provincial Auctioneers' Act is repealed and the following substituted therefor—

- (1) The livestock commissioner may, after hearing, revoke any licence under this Act.
- (2) Any person who has been refused a licence, or whose licence has been revoked, may within 15 days of receipt of the decision of the livestock commissioner, appeal the decision to a judge of the county or district court of the county or district in which he resides, and the judge may confirm the decision or may order the livestock commissioner to issue or re-issue the licence, as the case may be.

**Mr. Singer:** Mr. Chairman, I compliment the Minister at least on listening a bit to some of the criticism that we have levied at him in this regard, and certainly the amendment that he introduces makes more sense than the section that is presently there, but I wonder if it occurred to him that perhaps a livestock commissioner could, and should be, compelled to give reasons so that the person who has had a licence revoked, or refused—I do not have a copy of it, do you say "revoked or refused" or just "revoked"?

**Hon. Mr. Stewart:** "A person who has been refused a licence."



**Mr. Singer:** Or revoked?

**Hon. Mr. Stewart:** "—or it has been revoked".

**Mr. Singer:** Yes. I would think that certainly it is a sense of natural justice that a person who has had a licence refused or revoked should be given some reasons for that refusal or revocation, and certainly that was one thing that Mr. McRuer spent some time talking about in his report. It is going to be very difficult for a person who wants to dispute this kind of a decision to go before a county court judge, armed with no information, and without something being written into the statute as to the reasons for the revocation or refusal, you are more or less tying one hand of the person who wants to appeal behind his back.

So it would seem that if we have moved you this far, Mr. Minister, that perhaps you could go the full length, and if you are trying to put into a statute, certain of the arguments that will justify your saying that you believe in natural justice, or certain of the criteria suggested by Mr. McRuer, that you go the full way along the road.

What you have done is just nibble at the idea that you do believe in fairness and good play. I would suggest to you, sir, that you have another look at your amendment and insist that the livestock commissioner, on revocation or refusal, be compelled to give written reasons for such action, because we are denied—and the Minister has not seen fit to change it, no matter what we have said—we are denied, in subsection 1, any ability to know what the criteria are.

By the time we come to subsection 2, you merely say there is an appeal to a county court judge if there has been a revocation or refusal. What happens? What happens in court? The livestock commissioner says, "I refused it because I do not think this man is a proper kind of an applicant."

There is nothing in the statute that says that the reasons have to be written out. You have refused to give us the criteria that are going to be applied in the first instance. Surely, in the sake of natural justice, you should write in the fact that if there is such a refusal or revocation, the livestock commissioner should be compelled to give written reasons when he acts in this way.

**Mr. Sopha:** My friend, the member for Downsview is absolutely right. This amendment has nothing to do with farmers at all, it has to do with lawyers. We might as well

save our time, and the Minister not go to the trouble of putting this amendment in the statute, because it is valueless.

And as Mr. McRuer properly points out, nothing exists in the body of the common law of Ontario, nor is there any body of administrative law which permits a county court judge to review the decision of an inferior tribunal in respect of the revocation of a licence. And when it comes before him, the doctrine of *Liversidge and Anderson*, an appeal case of 1940, decided by the House of Lords, prevails.

The Minister of Financial and Commercial Affairs, whose visage smile lights, will recall that in that case, the Home Secretary imprisoned a citizen under The Enemy Aliens Act, and when it was brought for review before the tribunal, the highest tribunal in the land, the doctrine was laid down that the onus was upon the citizen to show that court that some mistake in law had been made with the inferior tribunal.

Now, in the absence of written reasons, as my friend properly points out, that onus cannot be discharged, and the county court judge, under the doctrine in *Liversidge and Anderson*, cannot substitute his judgment for that of the inferior tribunal. It is as simple as that. He says to the applicant, the appellant, "You have to show me some error in law or some departure from natural justice in order for me to intervene and substitute my decision for his".

And he goes a step further and he says, "On the record before me, even though hearing the evidence, if I had heard the evidence, I would have come to a different conclusion, I cannot substitute my conclusion for that of the inferior tribunal unless it be shown that the tribunal proceeded on some error". Now, that is no appeal at all.

And, in contrast, just to point out the procedure in France, where the *conseil d'état*, which is a properly clothed administrative procedure of appellate courts, has the right to review the decision of the inferior tribunal and indeed, based upon its own feeling, judicially exercised, it may substitute its decision, but nothing like that exists in the common law of any of the provinces of Canada including Ontario.

So the applicant here, I say, and with all respect to the member for Huron-Bruce, for whom I have a profound admiration of his knowledge of matters agricultural—but now we are into an area where I make my living—and I can say with assurance, and give this

opinion without charging a fee for it, that the applicant, having been refused by this livestock commissioner fellow, can save his money; he need not go to the district court judge; he need not hire a lawyer.

It is doubtful if he can get legal aid if he wants an auctioneer's licence, but he need not go unless he can show some departure from natural justice in the hearing before the livestock commissioner, and I dare the Minister of Social and Family Services (Mr. Yaremko), himself a competent lawyer, to get up and say to me, "Nay" on that.

That doctrine in the House of Lords, in the obedient way in which our courts have followed the English decisions, the obedient, the unflinching, unswerving loyalty to the English decisions, that doctrine is part of the law of Ontario.

And I went—you bet your boots—before Mr. Justice McRuer when he came to Sudbury, and that was my brief, the adoption of an administrative procedure code in Ontario. Many of the things in that brief now form part of his report. And one of the things I pleaded for was the ability of the appellate court to look at the evidence, the merits of the case, and substitute its decision for that of the inferior tribunal. Well, that is not the law yet. It will be some day. But it is not the law.

In the same way, in exactly the same principle as is faced in appeals from boards of arbitration, exactly the same principle, the superior tribunal says, "for us to review the finding of this board you have to show us some error." Well, as my friend, the member for Downsview, points out, if the fellow does not give written reasons, how are you going to show error, and caprice, acting injudicially or intangibles that you cannot cope with?

The county court judge, a very busy man in most jurisdictions, would say, "Well, it is not up to me to retry this thing, I do not know anything about auctioning livestock and if the fellow down below feels you should not have a licence, or your licence should be revoked, well, it is not for me."

There are the magic words, "It is not for me to substitute my judgment for his, I must assume he was a man of integrity and weighed all the things relevant and came to the right decision and since you have not shown me the impossible to show, that he acted injudicially, that elements that are not part of justice crept in, then I cannot be of any help to you."

If you take the trouble to look through the law reports, you will see lots of cases that set out that principle. That is part of the law.

So in bringing in this amendment—and I do not care what the farmers did in the agricultural committee, what they wanted—they have to ask the lawyers about this, because this is a matter of law. And they did not get much advice from the lawyers in that agricultural committee with their appeal from the county court judge.

So there it is. My friend has bared the issue and there it is, and I invite anybody to get up and say that I am wrong in the law on that score, and if I am, there has been a recent case and I had better get down to Osgoode Hall and take some kind of a refresher course.

**Hon. Mr. Stewart:** Mr. Chairman, the eloquence of the hon. member for Sudbury has convinced me that we should have another set of lawyers look at this again. This amendment was not drafted by me, I can assure you; it was drafted by lawyers and submitted to our legislative counsel and was examined by them. I am sure they all agreed that it was quite sufficient to do whatever was intended to be done.

However, if my hon. friend has suggested that it does not go as far as it should go, and there, is indeed, a problem here, I am quite willing, Mr. Chairman, to withhold the passage of committee of the whole House until we have another look at it, and if there is something to be written in, I have no objection to having written reasons given by the livestock commissioner.

Let me say this, he will never have to write a set of reasons. He has never had to in the past, and I have no doubt that he will never have to in the future. But if you feel that this would be better, I am quite willing to take it back to our lawyer friends and have them look at it.

**Mr. Singer:** Mr. Chairman, may I compliment the Minister on his reasonableness in listening to his leader's suggestion. I was watching this chit-chat go backwards and forwards.

Mr. Chairman, what I would like to point out is this: we are not fighting about provincial auctioneers or The Department of Agriculture and Food, we are fighting about a very important principle that should be included in the statutes, and that is the thing, Mr. Chairman, that the government should pay close attention to.

For the assistance of the Minister, I very roughly drafted a subsection that may be of some assistance to him and I would be very pleased, sir, if he would give this to parliamentary counsel when they are reviewing it. I will not bother to read it but he can have the advantage of my scribbling here, and let him take a good look at it when it is being redrafted.

**Hon. J. P. Robarts** (Prime Minister): No charge for your advice?

**Mr. Singer:** No charge, no, in the interest of the people of Ontario, we offer this.

**Mr. Good:** Speaking on this same section, could I ask the Minister one more question?

**Mr. Chairman:** The previous bill has been held over. We have another bill to call.

#### THE FARM PRODUCTS MARKETING ACT

House in committee on Bill 25, An Act to amend The Farm Products Marketing Act.

Sections 1 to 6, inclusive, agreed to.

Bill 25 reported.

#### THE JUDICATURE ACT

House in committee on Bill 32, An Act to amend The Judicature Act.

Sections 1 to 4, inclusive, agreed to.

Bill 32 reported.

#### MARKETING OF CATTLE FOR THE PRODUCTION OF BEEF

House in committee on Bill 35, An Act respecting the marketing of cattle for the production of beef.

Sections 1 and 2 agreed to.

On section 3:

**Mr. M. Makarchuk** (Brantford): Mr. Chairman, I have an amendment to section 3. The amendment is that section 3, subsection 3, of Bill 35, be amended by striking out all words after "may" in the second line, and substituting these words, so that the subsection would read as follows:

Every person who is a holder of a licence under this section may provide written notification to the association that no fees shall be deducted on his sales and that

once made, such notification shall remain valid until withdrawn.

The purpose of the amendment, I think, is in keeping with what has been discussed in this House. This is to provide to the farmer an opportunity to stay out of the deductions. In the committee hearings, the farmers stressed the fact that they did not particularly like the idea that they should have to pay extra money, or have money deducted from the sale of their cattle.

This amendment will permit the farmer to provide written notification which would prevent deduction. At the end of the time, at some period, if the farmer decides to change his mind, then he could so notify the association or the marketing agency and then they could resume or start deducting the fees from the sale of his cattle.

**Mr. Chairman:** Do any other members wish to speak to this bill? The Minister.

**Hon. Mr. Stewart:** Mr. Chairman, when the bill was before the committee on agriculture and food, several suggestions were made concerning the matter of the refund of the licence fee. I can see the point that my hon. friend from Brantford makes in this particular amendment, but I would say to him that it would appear in the form of amendment that he has proposed that he will tie the association or whoever the organization may be, whatever their name may be, that will be handling this fund, to an inflexible position.

We would prefer, as I indicated in the committee on agriculture, to examine all means whereby this refund may be made. It may be that there is a better way of making the refund than that proposed by my friend from Brantford. If this is the case then I would like to maintain the flexibility which is allowed in these subsections, which provides that regulations may be drafted; providing for the method of application; and for the method of refund.

It may be that there is a way of providing a card, as I believe was suggested by the member for Oxford (Mr. Innes), in the committee on agriculture as a way of exempting the person from making the payment at all. I would not want to tie our hands either way, but I do believe there is merit in trying to find some means whereby the farmer does not have to make a contribution if he is only selling one animal a year or something like this, and to have to make application to get that back.

If there is some other way of doing it we would like to find that way. I would ask the



members of the House to give the association that will be established to deal with this matter and the Lieutenant-Governor in council, the right to try and work out some programme that will meet the suggested needs.

The House divided on the amendment by the member for Brantford, which was negatived by the following vote.

**Clerk of the House:** Mr. Chairman, the "ayes" are 29; the "nays" 47.

**Mr. Chairman:** Order please!

I declare the motion lost and section 3 carried.

Sections 4 to 9, inclusive, agreed to.

On section 10:

**Mr. Singer:** Mr. Chairman, on section 10 and I guess 9 really goes with it. These are the two sections that deal with the whole right of the inspector to come in and to seize cattle and to hold them and to charge costs back. I guess the same idea goes through sections 8, 9 and 10. I am very concerned, Mr. Chairman, that the Minister proposes to give to an inspector a pretty arbitrary right to attend at certain premises to seize cattle, to determine whether or not certain things have been done in relation to these cattle, and even if he is wrong, there does not seem to be any remedy for the aggrieved person. The costs are levied by this Act against the person whose cattle might have been improperly seized.

It would seem to me that there should be some kind of responsibility placed on an inspector who acts under the provisions of this Act; that if he has acted improperly there should be some sort of sanction directed to the inspector. There should be some kind of protection for the person whose cattle might have been improperly seized.

The way these sections are worded—you run them all together—there is no such protection at all. Even if the Act has been wrongful, the owner of the cattle has to pay all the costs of this illegal action. Could the Minister give us some idea as to the thinking in relation to this problem?

**Hon. Mr. Stewart:** The point that my hon. friend for Downsview has raised might be quite valid in some respects. However, I would draw to his attention in 8, section 1, that if an inspector detains cattle or carcasses, you will note there that he shall forthwith thereafter notify the owner or

person who has possession of it, of the detention in writing. It would seem to me that there is reasonable protection there for the owner of the carcass, or the cattle. I am no authority on the McRuer report. I have read the part that has to deal with this, but I would suggest this, that Mr. McRuer does not object to inspectors carrying out their responsibilities under an Act. He does suggest that there should be reasons given as to why the cattle or carcass might be retained, or where any object is detained or put in detention by an inspector.

But he also provides for the release from detention which you will note under section 8, subsection 4, where an inspector is satisfied that the owner of cattle or carcasses that have been detained, complies with the Act, and the regulations respecting the cattle or carcasses, the inspector shall forthwith release them from detention. This is part of the enforcement of the Act, it would seem to me.

**Mr. Singer:** I do not disagree with the Minister. What puzzles me is section 7-2, which says, "from further enforcing the Act and regulations an inspector may require the —" No, I am sorry, 7-3: "for the purpose of inspecting a head of cattle, or—"

**Mr. Chairman:** Would the member please state what section he is dealing with?

**Mr. Singer:** With great respect, I think that the sections all go together—7, 8, 9, and 10, it is all the same idea. The Minister referred back to it, so it is 7-3 really that points up the—

**Hon. Mr. Stewart:** It does not refer to section 7 at all.

**Mr. Singer:** Well, the Minister referred to what happens under 8. In the face of the Minister and what he said, in 7-3 it says that for the purpose of inspection of a head of cattle or a carcass, an inspector may detain it at the risk of the owner, and after detaining it, certain other things happen.

What concerns me is that the inspector has gone in under section 7, or 8, or 9, or 10, and has taken cattle, and later found out that his suspicions were unjustified, and he releases it, and he has given proper notice, and so on. But the owner of the cattle is forced to pay the costs of this improper seizure. In other words, he is penalized because the inspector's suspicions were not properly founded.

I am not suggesting for a moment that the inspector should not be doing his job, and,

where he is suspicious, that he should not have the powers of seizure with proper protection. What I am concerned about in the section is that if the inspector's suspicions are not properly founded, the owner gets his cattle back, but he gets a bill back as well. He gets a bill back for what the inspector has done, and I do not think that this is fair.

**Hon. Mr. Stewart:** Mr. Chairman, take the practical applications of this. I cannot imagine any place, or any instance, where an inspector would seize cattle, but he could seize a carcass of beef that had not been properly dressed according to the regulations that will be laid down under this Act for the definition of a carcass. If that were the case, he then could detain the carcass until the person who had dressed the carcass brought it in line with the regulations. There would be no cost involved other than to detain it until the processor trimmed it properly or weighed it properly—that is all the cost involved—and then it is released. It is still there in his cooler, or refrigerator, or whatever it may be, and there is no seizure made of it. It is not hung out someplace where it would deteriorate and be lost.

**Mr. Singer:** Taking the Minister at his own word—and I will believe what he says—he says there is no likelihood of cattle being seized, only a carcass. But in 7-3 the words, “head of cattle or of carcass” are there, and, if there is no problem of cost, why do you say “at the risk of the owner?” I mean, if the Minister is satisfied in his own mind that cattle will not be seized, only carcasses, take out the word “cattle”, and if the Minister is satisfied that there is no problem of cost, why do you have the words “at the risk of” in there?

**Hon. Mr. Stewart:** It would seem to me, Mr. Chairman, that unless there is some onus on the operator of the slaughterhouse or the packing place—the processing plant—to do as the regulations provide should be done, then it would seem to me that we are just inviting trouble. I would think that if it were done at the owner's risk, that any detention expense involved is at the owner's risk, it would surely be a deterrent for him to follow the regulations.

**Mr. Singer:** What I am objecting to, Mr. Chairman, is that the inspector can apply the sanction without anything else. In section 10, you have your sanction. In section 10 there are penalties provided, and anyone

who contravenes the Act, can be fined, after they are charged, and—

**Hon. Mr. Roberts:** At your own risk.

**Mr. Singer:** Well, all right, you do not lay the charge, that is all I am saying. You have sanctions in another section of the Act. But what I am concerned about is that the inspector goes in with the best of good conscience—and I am not suggesting that he has acted badly, conceivably he might—and he finds that he has made a mistake. He goes on at the risk, not of himself, but at the risk of the person who owns the carcass or the head of cattle. If he is wrong, he says, “sorry, old boy, I have made a mistake, take it back, but there is a small bill that you have to pay.” I think that this is unfair. I think—

**Hon. Mr. Stewart:** Give me an illustration of what the bill might be. You give me one illustration of what that bill might be, because I have been selling cattle all my life, and I cannot for the life of me determine, in any way, how there could be an expense involved, other than for a person with a carcass in a cooler that has been found not to have been dressed according to the regulations, to have that carcass pulled out and have the inspector say that he has to dress it and weigh it according to the regulation. Now, what other expense could there be? Let us be practical and reasonable about the thing.

**Mr. Singer:** Mr. Chairman, I am quite happy to be practical and reasonable, and the Minister knows far more about cattle than I will know in 100 years and, if the Minister is right, why does he need the words “at the risk of” in this section? If the Minister is right, and there is not any risk or expense, for goodness sake, take the words out. Take the words out.

**Mr. Chairman:** As far as the Chairman is concerned, we have passed sections 7, and 8.

Sections 9 to 12, inclusive, agreed to.

On section 13:

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, I move that section 13 of Bill 35 be amended by adding after the word “force”:

only after the majority of the Ontario beef producers have, in a plebiscite, voted in favour of the bill.

**Mr. Chairman:** I would put it to the member that I believe this principle was discussed at second reading of the bill—whether

or not it should go before the Ontario beef producers. I think this is part of the principle of the bill which has been completely gone over and amended by the Minister, and I would therefore rule that the motion is out of order.

**Mr. Jackson:** Mr. Chairman, I believe that it is in order, and would like to speak on it.

**Mr. Chairman:** The motion deals with the principle of the bill which has been debated at second reading, and I rule that the motion to amend the section is out of order.

Sections 13 and 14, inclusive, agreed to.

Bill 35 reported.

**Hon. Mr. Rowntree** moves that the committee rise and report a certain bill with amendment and certain bills without amendment and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report a certain bill with amendment and certain bills without amendment and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The 59th order; second reading of Bill Pr5.

#### CITY OF SAULT STE. MARIE

**Mr. B. Gilbertson** (Algoma) moves second reading of Bill Pr5, An Act respecting the city of Sault Ste. Marie.

Motion agreed to; second reading of the bill.

#### CITY OF NIAGARA FALLS

**Mr. Bukator** (Niagara Falls) moves second reading of Bill Pr29, An Act respecting the city of Niagara Falls.

Motion agreed to; second reading of the bill.

#### TORONTO CITY MISSION

**Mr. H. J. Price** (St. David) moves second reading of Bill Pr 44, An Act respecting the Toronto city mission.

Motion agreed to; second reading of the bill.

#### JANBI HOLDINGS LIMITED

**Mr. L. M. Reilly** (Eglinton) moves second reading of Bill Pr51, An Act respecting Janbi Holdings Limited.

Motion agreed to; second reading of the bill.

#### THE GASOLINE TAX ACT

**Hon. C. S. MacNaughton** (Provincial Treasurer) moves second reading of Bill 37, An Act to amend The Gasoline Tax Act.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, the bill the Provincial Treasurer has put before us is the first of a series of changes in the tax situation in the province of Ontario, and this one raises the gasoline tax on a gallon by 2 cents. This is of course, of major concern to the people of this province.

The indications are that it will add to the cost of living on a number of very important products that reach the markets by road transportation, and this Minister has regretted publicly that he has, in his view, access only to the regressive types of taxes—that this one is a prime example.

It seems to me, sir, that in the economy of this province, the means whereby the Treasury has decided to pay public bills is an unacceptable one by a combination of these enlarged taxes on all of the consumer products that are going to reflect in the cost of living problem that is so serious as far as the community is concerned.

The Gasoline Tax Act that is before us, will raise the tax to a level as high as any in Canada, when our advantages, as far as our location here is concerned, should be much more obvious than the Provincial Treasurer has been able to make them. It is our intention to oppose this and a number of other of the tax impositions that are contained in the bills that the Provincial Treasurer may see fit to put before us this evening, even though the hour is late.

The justification for this particular imposition must surely be associated with the understanding that the use of automobiles and truck transportation is one of the prime requirements in the province as it has developed in recent years particularly. No longer can anyone associate the use of the automobile with any kind of a luxury when we see the expansion of our communities to the extent that very expensive transportation is required for anyone who is going to be associated with



business or industry in any centre in this province.

There is no doubt in my mind that the gasoline tax increases are going to work an undue hardship on a large number of our citizens and it would, therefore, be impossible for us to support the bill in principle.

There have been complaints that have been put before the Provincial Treasurer and the administration, copies of which have been made available to us from those very directly interested in the matter. The automobile organizations and the gasoline retailers are among these.

While we are interested in their views, we are much more impressed with the hardship that these increasing costs are going to work on the consumer. When you pull up to the gas pumps, all of us, who of course are consumers of the product, are much struck by the heavy load of tax that has been put on this. When we compare it with some other jurisdictions we can see that it is not as large as it is elsewhere.

Great Britain, I understand, has increased the tax something like 37 or 38 cents on an imperial gallon, and we are hardly approaching that point as yet. On the other hand, the pressures on their economy, and the distances that they are required to travel in order to keep commerce in action, are considerably different than the requirements here.

The Provincial Treasurer—or at least his predecessor—has said that the government does not want, particularly, to relate the income from this particular source to the expense of developing and maintaining our road system.

I believe it is a good principle not to earmark funds from any particular source in the way that is done in some other jurisdictions. So the argument that the funds coming from this and licensing fees which we will be asked to consider in much the same way; relating them to the costs of maintenance and development of our road system is really an inadequate one in the view of the statements of the Provincial Treasurer himself and his predecessors.

While there is no doubt that the decision made by the government in bringing this down as a part of their budget is one that will be supported by back bench members on the government side.

**Mr. J. H. White** (London South): You are arguing for it.

**Mr. Nixon**: There is no doubt that the increase in this tax, as in the other increases

that are before us here as well as those that are not before us—

**Mr. White**: What about gasoline taxes in other jurisdictions?

**Mr. Nixon**: —that is in the development of the premiums for hospitalization and medical insurance are the most regressive forms of taxation imaginable. While the Provincial Treasurer nods his head—he just cannot wait until the late hours—he simply does away with the arguments that can be put before him.

**Hon. Mr. MacNaughton**: Do not be silly!

**Mr. Nixon**: The puppet majority that is going to push this down the throats of the people of Ontario will become operative. It seems to me, as a matter of fact, that if we are going to discuss these important matters of taxation, they should be brought before the House at a time other than the middle of the night, when the members who are going to be called out from the woodwork on the Conservative side to vote in support of the imposition, are not even present to hear the arguments or take part in them themselves.

So, Mr. Speaker, it is our intention to oppose this increase in gasoline tax on the basis that it is a retrogressive form of taxation. We are not prepared to accept the arguments that the Provincial Treasurer put before us in his Budget pronouncements in which he said he did not have progressive taxation fields available to him. The gasoline tax has been mounting year by year, it is becoming an increasingly large section of our income as measured in absolute terms, and because it is retrogressive and adding to the cost of living, we will be forced to oppose the second reading of the bill.

**Mr. E. W. Martel** (Sudbury East): Mr. Speaker, I must oppose the bill presented by the hon. Treasurer of Ontario and I do so for several good reasons.

Mr. Speaker, since the opening of the House, I have questioned various Cabinet Ministers in an effort to have the government look into the practices of the oil companies. The differential in gas prices across Ontario to the consumer has all the appearances of the companies dictating prices at liberty—

**Mr. White**: Is this in order?

**Mr. Martel**: Completely in order—and to the detriment of the consumer. Invariably, the questions have been shrugged off and

Cabinet Ministers have contradicted each other. The latter point can be verified by checking in *Hansard* on Friday, March 18, 1968 and March 8, 1968, regarding whether the province can get involved in the pricing of gasoline.

I have every reason to believe, as does the superior auto service association, that through the policies of the companies, unwarranted high prices are being levied against the citizens of Ontario.

**Mr. White:** Mr. Chairman—

**Mr. Martel:** With this in mind—

**Mr. White:** —on a point of order—

**Mr. Speaker:** Order!

**Mr. White:** I would like to suggest, Mr. Speaker:

(a) that this hon. member's debate is not on the principle of the bill and,

(b) the substance of his remarks do not even relate to the provincial jurisdiction.

**Mr. Speaker:** It is obvious that the member is laying the groundwork, in my opinion, for his remarks on the bill, and I would ask that he move into his remarks on the principle of the bill now.

**Mr. Martel:** Mr. Speaker, with this in mind, I cannot support any increase in the tax that would further increase the price to the consumer. When the government has the courage to look into the pricing practices of the oil companies across Ontario, I think with the reduction to the citizens which would occur, an increase in taxes would not be detrimental to the citizens in that they would not be paying as much for gas as they are at the present time. If this government inquires as to why the gas companies sell to:

(a) unbrand dealers for 8 cents a gallon—

**Mr. Speaker:** Order! The member has now strayed again from the principle of the bill. He did come to the principle of the bill and if he is going to talk on that then he has the floor. If he is not, then he is practically out of order.

**Mr. Martel:** Well, Mr. Speaker, I am trying to show where there is a differential and why the citizens of Ontario are paying so much for gasoline and that this increase—this 2 cents that is being added—is just going to add to the burden. If the company were not allowed to sell at different rates to different companies, we could get a general policy right across Ontario and this would reduce the price to the consumer.

**Mr. Speaker:** I would rule that that is entirely out of order so far as the tax is concerned, except for what the member has already given as his reasons for opposing the tax. Now if he wishes to continue, he will continue with respect to the tax and not with respect to the pricing policies of the industry.

**Mr. Martel:** Secondly, Mr. Speaker, I question the justification of implementing more taxes for two reasons.

The first is that this great, economic province of Ontario ranks fifth highest in the provincial tax rate of gasoline behind the four Maritime provinces. This certainly is a disturbing fact that we rank behind Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland. The "have-not", apparently, provinces.

More distressing, however, Mr. Speaker, in the government's endeavour to raise approximately \$51 million more through taxes on gasoline, is a situation which apparently exists in Ontario. I make reference, Mr. Speaker, to section 2(a) of the agreement between Her Majesty the Queen, represented by the Treasurer of Ontario, for the province of Ontario and the collector.

It is my understanding, Mr. Speaker, that under this agreement the oil companies, collectors may submit, regarding paragraph 2(a), a monthly statement of tax collected and gallonage sold or used and so on, plus information on deduction from tax including such items as bad debt, minor losses, miscellaneous deductions, returned goods and shrinkage.

The superior auto service association has, for years, attempted to learn where oil companies are justified to deduct shrinkage, bad debts, and so on, from gasoline tax a retail dealer has paid on a specific number of gallons.

According to figures submitted to me by the superior auto service association, Mr. Speaker, for the year 1964—and I would ask the Provincial Treasurer to check these and advise the House if the following did, in fact, occur:

(a) In 1964, gallonage sold in Ontario amounted to 1,594,000,000 gallons.

Tax revenue from the above mentioned gallonage was over \$230 million. Of this amount, the Treasury record shows tax revenue of approximately \$180 million.

If the above was true then, and there has been no apparent change since, it is safe to deduce that when subtracting one from the other, there is a difference of approximately

\$50 million that was collected in taxes by the companies and what was recorded by the government. I understand that some \$15 million of the difference went back to the farmers and voters. Where, if the facts are true, did the remainder go? I am not implying anything crooked is happening but I join, if the facts are true, with superior auto in wanting to know by what right the oil companies return tax revenues.

If the difference is as what has been outlined, true, how can the government go back to the people and ask for \$51 million when an estimated \$35 million is retained by the oil companies? I think it is high time, Mr. Speaker, we stopped subsidizing the oil companies, and because of this I would like to move the following amendment to Bill 37:

I move, seconded by Mr. F. A. Burr, that the motion be amended by striking out all the words after the word "that", and substituting the following:

The subject matter of Bill 37 be referred to a select committee of this House with the instructions: (a) to inquire into, and report upon, the effectiveness of current procedures for the collection of the gasoline tax, and the effect on such procedures of current pricing and related policies of the oil refining companies.

(b) To make recommendations as to specific methods of improving collection procedures and establishing adequate regulation of the industry with a view to increasing revenue from the gasoline tax without an increase in rates.

(c) To examine studies on highway revenues which have been done by The Department of Transport to ascertain whether Bill 37 achieves the proper balance between user and general benefits.

**Mr. Speaker:** Might I ask the member who he now has seconding this?

**Mr. Martel:** The member for Sandwich-Riverside.

**Mr. Speaker:** Thank you. Is there any member who wishes to speak to this?

**Mr. Bukator:** Yes, I like to start to work about 10:30 or 11:00 o'clock at night. Having said that, I would like to recall in connection with this bill, Mr. Speaker, my first experience with an increased gas tax.

Shortly after I came to this House there was an increase in tax of 2 cents. Then the federal government after the war decided to take the 2 cents off the gas tax that they were collecting during war time. It seemed

that the right thing for this government to do was to pick up that 2 cents rather than give it to the people. I thought then that it was just adding a little more to what they are already paying in taxes, and I am sure that everybody who was here at the time recalled what happened.

The federal government decided that they would no more collect the tax on gas because it was not their department and the provincial government rather than give that to the people—

**Hon. J. P. Robarts (Prime Minister):** And then they imposed an 11 per cent sales tax.

**Mr. Bukator:** Yes, that is right. That sales tax I am acquainted with, too, because it happens on housing and I am in the real estate business. I do not think they ought to collect that any more than this government collect the 5 per cent tax on the lumber also that goes in that house,

The pot cannot call the kettle black. One government is just as bad as the other when it comes to housing. But let us get back to the gas.

**An hon. member:** Just as bad with the gas tax, too.

Interjections by hon. members.

**Mr. W. G. Pitman (Peterborough):** Very entertaining, anyway.

**Mr. Bukator:** Entertaining? These are facts.

**Mr. Pitman:** Give us your policy on housing.

**Mr. Bukator:** I thought I would work that in for what it was worth. Maybe they would leave the other tax alone; let the federal government collect. Not that they should. I think that should be taken off, I think the sales tax should come off.

And now getting back to the gas tax—

Interjections by hon. members.

**Mr. Bukator:** I do not know whether this gentleman to my left is with me or against me, but after you get on—

**Mr. Pitman:** Get on with it. We are with you. He does not know where he is.

**Mr. Bukator:** Well, that point having been cleared up, I do not think it adds too much weight. However, this is not the right place to put a tax on the people of this province. There are many areas much easier to collect from. I should mention some, but I do not think I want to at this time because—

**An hon. member:** Go ahead!



**Mr. Bukator:** Let us say on liquor and beer and things that are not necessary, but the working man must have his car. He must have gas and he must pay tax and he is paying about 18 cents a gallon. A gallon of gas costs 50 cents, so it is about 36 per cent which is a lot of money on any one item.

I say, Mr. Speaker, to you that this is a tax that ought not to be imposed on a fellow who carries a lunch pail and has to drive his car to work. A car is a luxury no more—it is a must, they need it, and this is not the place to collect your money. We oppose it. This is not the correct thing to do to the people who are not able to pay since they must drive their cars to work.

Having made that point, I have no other choice but to oppose this bill. Usually I am not too hard to get along with, but this is not for the good of the people of this province, especially the ones who cannot afford it. It is all right for Ministers of government and yes even members of Parliament, we can afford it.

But there are many people in the low income bracket who cannot afford to have this constant increase on their taxes and they have no way to turn. I just cannot see this House actually, and the government itself, agreeing to put this tax on the people's shoulders.

**Mr. R. T. Potter (Quinte):** Mr. Speaker, I think it is about time we all realized that with the improved roads and highways that are being built in this province we have to have additional sources of revenue. To me there is nothing fairer than the additional gasoline tax by which the man who is using the highways more pays most of the money. I am surprised that we have not had suggestions tonight from the other side that perhaps we should offer gasoline free to everyone in the province.

**Mr. Bukator:** That would be a good platform for you next time out.

**Mr. Potter:** Surely everyone must realize that there are enough departments to be serviced from the general revenue that we cannot service The Department of Highways from the general revenue without increasing taxes somewhere along the line. I do not think that they would be happy if we were to suggest a general increase in income tax, and I cannot think of any more favourable way than a tax on gasoline.

**Mr. J. B. Trotter (Parkdale):** Well, Mr. Speaker, this is one of the very main reasons

why we are opposed to this bill. Obviously the member for Quinte has not got on to the importance and the difference of regressive taxation and progressive taxation. This tax is obviously one that is going to add to the cost of living of those people who can least afford it, and this is the objection.

We well realize that a government has to go out and raise money. We all hate taxes, and governments hate to tax, but the obvious place to tax is on the income tax. Income tax is a direct tax and the power of the province is there to put the direct taxes on.

We know from the Carter commission that we do not get nearly the taxes we should out of the insurance companies. So I would suggest that this government, instead of taxing the people who can least afford it, look to the insurance companies. They can look to some of the mining companies.

The government should not try to tell me, or any of us here, Mr. Speaker, that this government does not have the power to tax that source of taxation. But again I emphasize, I underscore what my leader has said. I do not want to be repetitive at this time of night, but it is a shame the type of taxation that we are receiving from this government with the series of bills that are now going to be before the House. Mind you, the reason we are getting this regressive taxation is simply because the government made a stupid election promise—

**Hon. Mr. MacNaughton:** What stupid promise?

**Mr. Trotter:** That there would be a new income taxes, and that there would be no new taxes of that type—income taxes—for the coming year. Once again, because we need taxes or because the government simply does not have the guts to tax where they should tax, the average person, the little guy, as usual, is the one who has to bear the brunt of the mismanagement of the present Tory administration.

In conclusion I want to protest the time that these important bills are being discussed. This is a disgrace at this time of night, getting on to midnight. I hope it is the 11th hour for this government, that this type of taxation is the 11th hour for this government.

**Hon. A. Grossman (Minister of Reform Institutions):** You have been saying that for 11 years.

**Mr. Trotter:** It is unfair, improper, that important legislation such as this, should have to be debated in the dying hours of the day. It is just a matter of poor organization on the part of the government.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I would like to join in with the chorus of the members that oppose this gas tax increase. This type of a tax increase, Mr. Speaker, is very regressive. It penalizes those who can generally least afford to have an increase in their tax. It means increases in the cost of transportation, and as far as those that can afford it, it does not matter.

But when you look at the senior citizen living now on a fixed income, or on a pensioner's income, now he has a 9 per cent increase in tax burden by the 9 per cent increase on taxes on gasoline. But he did not get a 9 per cent increase in his pension. So you are diminishing the amount of money that he has left to provide for the essentials, simply to keep life and limb together.

The member for Quinte mentioned the fact that the gas tax is a nice way to collect revenue. It might be all right for him, where he can come along and write off his expenses of his car, in the practice of his profession, but the rest of us cannot, Mr. Speaker. It certainly is not fair to us to have to pay this 9 per cent increase in taxes.

Wages for the average individual did not increase 9 per cent in the last year, yet here a man has a 9 per cent increase in his tax burden. The average individual driving a car 15,000 miles in the course of a year, pays to the government \$180 in gas taxes. His taxes, with the passing of this bill will increase by \$20 a year. This is a very substantial increase to the individuals who do not make \$4 and \$5 an hour salaries that are provided for some in the better paying industries. I think that all members in this House should violently oppose this type of taxation. If the government wishes to collect revenues, there is a way of collecting money, a fair way, and that is by means of an income tax method. Increase the percentages deducted from an individual's income, rather than come along and tax the individual by the gasoline tax. The automobile, the vehicle today, is no longer considered a luxury. It is an absolute necessity and with transportation systems in some communities absolutely lacking, the individual has no recourse but to use a motor vehicle.

This 9 per cent increase, in this one type of tax, is just too high. The government should reconsider this bill and withdraw.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, I can only re-emphasize, on behalf of our party, the observations of my colleague for Sudbury East and our total and unrelenting opposition to this bill. Indeed, Mr. Speaker, as the government well knows,

if there were ever a free vote on a bill like this kind, they could not control the rebellion in their own ranks. All of those, of course, who are absent this evening, are absent during this debate because of their basic opposition and need only—

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Is that why the member for York South (Mr. MacDonald) is not here?

**Mr. Lewis:**—and one need only free the House to show it. It is a sad thing, Mr. Speaker, pertaining directly to the principle of the bill, that the bill must come through at this hour of the night.

**Hon. Mr. Robarts:** Can it be he is not ready?

**Mr. Lewis:** Our leader, Mr. Speaker, is advocating his opposition on the hustings as we do it in the House.

It will obviously have to pass before midnight, sir, when most of the backbench government members turn into pumpkins or other *objets d'art*, but I must say, Mr. Speaker, that one of the things—

**Mr. G. Demers** (Nickel Belt): How would you like us to say what you look like?

Interjections by hon. members.

**Mr. Lewis:** Well, Mr. Speaker, if the pumpkin fits the member can wear it. I would say to you, sir, that one of the reasons we oppose the principle of the bill is partly because it will forever besmirch the reputation of the Minister, and the Minister is a kindly and charitable fellow on occasion. We would not want him to be known as the protagonist of the iniquitous society for which he will ever after be known. He has irretrievably damaged his hopes for the leadership race.

**Mr. Demers:** Nonsense.

**Mr. Lewis:** But apart from those observations, sir, we want to put to the House the very simple proposition that this is the first time in the memory of some of those on this side of the House, that the gasoline tax has exceeded in revenue income, the corporation tax, and is not that a fitting commentary on the corporate mentality of the Treasurer?

**Mr. Demers:** Coming from you, it sounds real good.

**Mr. Lewis:** It is quite possible, Mr. Speaker, for the government to clobber the consumer at will, but they would not deign for a moment to increase the tax on their corporate associates.

And how anyone can pretend that they should have fine support in this House for this

kind of a bill, when they are now deriving more revenue from the citizens of Ontario for gasoline tax than they are from their corporate allies, how anyone can have the presumption to come into the House and ask for that, staggers the imagination. But then the Minister is a man of some imagination and can call upon the presumption.

The other thing, Mr. Speaker, that should be pointed out, is that this is an *ad hoc* tax. There has been some pretension in this department, and in relation to this bill, to a modest degree of organizing the economy of this province. There have been occasional suggestions, indeed the preamble to the Budget address implies it, that economic measures would have relevance. But there is no relevance in this gasoline tax to a total plan for this economy.

It is not merely a retrogressive tax, Mr. Speaker, it is a positively feudal tax. It is a tax so unbecoming any government in the 20th century, that it is impossible to think that they would raise it at this point in time.

There are all kinds of ways of imposing taxes on elements in society which should be paying them, like the corporate entities, without going back to the days of the salt tax and the Boston tea party and everything else with which this kind of revenue income is analogous. Now, sir, there is no justification for a raise in the tax at this point in time. Indeed the Minister might well have lowered the tax, might well have knocked a cent or two off the tax and raised his corporate percentage from 15 to 25 per cent, as it was several years ago.

But the principle of the bill is also an affront to the concept of economic planning in the province of Ontario, because it is done on an *ad hoc* basis; it stems from an absolute preoccupation to try to balance budgets. It does not fit in with any overall scheme that one can possibly discern.

It is offensive to the consumer and to the average citizen of the province who requires gas to run the vehicles which he uses, and in no sense, Mr. Speaker, except by the most extraordinary political chicanery, can this tax be justified.

Now we say to the Minister, we will support his withdrawal of this bill. He is probably on the verge of that withdrawal.

**Mr. Nixon:** White-lipped and trembling.

**Mr. Lewis:** We know that one would not wish to so tarnish, to so jeopardize, a political reputation by advancing this clause. Indeed, Mr. Speaker, we will allow him to withdraw

it in the dead of night, which may have been the reason for bringing it forward at this hour, that one runs quietly through the shadows when faced with this kind of legislation.

**Hon. Mr. MacNaughton:** I would not bet on it.

**Mr. Lewis:** Mr. Speaker, we oppose it unremittingly. We will never support this kind of iniquitous legislation when there are entire sections of society which this government refuses to tax, despite all the logic in the world, democratic and egalitarian, for taxing those corporate areas.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, anything I might say would probably be an anti-climax to my colleague, but I would like to speak as a resident of northern Ontario on this tax bill. The distances between communities in the north, and the distances we have to drive, are considerably more than the residents of the south here, and this is going to put an unfair burden on the people of northern Ontario, who already have an extra high cost of living to cope with.

This kind of tax is going to add to it in an unfair way and unnecessarily. I speak as one who has always been in the low-income area, and I know how this kind of tax is going to weigh heavily upon this group of people. This is unfair taxation and I think, as my hon. colleague has pointed out, that there are other areas where this revenue can and should be picked up if it is so necessary.

But this again is hitting us who are residents of northern Ontario unfairly, and it is adding more and more to our cost of living. I oppose this bill.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I rise also to oppose this increase in taxes. It strikes me as very contradictory on the part of this government to have heard one Minister, about two hours ago, stand here and tell us what he was doing to try to attract industry into northwestern Ontario—and now we hear another Minister tell us they are going to penalize industry that comes into northwestern Ontario.

Because the truth of the matter is that transportation is our biggest problem; we are an area of isolation. An industry that is going to come in to northwestern Ontario, or any part of northern Ontario, has to consider how it is going to transport its goods, its raw material in, if you wish, and its finished product out. In many cases this involves



highway transportation, and now you are increasing the cost of that transportation. So it is just one further impediment to industry establishing itself in northwestern Ontario.

Isolation is our problem, transportation is the solution, and anything you do to make transportation cost more is a blow to those of us who live in northwestern Ontario. It is a retrogressive step, as far as we are concerned, towards developing our area. And that is the one point that I want to make.

I have other reasons, of course, for objecting to this. The only way the average person can overcome the problems of isolation, living in some of those remote communities, is with his automobile and now it is going to cost him more to get into the big city or to get from community to community. People who live out along the highways, who operate motels, restaurants and so forth, have to be able to travel into bigger communities and they travel quite a bit. The people who live in the north are not afraid of distance because they have ways of overcoming it, but these are mechanical ways. It costs money to keep these automobiles and these trucks and these other pieces of equipment running, so this is an especially severe blow to those of us who live in northwestern Ontario.

So, of course, I join with my leader and the other members here in the Opposition in opposing this. Have a heart for the people who have long distances to travel. These are the people who are being penalized, who are being punished by this increase in tax, it is not fair. Thank you.

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, I am at a positive disadvantage in rising to speak at this late hour. I sent a message to the library to bring Henry George's book, *Progress and Poverty* and I wanted to read long passages from it in relation to the principle of this bill. Really, I think the Treasurer of the province suffers from lack of good advice. I can see no philosophy of taxation in that department which recognizes that economic rent should begin to pay its fair and just proportion of the progress of our province. In that regard I cite the example of the suburbs of Toronto pushing out into the hinterland represented by the hon. member for York North (Mr. W. Hodgson), pushing out to the west, represented by my friend, the member for Etobicoke (Mr. Braithwaite) and in the member for Lakeshore (Mr. Lawlor) and beyond. Similarly, out to the east, past the Scarboroughs. The pressure of the population by its very

fact, by its very existence, increases the population by its very fact, by its very existence, increases the value of land and the Treasurer, as far as I can see, is not getting any advice directed to the proposition that this is purely a socially created value.

**Mr. White:** The member must be Henry George's last living disciple.

**Mr. Sopha:** I hope I am. I hope his doctrines will remain alive as long as I do and I hope somebody will come along afterwards.

**Mr. Lewis:** There are 300 people in the Henry George society.

**Mr. Sopha:** Oh, no, let me correct that. Everybody who supports the principles of the Carter report is in the Henry George society, everyone. I am not dwelling upon—I am ready to argue this—I am not dwelling upon the adjective "single", "the single tax," I am dwelling upon the principle of the justification of the taxation of economic rent. Now that is the principle that I am promoting, in contrast to the principle of regressive taxation in this bill. I stand for the principle that for a person to charge \$9,000 for a lot for the building of a house—and I am told that is a common price in the city of Toronto—

**Mr. V. M. Singer** (Downsview): Nine? \$15,000.

**Mr. Sopha:** Fifteen?

**Mr. Singer:** That is much more common.

**Mr. Sopha:** That is even worse, the inequity is even worse. The Treasurer of the province allows this to happen without saying to the renters, those living on economic rent, "Look here, we've got to get our end, we have to get our piece of the action here, society has to get part of this." Because the Provincial Treasurer, you see, for all of us, Mr. Speaker, can say to the individual charging \$15,000 for a lot, "Nothing you have done personally has contributed one iota to the increased value of that land. There is no personal contribution."

Look at the contrast with the individual who gets up a little earlier in the morning and by the application of his skills, talents, energy and dedication to his line of work increases his income. Then there is total participation in the income. But the tax gatherers come along to—

**Mr. White:** On a point of order—

**Mr. Sopha:** Oh, this bothers him.

**Mr. White:** The hon. member's philosophy is always interesting to us and it is always stimulating to hear a lawyer speak about economics, but I point out to you, sir, that he is not discussing the principle of this bill.

**Mr. Sopha:** Well, in defence, I am saying why I am against it. I am dwelling on the regressive feature of it.

**Mr. Speaker:** I would rule that the member is quite in order.

**Mr. Sopha:** Well, I have painted the contrast and I frankly admit that these remarks are completely extemporaneous, but they have been collected together over a good many years. An associate of my colleague from Parkdale, a great Canadian, Senator Roebuck, was always a proponent of government participation in socially created value. I merely say that when the budgeteers got together to develop the Ontario Budget here for 1968, had there been somebody in that department who was dedicated to the principle of taxing economic rent he could have said, here is a better time to say to the Provincial Treasurer, "Let's get after the socially created value in land." Now, Mr. Carter has come along—

**Mr. Lewis:** They did in Bramalea.

**Mr. Sopha:** Well, yes. Mr. Carter has come along and his associates and they have said that the principle of taxation ought to be, in a delightful aphorism, "a dollar is a dollar." A dollar is a dollar no matter where it comes from and I can say—I have not discussed this with my leader, but he will not be too offended—when you are talking about a dollar is a dollar and you are looking around for additional dollars to pay for the progress of this province, I can say quite categorically that I am for increasing the tax on successions in the province as that is completely in accordance with my principle of taxation of increased value of land. I do not believe that any individual has the right to garner benefits from the contributions that the work and the effort of another person who has passed away to his eternal reward, where the money counts for nothing. So I am told—

**An hon. member:** He can afford to go to Nassau, which is even better.

**Mr. Sopha:** Yes. If I may, I will get around to that in a moment.

**Hon. S. J. Randall** (Minister of Economics and Development): You will not go.

**Hon. Mr. Robarts:** He is not planning on going.

**Mr. Sopha:** Certainly I believe in leaving enough for the widow to adequately maintain her in the custom that she is—

**Mr. Speaker:** The member is straying now from the principle of the bill. Perhaps he will now come back to it.

**Mr. Sopha:** All right. Well, rather—

**Hon. Mr. Randall:** You have got to put gas—

**Mr. Sopha:** —rather than adopt this, you see there are those that would fling the word irresponsible at me if I were to stand here and say I am against this form of taxation, as I am. They say, what alternative do you propose to raise the needed money. I did not make the Prime Minister's election promises when he got into the panic, wherever it was—was it in Hamilton the panic overtook him?

**Hon. Mr. Robarts:** It worked out quite well, even if it was a panic.

**Mr. Sopha:** And he decided then to shelter grants and he decided on the auditorium in Hamilton.

**Mr. Nixon:** \$100 million it all added up to.

**Hon. Mr. Robarts:** So ridiculous.

**Mr. Sopha:** A \$100 million—

**Mr. R. Gisborn** (Hamilton East): He put a new mill in the steel plant.

**Hon. Mr. Robarts:** Nonsense.

**Mr. Sopha:** Well, I am told the shelter grant—I read it in the papers so many times—the shelter grant alone is about \$160 million, so I am being moderate at \$100 million. All right. What other alternatives would I propose? I am dead set against people who evacuate the country to Nassau, and certainly if there was any ingenuity in that Treasury Department at all, there would be a way of reaching them.

We could say to those people, I am perfectly prepared to say it, we could say, all right you can enjoy the sunny climate of Nassau and its salutary and salubrious atmosphere, but you are going to do it at the penalty of paying back to the people of Ontario, a fair proportion of those benefits that you have garnered from their work and effort. Now that simply is plowing back into the soil from which it was grown. That is the simple proposition. I go further and I say that I am ready in 1968, and that shows the change of thinking, to say that it was positively immoral, absolutely immoral for W. H.

Wright to walk out of northern Ontario with \$47 million—

**Mr. White:** On a point of order.

**Mr. Speaker:** The member has a point of order at this time and would the member for Sudbury please come back to the principle of the bill?

**Mr. Sopha:** Well, I am talking about alternatives.

**Mr. Speaker:** The member is talking about alternatives, but he is bringing a great many things into the alternatives that are not necessary.

**Mr. Sopha:** The hon. member for London South, he can see that there is merit to these points I make and that bothers him. It always stimulates him to get up.

**Mr. Nixon:** He has got his eye on Nassau, too.

**Mr. Sopha:** He would be far better advised to use his time to get up and show the fallacy in the arguments, than the method, the subterfuge that he uses of interrupting. I am opposed, I can merely say I am opposed because I think this method of taxation is wrong.

I do not know how long it takes them in The Treasury Department, somebody may some day tell me, to come up with a budget for the ensuing year. What does it cover—two or three months of consideration? Surely in the time that the decisions are made, other alternatives can be canvassed in order to relieve the people of low income groups from the necessity of bearing additional burdens. Where does it stop? Supposing next year, the Provincial Treasurer needs additional X million dollars; supposing he needs \$300 million or \$400 million more next year.

Do they look around for various taxing statutes like this one, and say it is a numbers game? We just add on a few points to it. Well then, if I can say in opposition to this is that the burden fast becomes intolerable, and I am trying to point the way and I am doing it seriously. I was never more serious in my life in saying with my leader, the taxation ought to be progressive from the point of view that those who have it should pay.

Those who have it should pay because living in this country is to those that have enough of the green stuff in the wallet, a pretty exciting thing. It is a pretty exciting thing when they can wake up in the morning and can thank their lucky stars that they were not

born in Indonesia or Malaya or Red China or some place else.

**Mr. Justice Holmes,** Oliver Wendell Holmes, said a long time ago that taxes are the price I pay for civilization, and those that have it ought to pay. They get more civilization than those that do not, so they ought to be ready to pay for it.

The member for London South can say I am out of order all he wants, but I hope I will accomplish this at least, that in some future time in the next three sessions of this Parliament, that somebody in the Treasury Department will re-read Henry George and look at that principle that he enunciates that you are not entitled to something for nothing.

That is what he is saying—you are not entitled to something for nothing. You have to work for what you get and that is a good Conservative principle. That is a principle that should commend itself to the Provincial Treasurer and to the Prime Minister, but in adopting this method in letting all those who live on capital gains off scot free, then you are giving them something for nothing. They are escaping paying their fair share—paying for those things that we need.

We over here, have a certain amount of responsibility because we are always advocating new methods of procedures. Perhaps we are outdone by our friends on the left in that regard but it is part of our function as Opposition to posit these things, to propound other methods of raising revenues and certainly when we, as I hope a number of others are going to, say that his method is completely wrong.

I need only say that I agree with my friend from Sudbury East, and my friend from Cochrane North, and my friend from Port Arthur, that the price of gasoline is too high in northern Ontario anyways. You cannot afford, what is the increase—2 cents a gallon?

**An hon. member:** Two cents a gallon.

**Mr. Sopha:** You cannot afford 2 cents a gallon more. It merely says 18 cents and I forget how much it went up, but a gallon of gasoline in northern Ontario costs about 62 cents, what is it in London South, if you are so smart? How much do you—

**An hon. member:** He fills up at the government tank.

**Mr. Sopha:** A man making \$3,000 or \$4,000 dollars a year—he cannot afford 62 cents; it is as plain as the nose on Jimmy Durante's face that he cannot. And another example of the



discrimination based upon geography is the abandonment of northern Ontario—

**Mr. R. M. Johnston** (St. Catharines): Poor souls.

**Mr. Sopha:** At 11:50 p.m., the first citizen might well ask himself—he probably has—he might well ask himself why was it that he lost two Ministers in northern Ontario. Well, there is the reason, subsection 1, of section 1, is the reason, that he lost two and he is going to lose more, too, when he goes to the polls—and talks about separatism—he ends up with 6 out of 15.

Supposing he ends up with one here from northern Ontario, then in effect, northern Ontario has become separated—I was going to leave that point—

**Mr. Speaker:** Order! The member is not speaking to the principle of the bill now. He was a moment ago.

**Mr. Sopha:** I am talking about 18 cents—that is what I am talking about—18 cents.

**Mr. Speaker:** That is what the member was talking about—he has strayed from that.

**Mr. Sopha:** No, that is what I am talking about—18 cents a gallon. There is a prospect of improvement about this business of taxation I must say. Ian MacDonald has gone over to The Treasury Department now to head up The Department of Revenue, and that might presage the dawning of a new era of intellectual activity in that department. He is a very accomplished scholar and I am sure that he is totally familiar with the principle of economic rent and, no doubt, studied that at Oxford. I think Ricardo, who, after all, is the originator of the concept, studied at Oxford himself, so he must have encountered the principle, but I just point the way—the adoption of a Carter report approach in Ontario, of course, would preclude all this business of regressive taxation and I do not know that we have to wait here in Ontario for the federal government to adopt its principle.

They do not appear to be very energetic in doing so. Is it not a disgrace—somebody, I forget who it was now, because the hour is so late—someone talked about the escape of the insurance companies and the trust companies as an alternative.

**An hon. member:** The member for Parkdale. He does it every year.

**Mr. Sopha:** From Parkdale—it is a perfectly valid point then, if he does it every year. Carter has pointed out, and I hope my figures are fairly accurate, that all of the insurance companies in Canada, taken together, and I think that is something approaching 100 of them, pay a total of something like \$4 million a year in total taxation. Well, I do not know why these privileges exist in certain areas except that they point up the fact that there are powerful influences whose voices are heard which may be one of the reasons, and I hope that this will not sound untoward to the first citizen.

**Hon. Mr. Robarts:** Well, I have heard it so often—

**Mr. Sopha:** No, you have not heard this one. You have not heard it from me. I have never mentioned this area before.

**Hon. Mr. Robarts:** Let us hear your version then.

**Mr. Sopha:** These powerful groups in our society, the centres of power, the establishment, they are close to the decision-making process. Who could help but fail to note, for example, as proof of that proposition, because I do not like to speak in generalities, I like to bring evidence in support—that is the lawyer in me—who could fail to note that one of the chief advisors of the first citizen at the constitutional conference was a high official from the Canadian bankers' association. Who could fail to note the implications of that?

**Hon. Mr. Randall:** Who did you get, a rag picker?

**Mr. Sopha:** The last person I would ask to go to a constitutional conference would be somebody from the bankers' association. I would prefer to see someone from a trade union.

**Hon. Mr. Robarts:** I have a broad range—

**Mr. Sopha:** Yes. Well, it shows you the way power works in this country. That is the way power works. Let us hear about this Carter report. After it was published every vested interest group in the country prepared a brief and presented it. The same with the Smith report. They present their briefs, and the briefs no doubt are read.

But I never saw anybody down at Mitchell Sharp's door with a brief for the poor of the country—for the low income groups. Their voice is never heard. I sometimes feel guilty

that that is my responsibility instead of complaining about it, that somebody—

**Mr. E. Dunlop (York-Forest Hill):** I think that is a splendid idea.

**Mr. Sopha:** I never saw anybody present a brief in support of the principle that a dollar and a dollar and a half should be subject to the same level of taxation.

**Mr. R. M. Johnston:** It is worth about 25 cents today.

**Mr. Sopha:** Everybody would get the bite put on them and the principles of equity of that report were treated.

But we come back to the same thing. These people—these groups—they escape, but the Provincial Treasurer comes here with a couple more cents a gallon on gasoline. The long-suffering public John Q. Public he is required to bear it.

Human history in the democracies has shown that in the final analysis it is the wage earner, the salary earner, who has to pay and he is pursued. Well, look in the realm of exemptions how he is pursued. The tax gatherer can go to his house and look at his exemptions; he can come and there is Lisa, there is Mark and there is Holly, there are his exemptions in the flesh.

**Mr. Speaker:** The member is straying again. Will he come back to the present bill?

**Mr. Sopha:** I am talking about taxation.

**Mr. Speaker:** We are talking about the present bill.

**Mr. Sopha:** Well, I am talking about taxation and this regressive principle. Perhaps at another time it would be more appropriate to point out to the Provincial Treasurer, and I am going to bring the evidence to show it, that *The Financial Post* can howl all it likes about 52 per cent corporation tax, but I have been studying annual returns for a number of years now and very few of the annual returns when the item goes in "net income before taxes"—then the next item is "provision for taxes" and only very rarely do you see the provision for taxes equal 52 per cent of the net income.

I am going to bring the evidence to support that because those in the corporate world are able to hire very skilled people to help them avoid taxes—my verb is "avoid". But the wage earner, as I said, can be seen and his taxes deducted at source, so he just has no recourse at all.

That is the fellow the Provincial Treasurer is hitting in this bill and you always get him, he cannot order his affairs to avoid taxes. There is the other thing, he cannot order his affairs to avoid payment of tax. He goes up to the gasoline pumps and fills up the tank, he pays the 18 cents a gallon, and we in the Liberal Party support our leader who put it so well in his Budget address that this regressive taxation is just unacceptable.

I suppose now that the midnight hour has struck that we may hope that Bill 38 will not be called and I can get Henry George, if you will permit me. I want to read a few passages. Perhaps it might be in the best interests of the people of Ontario if I tried to get a copy for all those advisers over in The Treasury Department and sent them all a copy to read it, and to look at the moral principles involved in taxation.

You can nod all you want, but I am standing here tonight and saying that it is immoral for people to be holding up the Minister of Economics and Development in his housing programme with lots at \$15,000 each, which represents socially created value.

Someone can argue all night. They can argue forever and never convince me that the corner of King and Bay Streets—I only take it is an example—is valuable, not by reason of what any person or any group did, but is valuable because that is where it is on the compass, that is its geographic location. It is socially created value.

I am merely pleading that we make a break with tradition in this province and for a change go after socially created value. That is the position and the principle upon which I stand. I have no doubt at all that individually there would be a good deal of support for that in all corners of the House, and over on the other side. I expect my friends to the left to support that principle. I expect that individually I would get a lot of support for that over there in preference to this regressive form of taxation that is involved in this bill. That is about all that I have to say and my conscience will be clear when I cast my vote against it.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I think what the hon. member for Sudbury has been trying to say for the last hour is that this is a bad tax and he opposes it and so do I.

**An hon. member:** A very good speech.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I do not intend to be quite so long as the

member for Sudbury nor quite as short as the member for Sandwich-Riverside.

Mr. Speaker, in rising to oppose this I must say that I feel despair. I recognize that anything I am likely to say at this time is not going to have any effect on the outcome of this bill and yet I am sure that what I am going to say is the feeling of a majority of people in Ontario, that this tax increase is not necessary at this time, it is not desirable at this time, and should not be implemented.

I do not really know whether the Provincial Treasurer takes into consideration the effect that the increased tax is going to have on the low and middle income groups. I often wonder, in fact, if the Provincial Treasurer takes this into consideration on anything that he introduces. But in particular on gasoline tax. If this were a luxury tax, then I would perhaps support it, but in Ontario an automobile is not a luxury, not by any stretch of the imagination. In fact, with the inadequate public transportation that we have in Ontario, an automobile is a necessity and the majority of people must run it every day, there is no other way to get from where they are to where they have to be in order to be employed. And to tax them to the tune of 12.5 per cent additional tax at this time is immoral. To expect they can afford this is ridiculous.

What you are doing, if you stop to think about it, is that for the majority of the lower and middle income groups the only enjoyment that they can possibly expect to get out of life is the running of their automobiles. The only chance they have of seeing anything of this province and this country is by automobile, because the cost of public transportation is far beyond the means of the average person. And what you have done is you have added 12.5 per cent to the cost of going anywhere in this province. What you have done is to deprive the majority of children of seeing the things in this province, because their parents will not be able to afford to take them.

Mr. R. M. Johnston: Start to cry right now.

Mr. Deans: I do not have to start to cry, it is quite obvious to me that most of the Conservative members have never been in the position of not being to go any place. I am convinced, and I am sure the people of Ontario cannot afford to pay an additional 12.5 per cent and I am further convinced that if you stop to think about it, you would take this off the statutes.

Mr. Price: You are the people with the wealth.

Mr. Deans: There is no reason at all, why you should be increasing gasoline tax.

Mr. Ferrier: If we are, I haven't seen it.

Mr. Deans: It always amazes me how you get such profound statements from those backbenchers of the government.

Hon. Mr. McKeough: A little more profound than the hon. member's.

Mr. Deans: I often wonder if any of them have had to try and get by on \$3,000?

Mr. White: We all started to work at an early age and at low wages.

Interjections by hon. members.

Mr. Deans: And let me suggest, that probably when you started, you started at \$3,000.

Hon. Mr. Grossman: How many of you fellows ever worked with your hands?

An hon. member: Not one.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Deans: Let me suggest to you—I know whereof I speak—I am not speaking from ignorance as many are. I am speaking from experience. I know what it is like not to go any place because you just cannot afford the gasoline to take you there.

Interjections by hon. members.

Mr. Deans: I wonder if I might suggest, Mr. Speaker, that if any of the government members wish to enter this debate, they do so after I have finished.

An hon. member: If they have anything to say.

Another hon. member: Keep to the point.

Mr. Deans: I am speaking to the point. The point is that the people of Ontario cannot afford to absorb this additional 12.5 per cent and the time has come when we have got to take a stand against it. And it is about time that someone in that backbench of the government side had the guts to get up and stand up for the things that they know the people of this province feel and think.

Mr. Speaker, it is absolutely necessary for the well-being of this province that this bill does not go though here tonight. The entire



tourist industry will suffer because of it and the—

Interjection by an hon. member.

**Mr. Deans:** Fine. This is an opinion and I am free to state my opinion. Thank you.

I suggest that not only in this bill, but in all the bills that are to follow dealing with gasoline and fuel tax, that the imposition of this additional cost will be passed on to the consumer, who cannot afford it at this time.

I ask the Provincial Treasurer, withdraw this bill. Find another method to raise your tax. There is no place for this type of taxation in this modern province. Withdraw it, sir, before you go out of office.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I rise to oppose this regressive taxation. I think it is just another indication of the neglect and the complete disregard for not only the people of all over Ontario, who find it necessary to buy gasoline, but in particular for the people of northern Ontario, who are already paying far too much for a gallon of gasoline. Because of the huge distances that we have to contend with in the northern part of our province, there is hardly any line of endeavour today where it is not essential to use motorized vehicles.

In our education, particularly with the consolidation of school districts, it is going to be ever so important that we transport many more children from one place to another in order to achieve equality of education.

In our forest products industries, where people no longer live in bush camps, they have commuter camps where men are transported by bus, 30, 40, 50 miles, twice a day, to carry out their activities in the forestry industry. When they have to go from one municipality to another to seek medical and dental aid, in any line of endeavour in northern Ontario today, in any movement from one place to another sometimes great distances depend upon automobile and bus travel. In spite of what the Minister of Economics and Development is trying to do with regard to equality of opportunity in our northern areas of the province, any good that he might have been able to achieve by introducing such a plan is going to be completely negated by the kind of taxation that is being introduced this evening.

I think it is particularly significant that the three members representing northern ridings that happen to be sitting on the government

benches have not seen fit to stand up and be counted on this particular issue—the hon. member for Kenora (Mr. Bernier), the hon. member for Fort William (Mr. Jessiman), and the hon. member for the Nickel Belt. I defy any one of them to go back into their riding and say that this is a fair tax, and that they support it unequivocally.

**Mr. Sopha:** Est-ce que Monsieur le Ministre des Terres et Forêts a entendu ce qu'il a dit?

**Mr. Stokes:** I challenge any one of them to go up into their riding and say that 60 or 62 cents per gallon is too much to pay for a gallon of gasoline. I am sure that this kind of taxation does not meet with the approval in their ridings any more than it does in the one that I happen to represent, Thunder Bay.

I cannot do any more than echo the sentiments of all the speakers on this side of the House who have addressed themselves to this measure, that I think that it is incumbent upon the government to withdraw this piece of legislation and introduce some other form that is not discriminatory and not regressive, and something that is based on the concept of ability to pay.

**Mr. Singer:** Mr. Speaker, it is unfortunate—

**Hon. Mr. MacNaughton:** Mr. Speaker, I wonder if I may intervene here? I have about an hour and one half myself with all kinds of material here. May I adjourn the debate?

**Mr. Singer:** Oh, fine, fine!

**Hon. Mr. Roberts:** Well, if you are going to speak, perhaps the hon. member for Downsview could adjourn the debate.

Mr. Singer moves the adjournment of the debate.

Motion agreed to.

**Hon. Mr. Roberts:** Mr. Speaker, tomorrow I would like to continue with second readings, and if we complete all the second readings on the order paper, then we will go to the bills that are in committee of the whole. Until we exhaust the order paper as it stands, we will not go back to the estimates.

Hon. Mr. Roberts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12:15 o'clock, a.m.



# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, April 9, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 9, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker. In the light of the events of the last few days I feel that it might be proper if we were to pause in our proceedings here this afternoon, before we commence the business of the day, to pay tribute to the late Dr. Martin Luther King.

He was a very great civil leader, which sounds somewhat trite when one thinks of what he achieved in his lifetime. However, he had an honesty of purpose which, I think, shone forth very brightly for all mankind to see. He was a man of non-violence, whose tragic fate was to die by violence, and it is this primarily that makes us grieve, and makes us wonder why this very tragic event could, and in fact did, happen.

We join with our friends and our neighbours to the south of us in the United States, who with their President and with Mrs. King and her family grieve and sorrow for this man. We extend our sympathy to them and through the Ontario human rights commission, on behalf of the province, a telegram was sent to Mrs. King, which I would like to read:

The province of Ontario and the Ontario human rights commission have been greatly saddened by the tragic death of your husband and we extend to you our deep sympathy in this moment of sorrow. We have long admired his work and the ideals for which he stood. We wish you to know that he gave great inspiration to our own efforts to promote human rights here and we pledge ourselves to follow in his spirit in pursuing equal opportunity for all.

Mr. Speaker, it seems to me that we can best honour the memory of this man and ensure that the sacrifice of his life does not go in vain if we rededicate ourselves here to the task of maintaining human rights within Ontario. This is the jurisdiction in which we have influence, and in which we have responsibility. We have tried, over the years, basically to establish here a climate of understanding, of mutual respect, and in fact a complete acceptance of one another as indi-

viduals equal in dignity and in rights. I think that we will all be inspired to continue the activities that we have carried on in this province. This very tragic event, even though it happened in another country, nonetheless has had a very profound effect that I can detect upon the people of this province and, I am quite certain, upon all members of this assembly.

Mr. Speaker, I would ask that, at your direction and after any remarks that any other member of the assembly might care to make, we do observe a minute's silence in honour of this great man.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, following the assassination of Dr. King on Thursday last the news of this shocking event travelled from person to person in a rather large gathering that I and my friends were attending. The shock and disbelief that was shown on everyone's face, and expressed at that time, I believe has been mirrored by citizens right across our province and our nation. The assassination, while it must have been accomplished by a madman, was done with cunning, planning, and great cruelty. It unleashed race hatred and conflict on a most frightening level in the days since then.

I believe we would all agree that the answer to this almost impossible problem lies in Dr. King's teachings during his years of service, and perhaps more than anything else in his attitude toward his fellow man. Even in the midst of hatred and prejudice of a severity that we can only imagine in the more sheltered community that we enjoy, he was able to rise above any response that perhaps we would have thought more natural and maintain his example, which is going to be one of inestimable value for many years in the future.

His religious belief, which was very deep and zealous, gave him the advantage of being completely unafraid of the dangers that were around him. Because of this, he was able to go through the nation and receive international acclaim—not always acclaim among his own people or even among the rest of the citizens of the United States—and was able to do this without fear; he was

truly a man unafraid, with a mission of great importance.

I say again that the answer to the problem that plagues the United States and many other areas lies in his example in life and his teachings. Our sympathy goes out to his widow and family, who are bravely continuing his work.

Mr. D. C. MacDonald (York South): Mr. Speaker, I think it is sobering to reflect on this day when we honour the memory of Martin Luther King, that he began his years of leadership at 26 years of age, that before he had reached his mid-30s he had won worldwide acclaim through the Nobel peace prize and that at 39 he was cut down by the assassin's bullet. But we all agree that death can never kill his influence. For the moment at least it is obvious that it is greater than even when he lived.

Martin Luther King was a modern prince of peace. Along with men like Mahatma Gandhi, he was one of the great moral leaders of our time. Martin Luther King was in part an old style evangelist. But when that rich, resonant, surging, eloquent voice, that we all became so familiar with proclaimed as he did on many an occasion, "I have climbed to the mountain top and I have seen the promised land," somehow even for the cynic, there was no credibility gap, this was no hollow theological cant. A man who had fought and who had surmounted such formidable odds was inspired—certainly he was inspired, divinely or otherwise.

He was truly a modern Moses who was leading not only his own people but, let us not forget, perhaps all peoples into a promised land.

But Martin Luther King was something more than just an evangelist. His theology was the theology of social action. "Prayer has its place," he once said, "as a supplement to action, but it is both inadequate and dangerous when it is a substitute for action." For him, belief and action were related. To fail to act was a denial of belief. He was the foremost advocate and practitioner of the finest kind of participatory democracy.

I think it is right that we should honour his memory but I would like to go, if I might, Mr. Speaker, just one step further. I was rather impressed with a paragraph of quotation in the morning news dispatch from a well known civil rights worker in Chicago, a man by the name of John McDermott who happens to be executive director of the Catholic inter-racial council of Chicago. He

was quoted as follows in reference to Martin Luther King:

He is being eulogized and praised now by institutions and people who fought him every inch of the way in his rise for racial justice.

There is just a touch of hypocrisy that has crept in to the effort of so many to finally give acclaim to a man whom they opposed so consistently.

As is pointed out by the *Globe and Mail* in an editorial on Saturday, perhaps quite rightly entitled, "The Last Chance for Peace," we were warned of this tragedy that has struck the United States. The national advisory commission on civil disorders documented a terrifying picture of poverty and discrimination in the ghettos of American cities and yet the general reaction to the commission's report was a lethargic one.

President Johnson is reported to have told a meeting of newspaper publishers—negro newspaper publishers—that to implement the commission's report would cost \$80 billion and he did not feel that Congress would consider it. So, a nation that has spent over \$30 billion a year in pursuit of an elusive peace in Viet Nam could not consider the spending of \$80 billion to lay the foundations of a civil peace at home. One wonders, and one hopes that there will not have to be too much tragedy before there will be a reordering of priorities. That we will not have to have too many long hot summers to recognize what must be done to meet human dignity.

I was, Mr. Speaker, rather struck with another quotation that the *Globe and Mail* had in its editorial the other day, which brings this back to us in Canada:

Let us not view this from afar as a matter of concern to others and not to us.

A quotation that is attributed to what Dr. Martin Luther King wrote on one occasion from jail—one of the many occasions when he was in jail—says:

I have almost reached the regrettable conclusion that the negroes' great stumbling block in the stride towards freedom is not the white citizens' counsellor or the Ku Klux Klanner, but the white moderate, who is more devoted to order than to justice, who prefers a negative peace, which is the absence of tension to a positive peace, which is the presence of justice.

And, if one contemplates that, there are many applications of it that have reference here in Canada that I will not go into at the

present time, Mr. Speaker. Said Martin Luther King:

Mankind stands at the midnight of his existence but I can see a new dawn breaking.

That is what he felt. It is our challenge to make certain that that new dawn does break or we are all going to suffer the consequences.

Mr. Speaker: I wonder if the members of the House and our guests in the gallery would rise, and join with me in silent prayer and in a tribute to the late Dr. Martin Luther King.

Thank you.

Today we have visitors again in the east and west galleries from the schools. We welcome this afternoon in the east gallery, students from Beverley Heights junior high school, Downsview; and in the west gallery, from Gravenhurst high school, Gravenhurst; and in both galleries, students from Havergal College, here in Toronto. Later this afternoon, in half an hour or so, in the east gallery, there will be students from Grand River collegiate institute in Kitchener. I am sure we welcome these young people here today.

Hon. S. J. Randall (Minister of Economics and Development): Mr. Speaker, as I gaze at that lush gift on the Prime Minister's desk, I am reminded it is my privilege this afternoon to draw to the attention of the hon. members that we have a number of distinguished senators from the great state of Hawaii in the Speaker's gallery. They are visiting Toronto for three days, and they are going on to London and Copenhagen. I know you would want to join with me in extending a very warm welcome and a safe trip on their journey, and a very profitable one.

Hon. W. G. Davis (Minister of Education): Mr. Speaker, I wonder if I might too introduce to you and to the members of the House another distinguished visitor who is on a very short visit to the province of Ontario—Mr. Eric Gairy, who is the Premier of Grenada, in the West Indies. This is one of the islands that has been participating with The Department of Education on certain programmes relating to school supplies and twinning projects. Premier Gairy is visiting us in this province for a very short period of time and is situated in your gallery, sir, and I would like to introduce him to the members of the House.

Mr. Speaker: I have just received advice that there are some students from the riding of the member for Kingston and the Islands (Mr. Apps), from Kingston collegiate vocational institute, with us in the galleries today, also.

Petitions.

Presenting reports.

Mr. G. A. Kerr, from the standing committee on legal bills and municipal affairs, presented the committee's first report which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 3, An Act to amend The Extrajudicial Services Act.

Bill 6, An Act to amend The Division Courts Act.

Your committee begs to report the following bills with certain amendments:

Bill 31, An Act to amend The Sandwich, Windsor and Amherstberg Railway Act, 1930.

Bill 43, An Act to amend The Evidence Act.

Mr. L. C. Henderson, from the standing committee on agriculture and food, presented the committee's second report which was read as follows and adopted:

Your committee begs to report the following bills without amendment:

Bill 20, An Act to repeal The Injured Animals Act.

Bill 27, An Act to repeal The Consolidated Cheese Factories Act.

Bill 28, An Act to repeal The Seed Grain Subsidy Act.

Bill 29, An Act to repeal The Fruit Packing Act.

Bill 34, An Act to amend The Brucellosis Act, 1965.

Your committee begs to report the following bills with certain amendments:

Bill 26, An Act to amend The Hunter Damage Compensation Act, 1962-1963.

Bill 49, An Act to amend The Community Centres Act.

Mr. Speaker: Motions.

Introduction of bills.

Hon. R. Brunelle (Minister of Lands and Forests): Mr. Speaker, before the orders of the day I have a short statement that I believe will meet the approval of the hon.



leader of the Opposition as well as the hon. leader of the NDP and of all members of this assembly.

With the approval of the Cabinet, The Department of Lands and Forests is making plans for a tour of northwestern Ontario by the members of the Legislature this fall. The purpose of this trip is to provide first-hand knowledge of the potential development in that part of the province. Tentative plans for such a tour of possibly one week's duration, mostly by rail, and a bit by air, would give us an opportunity to see for ourselves, not only the recent developments, but also the need for future developments in this great area of our province.

At the present time we propose to leave Toronto on Sunday night, September 8, and return to Toronto on Sunday, September 15. Further details will be sent to each member when arrangements have been finalized, and I hope that each member will take this opportunity to visit this very scenic and very important part of Ontario.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, on a number of occasions I have reported to the Legislature on matters relating to vehicle safety. In view of the concern shown by hon. members this session in this area of traffic safety, I am sure the House will be interested to learn that this forenoon I convened the first meeting ever held for all the importers of vehicles into Canada from outside this continent. These imported cars are a significant factor for the people of Ontario; a total of some 290,000 such cars are registered in this province, amounting to about 12 per cent of all Ontario motor vehicles.

As a result of the meeting today, I am pleased to report that the importers of vehicles are demonstrating high standards of responsibility and co-operation in the interests of safety. The meeting confirmed the good impressions of these importing companies which I had formed in previous contacts with many of them. One of the purposes of the meeting was to guarantee the people of Ontario that they would not be the victims of "dumping" of foreign-made vehicles of inadequate safety standards. The United States requires certain standards in its customs regulations, which are drawn up in accordance with the specifications of the national highway safety bureau in Washington. Canadian customs regulations have no such standards. However, the government of Ontario is empowered under The Highway

Traffic Act to regulate the safety standards for all motor vehicles that are offered for sale in this province.

Under the circumstances I have outlined, there is an obvious danger of "dumping", in this country or others, vehicles which cannot be admitted to the United States because they do not meet U.S. customs regulations. I am happy to report that this danger has not materialized.

At the meeting today, I received verbal reports from the heads of importing companies which show that most foreign-made cars either meet the United States standards now or will meet them by this fall, when the 1969 models will be on sale.

Further, in cases where the United States standards are not met, there is evidence that the manufacturers and importers are acting in good faith and in accord with normal marketing procedures. In other words, there is no evidence that the manufacturers of foreign cars are trying to use Canada as a dumping ground for vehicles that do not meet United States standards. My initial meeting with the importers is being followed up by my department in a manner that will secure documentation of this data, both for current models and for 1969 models.

In summary: the meeting held today confirms the responsibility that is being demonstrated by the importers into this province of vehicles manufactured in countries other than Canada and the United States; and it established a framework for the future control of the safety of these vehicles, in the public interest. It has been made clear to the importers that Ontario expects and demands conformance to high safety standards. I am advising all other provinces of the results of these negotiations, in keeping with the inter-provincial co-ordination that has been established by the conferences of the Ministers responsible for motor vehicle administration.

**Mr. Nixon:** Mr. Speaker, I have a question concerning the civil service commission that I directed to the hon. Provincial Treasurer (Mr. MacNaughton), which he redirected to the Minister of Labour. I do not know who wants to answer it, but I would like to know—will the Minister report to the House what action has been taken by the civil service commission to avert the strike of workers at the University of Guelph tomorrow?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question from

the hon. leader of the Opposition, may I say that the civil service commission has no involvement in this dispute. This is a case where the civil service association is certified as a trade union under The Labour Relations Act for certain employees of the University of Guelph.

The employees are not civil servants, nor is the university managed by the government. It is, therefore, a normal labour-management situation in which the strike deadline has been established.

The Department of Labour is offering its regular mediation service in an effort to resolve the dispute. The conciliation branch has been in touch with the parties and will continue to do what is necessary to assist them to settle their differences, operating within the context of free collective bargaining.

At the moment, I may add, the meeting between the parties is under way under the sponsorship of the conciliation branch of my department.

**Mr. Nixon:** Mr. Speaker, if I might ask the Minister a supplementary to this. It occurs to me that there might be some residual responsibility of this administration, through the Minister of Agriculture and Food (Mr. Stewart), for commitments made to the people working at the University of Guelph now, who, as I remember it when the transfer was made some years ago, were under the impression that they would be treated as well under the new circumstances as they had been under the old. I wonder if the administration is seeing that their part of this commitment is being lived up to?

**Hon. Mr. Bales:** Mr. Speaker, I have noted the point raised and I will certainly look into it.

**Mr. Nixon:** I have another question for the Minister of Labour, Mr. Speaker. Has the construction safety branch begun an investigation into the fall of a 5,000-pound concrete block at Bay and Bloor Streets, Toronto, yesterday? Did the construction safety branch investigate a similar occurrence at the same location two months ago and if so, what were the findings of that investigation?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the question, the answer to the first part is "no" since the enforcement of The Construction Safety Act and the carrying out of investigations is the responsibility of the municipality. I am advised, however, that the

city of Toronto, in the regular course of discharging this responsibility, is conducting the necessary investigation. I am also advised that the city has not found it necessary to seek the assistance of my department—which is understandable since the city's enforcement agency is well qualified to deal with the matter.

In reference to the second portion of the question, the previous incident was investigated by the city and the construction safety branch is aware of the findings, but it would be entirely up to the city to make these findings public.

**Mr. Nixon:** Mr. Speaker, it seems unusual that such an occurrence would take place twice within two months at the same location and I think that the Minister has some overriding responsibilities to see that the safety of the workers and citizens is preserved, no matter how confident he is that the metropolitan inspection branch is capable, or the city inspection branch.

Mr. Speaker, I have a question for the Minister of Education. Is the Minister prepared to conduct a major campaign to alert parents of school age children to the very real danger that their children could be "playing around with drugs" as suggested by North York trustee George McCleary? Is the Minister prepared to investigate trustee McCleary's charge that school principals are hiding the extent of the problem to protect their image?

**Hon. Mr. Davis:** Mr. Speaker, I think that while the reports which are published from time to time concerning the use of drugs by young people cannot help but be of concern to parents, I think, too, Mr. Speaker, that we must retain a certain perspective. We must be careful not to over-react to situations and I think, really, it is obvious from watching television, listening to the radio and reading the press that parents, and the public generally, are increasingly aware of the problems as it relates to the use of drugs.

With respect to the school system particularly, I believe that the schools have a responsibility to ensure that the young people are made aware of the dangers inherent in the use of drugs. In this regard, the Ontario alcoholism and drug addiction foundation is providing very useful information for the teachers and principals, and The Department of Education is presently developing a section in the health programme as it relates to this particular problem.

In reply to the second part of the question, I would suggest that perhaps there are implications there that would be of interest to, shall we say, the law enforcement agencies, and I think, Mr. Speaker—perhaps it is so obvious that it need not be said—that any individual who has any specific information that relates to any illegal type of problem has a very real responsibility to report this to the appropriate authorities.

**Mr. Nixon:** May I ask the Minister if his department is advising the alcoholism and drug addition foundation in its research into these matters? In what way are you co-operating with it?

**Hon. Mr. Davis:** The foundation, Mr. Speaker, with respect to alcohol, has been preparing materials and doing research which it has made available for use in the school system. We do not advise the foundation; it really advises or makes the material available to us.

**Mr. Nixon:** Is the foundation preparing the curriculum that you are going to bring out in the future?

**Hon. Mr. Davis:** They are not preparing the curriculum, Mr. Speaker; they are preparing the material that could be part of the curriculum.

**Mr. W. G. Pitman (Peterborough):** May I put a question to the hon. Minister of Education? Would the Minister of Education confirm the statement attributed by a Canadian Press report to the Minister without Portfolio (Mr. Guindon) that Ontario will start making lump sum grants to Ontario school boards once they have been grouped into larger units?

**Hon. Mr. Davis:** Mr. Speaker, I should point out that I have not really seen the CP report myself, nor had an opportunity to discuss this matter with the hon. Minister in particular, so I can only say this: that his speeches are always very much to the point. I can only say that as a department we have been paying grants to the boards, but what is meant by "lump sum grants," I really do not know. I expect that the grant procedures, and we are not talking amounts at all, will be roughly the same as they have been in the past. But I am not talking about amounts, and I do not know what is meant by lump sums.

**Mr. Pitman:** I wonder if the Minister would mind answering a second question. Would the Minister of Education indicate

whether or not, under the reorganization of school areas, he intends that the municipal council shall make up to the county board of education, any deficiency in the current funds caused by the non-payment of taxes during the current year?

**Hon. Mr. Davis:** Yes, Mr. Speaker. That is not quite the way that I have the question, not quite the same wording, but I think that I understand the intent of the question. We anticipate, or the proposal is, that the municipalities still have the machinery for taxing and the powers to collect the unpaid taxes. We would anticipate that they will make up whatever deficiency that may occur, as they have in the past.

**Mr. Pitman:** I wonder if I may ask a supplementary question? Is it the purpose of the Minister that he might be able to question the members of perhaps the grants section of The Department of Education when we meet them at the time of the calling of the education committee? And will we have an opportunity to discuss the whole question of financing in the reorganization of the larger units?

**Hon. Mr. Davis:** Mr. Speaker, this is something that I would be quite prepared to discuss at the committee of education: I think that it is fair to state that the officials of the department cannot be expected to become involved in discussing what may be future policy of the government. I think that they can answer questions on or with respect to specific situations. I am not sure how much help they can be with respect to a grant programme that will not become public until several months from now. However, I am quite prepared to discuss that with the committee and see if it makes sense.

**Mr. Pitman:** Now, Mr. Speaker, may I direct a question to the Minister of Transport? Will the Minister indicate whether the proposed legislation on motorized snow vehicles will be brought before the highways and transport committee in order that interested groups may make presentations?

**Hon. Mr. Haskett:** Mr. Speaker, the Act respecting motorized snow vehicles is very simple straightforward piece of legislation, and I had not given any thought to whether it would or would not be sent to the standing committee on highways and transport. I see no reason why it could not go there, but perhaps it would be appropriate to await second readings and I could determine then if it



would seem that any useful purpose would be served by so referring it.

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** I have a question for the Minister of Agriculture. Because the milk producers of the Warren-Verner area met with a large trade union on March 27, 1968, to discuss strike action, and because the rising costs of goods are making it difficult for farmers to exist on what they are receiving for their milk, what action is the government contemplating to avert the strike and assist the milk producers of Ontario?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, in replying to this question I would call to the attention of the hon. member page 1238 of *Hansard*, dated March 26, 1968, when I gave what I thought was a fairly detailed statement concerning the problem which apparently exists in the Warren-Verner area of Northern Ontario concerning milk prices.

To my knowledge there is only one point of contention, and there is no other point of contention that has been brought to my attention, and that is that the producers object to a once a month payment. During the interim pool period, of the northern pool, twice a month payment was continued to the producers, but this was done on a manual basis by the milk marketing board. When the pool covering the province of Ontario—I believe it came into effect on March 1—it was decided, as I explained in that statement that I gave to the House, that it would be much more costly to provide twice a month payment to all producers in Ontario. Because 80 per cent of the milk produced in the province had been paid for on a once a month basis prior to the milk marketing board having anything to do with payments, the milk marketing board felt that it was in the best interest of the producers from an economic standpoint—in fact they calculate their saving to the producers at \$300,000 per year in paying them on a once a month basis.

I had hoped that this explanation would be satisfactory for my hon. friend from Sudbury East, that it would explain to him that it was in their interests and the decision of the producers' board themselves to do this, that is to pay them once a month.

I have no knowledge of a meeting that has been held by the producers and the labour union in northern Ontario, neither have I

any knowledge that a strike for milk will be called.

As for the government contemplating action to avert the strike and assist the milk producers of Ontario, you are embracing all milk producers of Ontario and not just those of northern Ontario in this particular instance where there appears to be some type of problem.

Now, I would like to say this, Mr. Speaker, that since the milk marketing board took over the marketing of milk in Ontario, they have, in effect, most strongly assisted the milk producer of northern Ontario, first of all by bringing under control reconstituted milk which was definitely cutting into the fluid producers market in northern Ontario.

The centralized testing of milk has been introduced, and as well, a higher price in northern Ontario has been made available to the producers of northern Ontario than that pertaining in other parts of the province, chiefly because of the transportation costs between southern and northern Ontario as far as milk is concerned.

I would say that the Ontario milk marketing board has assured a market for fluid milk in northern Ontario to the producers of milk in northern Ontario. I can say that before this board took over that due to representations that were made to me and to many other milk organizations in this province, northern Ontario producers thought that their market was definitely in jeopardy.

Since that time, I would say the market has been assured, stability has been provided, and an assured and continuing market has been provided for them. I must confess that any strike action or the dumping of milk, would to me be quite deplorable. I am sure that no one would like to see this happen because there is in Ontario today an enormous surplus of quality fluid milk in practically all areas of the province. To see one group dumping milk, to me, is deplorable.

I would hope that satisfactory negotiations can be worked out between the milk marketing board and the producers involved because this is really where the problem lies. The letters that I have received from very responsible producers in the area indicate to me that there is only one point of contention, and that is the once-a-month payment. I would suggest again, as I did on March 26, that the producers might be well advised to consider their position after the monthly payment period has started, because

I think it is a matter of adjustment from twice-monthly to once-monthly payments.

**Mr. W. Ferrier** (Cochrane South): Mr. Speaker, I have a question for the hon. Minister of Energy and Resources Management. When will construction begin on the French dam on the west branch of the Don River, and when is it expected to be completed?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, it is expected that construction will start in the spring of 1969 and be completed in 1971.

**Mr. M. Shulman** (High Park): Mr. Speaker, I have a question for the hon. Minister of Reform Institutions.

On March 21, 1968, was Mr. Janero DiSibio notified in writing by Mr. Frank Potts, chairman of the parole board, that he had been granted the parole for which he had applied? On March 25, 1968, was Mr. DiSibio informed that the board has made a mistake and he was not getting his parole after all? If the answers to questions 1 and 2 are yes, what is the explanation for this extraordinary series of events? Considering these circumstances, will the Minister intervene to see that Mr. DiSibio receives a parole?

**Hon. A. Grossman** (Minister of Reform Institutions): I will take the questions as notice.

**Mr. Speaker:** The member for Essex-Kent placed a question with me on April 4 to the Minister of Energy and Resources Management. Would he care to—

**Mr. R. Ruston** (Essex-Kent): I have a question for the hon. Minister of Energy and Resources Management.

With the recent announcement of the appointment of Murray F. Cheetham as director of public relations of the Ontario water resources commission, is it the opinion of the hon. Minister that a government agency should have to employ public relations people to sell their work to the taxpayers?

**Hon. Mr. Simonett:** Mr. Speaker, I answered that question last week in the House. It has been answered.

**Mr. Speaker:** That was a good exercise in clearing the decks.

The Minister of Social and Family Services has a statement.

**Hon. J. Yaremko** (Minister of Social and Family Services): I wish to call attention to amendments to the regulations under The Day Nurseries Act which were made effective last Friday, April 5. These amendments in their totality introduce a new and broadened definition of ability to pay by an expansion of the needs test, so that more families in the lower income groups may qualify for subsidized day nursery care for their children. There has been a considerable amount of discussion lately on the topic of day nurseries and I should like to take a few minutes to clarify the intent of the legislation and the effect of the present amendments.

We can all agree as to the values that a pre-school day nursery programme may have for both parent and child. The parents benefit from the knowledge of child development gained through discussions with day nursery staff, particularly in those co-operative nurseries where the mothers take turns in assisting in the supervision of the children.

The working mother, who must be absent from home all day, in many cases needs the day nursery as a place where she can leave her child with confidence in his safety, health and general well-being. The child benefits from his association with other children in the healthy activities of an environment supervised by qualified adults. Here the child often lays the foundation for his progress through the educational system.

The community as a whole also benefits by the strengthening of an independent family life, the development of the fullest potential for learning of our future citizens and by the economic contribution made by parents who are able to work, because day nursery care is available to their children.

In consideration of all these benefits, we have encouraged the use and expansion of day nursery services. There are now quite a large number in operation—482 day nurseries of all types in Ontario at the present time—and the figure is growing at the rate of 10 per cent a year.

Day nursery care remains basically a service that is privately purchased by the parent from the nursery proprietor. The high standards of service are insured by the licensing and inspection system of my department. It should be clear that day nursery care is not a universal service, like a public school, paid for out of the general taxation. The principle, in

effect, is that families that can afford to pay for the service make their own arrangements, but when the family income is actually insufficient to meet day nursery costs then the municipality may pay all or part of the fees. The province reimburses the municipality 80 per cent of the outlay.

This is the principle set out in The Day Nurseries Act and that is why the regulations set out a needs test—a test of whether or not family income is sufficient to pay the service, or whether it should be supplied at public expense. It will be appreciated that a social service must be either universal—available without question to anyone—or it must be on a needs test basis; it cannot be something between. The Day Nurseries Act is in conformity with our agreement under the Canada assistance plan, whereby the federal government shares one-half the cost on condition that a needs test be applied.

It must be remembered that if monies to be spent on social services are channelled to those in need, the requirements of those in need will be met to a greater degree and the definition can be expanded from time to time to benefit a greater number of those just above any line set.

Mr. Speaker, I underline that immediately preceding paragraph.

The Day Nurseries Act has been operative since 1946. Until last year the subsidy to municipalities was 50 per cent of the cost of operating a municipally owned day nursery. Some municipalities also gave grants in aid to private day nurseries and these were also 50 per cent subsidized by the province.

In August 1967, the new Act and regulations came into effect. The rate of subsidy was increased to 80 per cent. The municipalities are reimbursed 80 per cent of the net cost of municipal nurseries. The Act contained a further provision that, if the municipality made an agreement with a private day nursery to pay for the fees of a child whose parents could not afford the cost, then the municipality would collect the 80 per cent reimbursement also. This provision substantially increases the day nursery facilities available to such families.

There is nothing to prevent a municipality from paying flat grants to nurseries but it would not be eligible for a subsidy upon them. The 80 per cent subsidy of municipal payments to day nurseries is conditional upon the parents so assisted being persons in need of such assistance.

As I have said, this is the principle of the legislation and the alternative is a universal

day nursery service. From communications and discussions in recent weeks—and many Mr. Speaker, are awaiting this very announcement I am making today—the concept of public support on the basis of need appears to be accepted.

There have been some complaints that the needs test had some shortcomings in this particular area—that it should be expanded to provide for certain items meriting application here. I am happy to announce that the amendments to the regulations carry out this expansion. These regulations are more favourable to the family of low or moderate income. The municipality is given wider discretion to take into account the resources and costs of the family applying for help with day nursery fees.

The municipality will determine what available monthly income remains to the family after deduction of the normal costs of maintaining the household, and also after deduction of certain substantial exemptions from income to take care of certain other expenses. If the available monthly income, as calculated, emerges less than the cost of day nursery fees, the municipality may pay the deficit and receive the 80 per cent reimbursement from the province.

Mr. Speaker, the whole of the regulations are available to any members of the Legislature who are interested in them. They came to me from the printer today, but the substance of the matter is really in the form, which sets out the needs test and you will see there the calculation of the monthly income, the calculation of the monthly budgetary items, and then the exemptions on the second—

Mr. E. W. Sopha (Sudbury): What does item 21 mean on the budgetary items?

Hon. Mr. Yaremko: This is a completely new idea which is being introduced into the regulations for the first time. If the hon. member will—

Mr. Sopha: The payment has to be approved by the welfare administrator?

Hon. Mr. Yaremko: That is right.

Mr. Sopha: Does he have to approve before they can pay their debts?

Hon. Mr. Yaremko: No. They can go ahead and pay their debts. But heretofore the fact that a person has an indebtedness was not taken into account in calculating his monthly income available.



We have to tell the hon. members of an extremely unfortunate case—unfortunate from the point of view of the children. We have a family involved where the father is a compulsive gambler and has run up debts of \$4,000. Ordinarily that man's family would suffer, because we ordinarily do not make provision for debts.

But now, in order that the child will not suffer by reason of the shortcomings of the parent, the municipal administrator will be able to take debts from that extreme kind, to debts such as are involved in buying a refrigerator, or any other type of debt—in the calculation of the income. That is one great new feature.

The main feature of the amendments is the greater latitude given to the municipal social service administrators in determining what living costs and what exemption on earnings can be allowed for in this calculation of need.

And if the hon. member for Sudbury, and all other members of the House, will look at item 32 in respect of the exemptions, where we have, "deduct exemptions on earnings, item 1—blank times blank per cent", we are permitting municipal administration to permit an exemption of up to 25 per cent of the earnings, as an additional exemption.

By this form, hon. members will see that expenses such as rent, fuel and medical care are taken at actual cost. Only in the case of food, clothing and personal items do the regulations specify a maximum figure and some standardization is practical and desirable here. Beyond this the municipalities are free to approve any other actual expense as a cost of household maintenance, and so a reduction of available income.

These two items, the 25 per cent exemption of net earnings, and the additional contingency exemption of 20 per cent of basic household costs which are set out as item 36, item 17, blank dollars—that is the subtotal times 20 per cent—these two items should provide an additional cushion for families who wish to make use of day nursery care in order to earn family income, so that they might be encouraged to set aside part of their funds in respect of a home, further education, the carrying of protective insurance and for other worthwhile family purposes which are not actually specified in the form.

On this needs test—the form—is carried out with no reference to The General Welfare Assistance Act. There had been some objec-

tions because the test earlier applied, that is under the older regulations, was the same as in that legislation, that is The General Welfare Assistance Act. The Day Nurseries Act now, because of its own needs, has its own formula for determining eligibility for aid in this particular service.

I add that recipients of general welfare assistance and provincial family benefits allowances will automatically be eligible now for available day nursery services. But because of the old regulations, and the new regulations, a substantial number of families above that level of income will now qualify.

We are particularly anxious to assist the working mother, especially when she is the sole support of the family. In these circumstances, some women make the choice to live on social service allowances such as our family benefits programme, others make the choice to take employment. The choice is open to them.

In order that it be a true choice, I believe that day nursery care, subsidized if necessary, should be available. And so we believe we have met the requirements of the working mother and she is given her priority. We are also anxious to reach those families where social, health or housing problems restrict the child's opportunity for normal development. Children living in crowded downtown areas, high rise apartments, or conversely in remote districts, are sometimes at a disadvantage.

Besides the children of the working mother and those others with restricted opportunities, there are also the physically or mentally handicapped children who benefit from specialized day nursery attention. There are the special problems of the children of families being integrated into our community upon their arrival from many lands. The nursery, in many respects, can serve as a bridge reaching back into the homes and opening up opportunities to the parents to help themselves and their children to a better life.

This is the broad intention of The Day Nurseries Act that went into effect last year. Over the past eight months, we have profited by the experience gained in its administration. We have amended the regulations so that they now express more adequately, we believe, the spirit and intention of the legislation. We are encouraging the growth of day nurseries and we are succeeding, in view of the 10 per cent increase in numbers over each of the last three years.

An interdepartmental committee was studying the possibility of further developments at the time the new Day Nurseries Act was passed in 1966. The committee suspended their further meetings until the effects of the legislation would become apparent. The government has decided to reconstitute that committee with members from The Departments of Labour, Health, Education, Economics and Development, from the Ontario economic council and the Ontario housing corporation, as well as The Department of Social and Family Services. This knowledgeable group will advise us as to the future direction of the programme, and what further progress can be made in extending day nursery services to the parents and children of Ontario.

**Mr. Sopha:** Mr. Speaker, on a point of order, it is regrettable under our rules that we have to wait until the estimates to find out what the Minister is going to do with that fellow who is gambling while his wife is out working to support the children.

**Hon. Mr. Yaremko:** Mr. Speaker, the reason I took this lengthy dissertation was because this will be immediately released to all those in the day nursery and municipal administration fields. I used that example as an extreme case, and I hope it will be noted as such—that it is an extreme case.

But you have the situation of the working mother at one end, who goes into debt in order to provide her family with certain necessities, and you have the other type of debt. In both instances, our attention is devoted to the care of the children.

I am hopeful that this long statement, which will appear in *Hansard*, and the regulations, which will be available—are now available—to all members of the Legislature, and in due course at the time of the estimates, there will be ample provision for further discussion.

**Mr. Sopha:** Seems very sad for that woman.

**Hon. Mr. Yaremko:** I tried to make this statement as non-controversial as possible and it is a factual statement.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, if I might ask the Minister. It is general knowledge that—

**Mr. Speaker:** Order, please.

**Mr. Braithwaite:** It is just a short question.

**Mr. Speaker:** Order! I think the matter has been raised before, and that is that normally there are no questions asked following a Minister's statement. If there is some point that needs clarification, yes, but not a question on the Minister's statement. I have no objection if the—

**Mr. Braithwaite:** Well, I am thinking—

**Mr. Speaker:** Will the member wait until I have finished speaking? I have no objection to the member placing a short question by way of clarification of the Minister's statement. But if it is merely for obtaining additional information, then the question, in my opinion, would be out of order.

The member has the floor.

**Mr. Braithwaite:** The hon. Minister made reference to the working mother, particularly—I do not know if he used the word "ethnic"—but he talked about families in the central part of the city. However, he did not make any reference to what steps his department might be taking to make the whole question of divulging information to the workers that have to fill these forms out, an easier thing.

I understand that many of the immigrant working men and women are afraid to give this information out. We are wondering what steps the government is taking perhaps to make it quite apparent to these people that they have nothing to lose and much to gain by co-operating. I understand this is a problem in several of these areas.

**Mr. Speaker:** The member has placed his question now. Would the Minister care to answer?

**Hon. Mr. Yaremko:** We have tried, Mr. Speaker, to simplify the form as much as it is possible—if it is possible to simplify a form of this kind—and it is our intention to use all facilities in order to reassure the people that they do have much to gain by participating in this, rather than not participating.

**Mr. Speaker:** Orders of the day.

### THIRD READINGS

The following bills were given third reading upon motion:

Bill 11, An Act to establish The Department of Trade and Development.

Bill 12, An Act to amend The Ontario Development Corporation Act, 1966.

Bill 14, An Act to amend The Sheridan Park Corporation Act, 1964.

Bill 15, An Act to amend The Elderly Persons' Housing Aid Act.

Bill 32, An Act to amend The Judicature Act.

Bill Pr6, An Act respecting the county of Renfrew.

Bill Pr8, An Act respecting the city of Hamilton.

Bill Pr9, An Act respecting the city of Ottawa separate school board.

Bill Pr10, An Act respecting the town of Smiths Falls.

Bill Pr11, An Act respecting the city of Peterborough (1).

Bill Pr12, An Act respecting the community foundation of Ottawa and district.

Bill Pr13, An Act respecting the city of Peterborough (2).

Bill Pr14, An Act respecting the village of Chalk River.

Bill Pr15, An Act respecting the board of trustees of the combined Roman Catholic separate schools of Renfrew.

Bill Pr16, An Act respecting the county of Ontario.

Bill Pr17, An Act respecting the city of Barrie.

Bill Pr18, An Act respecting the trustees of the Toronto general burying grounds.

Bill Pr19, An Act respecting the town of Bowmanville.

Bill Pr21, An Act respecting the county of Peel.

Bill Pr22, An Act respecting the city of London.

Bill Pr23, An Act respecting the township of Vaughan.

Bill Pr24, An Act respecting the city of Oshawa.

Bill Pr25, An Act respecting Wool and Gift Shops (Toronto) Limited.

Bill Pr26, An Act respecting the township of Nepean.

Bill Pr27, An Act respecting the town of Palmerston.

Bill Pr30, An Act respecting the city of Kitchener.

Bill Pr31, An Act respecting the township of Rayside.

Bill Pr32, An Act respecting Cardinal Insulation Limited.

Bill Pr33, An Act respecting the city of Toronto.

Bill Pr34, An Act respecting the county of Welland.

Bill Pr35, An Act respecting the city of Welland.

Bill Pr36, An Act respecting the city of Windsor.

Bill Pr38, An Act respecting the board of education for the city of London.

Bill Pr39, An Act respecting the Lutheran Church-Missouri synod.

Bill Pr40, An Act respecting the city of Eastview.

Bill Pr41, An Act respecting the Canadian order of foresters.

Bill Pr42, An Act respecting the city of Ottawa.

Bill Pr43, An Act respecting Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited.

Bill Pr45, an Act respecting the township of Pelee.

Bill Pr49, An Act respecting Carleton University.

Bill Pr50, An Act respecting Lake of the Woods district hospital.

Bill 16, An Act to repeal The Transportation of Fowl Act.

Bill 17, An Act to repeal The Threshing Machines Act.

Bill 18, An Act to repeal The Steam Threshing Engines Act.

Bill 25, An Act to amend The Farm Products Marketing Act.

Bill 35, An Act respecting the marketing of cattle for the production of beef.

Mr. M. Makarchuk (Brantford): Mr. Speaker, on third reading I have an amendment to Bill 35 moved by myself, seconded by the hon. member for Timiskaming (Mr. Jackson) that all after "now" be deleted and the following inserted—

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Might I ask, in view of the amendment, if this bill might be held until the Minister is here?

Mr. Speaker: It will be called again then.

Hon. Mr. Rowntree: We will call the order again.

#### WALBI HOLDINGS LIMITED

Mr. R. G. Hodgson (Victoria-Haliburton), in the absence of Mr. L. M. Reilly (Eglinton), moves second reading of Bill Pr52, An Act respecting Walbi Holdings Limited.



**Clerk of the House:** The 51st order, resuming the adjourned debate on the amendment to the motion for second reading of Bill 37, An Act to amend The Gasoline Tax Act.

## THE GASOLINE TAX ACT

*(Continued)*

**Mr. R. S. Smith (Nipissing):** Mr. Speaker, I rise to join with the members and the leader of the Opposition (Mr. Nixon) to oppose this bill, and would ask that the Provincial Treasurer (Mr. MacNaughton) withdraw the bill or that those members in the back benches of the government support the enlightened Opposition in defeating this most regressive and unfair tax measure. Increased costs of transportation, either directly to the consumer as indicated in this bill, or indirectly in the cost of goods requiring transportation to the markets, will add considerably to the cost of living of each and every citizen, particularly if he lives in those areas of our province outside the large market and manufacturing areas. Similarly those manufacturers who are situated at a distance from the market cannot be competitive in the market area if increased transportation costs are added to the market price. A tax of this nature, then, places a double penalty on those of us who depend on manufactured goods from the large manufacturing areas, and whose own manufacturing establishments are placed in a poorer competitive position.

The tourist industry is the second most important industry we have in the province and in the area which I represent it is the primary dollar producer. The most serious complaint that we receive from the tourist is the excessive cost of gasoline which increases with distance travelled into the province and has become more and more prohibitive to the return of the tourist to our area. This 12.5 per cent increase in the gasoline tax, coupled with the increased park rates, gun licensing rates and proposed angling licences, amounts to a direct budgetary discrimination not only against the lower and middle income taxpayer, but also against the one industry which the less affluent areas of our province is able to enjoy, and which in many areas provides a living either directly or indirectly to the majority of the people.

It appears that the Ministers most concerned with this aspect of the tax and The Departments of Tourism and Lands and Forests either do not understand the problem or have little or no influence upon the

Provincial Treasurer and the Treasury board. The Ontario committee on taxation has made certain recommendations concerning gasoline taxation and the Provincial Treasurer has asked for briefs from interested persons and groups concerning the implementation of the report. He has now chosen, however, to act before these briefs have been received and studied.

Political necessity last summer moved this government to accept two of the recommendations of the report, and now economic necessity, brought about by their political promise not to increase sales and income taxes, apparently necessitates the government to move on gasoline taxation before those affected have had an opportunity to state their case.

The Ontario committee report has stated that their views on taxation can be based both on the principle of ability to pay and the benefit received. The ability-to-pay concept has been ignored completely in the introduction of this bill, and the government has even chosen to ignore the criteria necessary to apply taxes on a benefit-received basis. It has been established that 65 to 75 per cent of the benefits are accruing to users in the road-building programme and maintenance of that programme.

As such, if the benefit received basis is to be used, the cost to the user should be within these limits, that is within the limits of 65 to 75 per cent of the cost of the programme.

This proposed increase in the gasoline tax will place the direct cost to the users well in excess of the 75 per cent limit. The revenues from gasoline taxation and licensing and other Highways Department incomes over the seven-year period from 1961 to 1967 has equalled 97.71 per cent of the expenditures on highways by the government, including grants for capital cost and maintenance to municipalities. This, however, does not include the direct payment through municipal property taxation by municipal governments for which this government does not accept responsibility.

If the Minister and the government are serious in their request for submissions in regard to the report of the taxation committee, then they certainly must study the briefs and also take into account the recommendations made in them, as well as the report itself, before presenting to this Legislature the bill to increase taxation such as Bill 37 with which we are now dealing. Once

again the government has chosen to ignore the concerned people of the province and is apparently going ahead with the taxation measure, knowing both the principle of ability to pay as well as the criteria necessary to tax on the benefits received basis.

Mr. J. E. Bullbrook (Sanitor): Mr. Speaker, I will attempt to be as direct and concise as possible in connection with my comments relative to Bill 37. Basically, sir, I, together with my colleagues, would vote against this bill because of the regressive aspects of it as my hon. friend from Nipissing has mentioned.

The two aspects of it that come to my mind immediately that require a sorting out are the obvious shifting of the burden of this tax to the consumer eventually. Second, of all the avenues of taxation base that are available to the hon. Provincial Treasurer of Ontario, having regard to our geography, he could not have picked one that would be more burdensome. Now, sir, you will recall in the recommendations of the Ontario committee on taxation, there was discussion as to the feasibility of a transportation tax. The committee came out unequivocally against this concept for three reasons, as I understood it, one of them being the constitutional reason, the possible constitutional involvement. But the two other reasons lend themselves exactly to the position being taken by the opposition to this unduly burdensome piece of legislation.

If I might be permitted, I want to read from volume 3 of the report of that committee on taxation because, I say, in effect, there can be a direct analogy drawn between this elevation of the gasoline tax and the concept of a transportation tax. Nobody takes issue with the basic concept of a user tax—we go along with the recommendation of the committee here. If I recall correctly, they anticipated the feasibility of income to the hon. Provincial Treasurer of between 65 and 75 per cent of capital involvement. They felt that this was the situation at the present time.

But getting back to the matter of their consideration of the transportation tax concept, they say as follows, and I read from page 458, chapter 14:

When a transportation tax is levied on freight and express charges as opposed to passenger travel, it is assuredly subject to shifting. This is because only a very small portion of shipping expenditures is paid directly by individuals and is thus difficult to ship.

The bulk of the tax will be paid, in the first instance, by the business firms that absorb shipping charges on their goods, and would be subsequently covered in the long run from consumers, again in a manner bearing more heavily on low income, high consumption groups.

This reinforces the position taken by the Liberal Party in connection with this, against an attempt to secure tax revenue from those people who can least afford to pay it.

Carrying on with paragraph 15 in connection with this same concept the committee says:

Ontario's geography, like Canada's, necessitates unusually large outlays on transportation. Long distances between producers of raw materials, manufacturers and markets have increased our costs of production and living. In this sense we are handicapped by our environment, both as consumers and as sellers in world markets.

There is no doubt that a tax on transportation services would serve to increase this already considerable disadvantage. Prices of Ontario goods in domestic and world markets would be raised, and transportation expenditures would become an even larger proportion of personal expenditure.

In the conclusions on page 460 they say:

We recognize, moreover, that Ontario, no less than the whole of Canada, already has to face extraordinarily high costs for transportation because of its great size and relatively small scattered population. To impose a tax that would intentionally increase the transportations cost already faced would be to impose an unwise burden on the economy of the province and the country.

In those cases where the taxes could be shifted, it would be passed on in a way that would bear more heavily on the poor than on the rich. Certain side effects of doubtful value might result, such as increase in the use of private vehicles at the expense of common carriers.

I suggest most respectfully, Mr. Speaker, that those words taken from volume 3 of the report are equally applicable to the concept of increasing this tax. As I said before, only the people who can ill afford the tax are going to be hit by it.

The Provincial Treasurer, in presenting the budget to you, sir, and to this House, said, in effect, that he must accept the regressive

tax, and that the federal government always is clothing itself in the progressive tax field. I intend to speak at great length in connection with this concept during the debate with respect to the Budget. But I must suggest to you, sir, if I might, if you would permit me just for a moment, to read from the report originally published in connection with the Ontario committee findings.

They say on pages 1 to 4 on tax sharing with Ottawa—and this is relevant, sir, to what I am saying:

To help fill the gap, Ontario will have to negotiate with Ottawa for a greater provincial participation in jointly shared tax fields, the committee says. If Ottawa is unwilling to budge, the committee sees a future of annual tax increases.

This is the point that I ask you to consider, Mr. Speaker.

By 1974, personal income taxes will be 12 percentage points higher than at present, an increase of 43 per cent in Ontario's tax. There would be a 7 per cent sales tax. The gasoline tax would be 3 cents more per gallon than at present, and the province would have to take an extra 3 per cent bite from corporation profits.

In effect, what they are saying there, Mr. Speaker, is that if the hon. Provincial Treasurer and this administration do not take a more aggressive attitude in connection with what is our constitutional right and entitlement, then we are going to be faced with this type of tax structure and tax base by 1974. What does this administration do? Of the various fields of increased taxation available to them, as anticipated in the year 1974, where do they move? They move in 1968 for a 2-cent-per-gallon increase in gasoline tax where the Ontario committee anticipates an increase of 3 cents by 1974, and do they move anywhere else? They do not move in the income tax field because I suggest, most respectfully, they do not have courage to do so. They do not move in the sales tax field because it was politically expedient to promise the people of Ontario that they would not move in that field. They do not move in the corporation tax field because again; it is a question of it being easier to hit the little people all the time. And then, sir—

**Hon. S. J. Randall** (Minister of Economics and Development): Who are the little people?

**Mr. Bullbrook**: Then the question of current revenue—

**Hon. Mr. Randall**: Who are the little people?

**Mr. Bullbrook**: The question of a new fiscal policy—our new attitude.

**Mr. V. M. Singer** (Downsview): The hon. member is not interested.

**Mr. Bullbrook**: I want to, if I might, just bring your attention to the remarks as set out in "The Taxation of Private Motorists in Ontario," a study prepared by the Ontario motor league in February of this year. This has been mentioned in this House before, but it is worthy of mentioning again.

In this connection, we would note in passing, that we do not understand the seeming reluctance of the government and the committee to consider the use of bond financing to meet any temporary shortfall user revenue.

And this is worthy of consideration—the question of bond financing in connection with user revenue. But you see the insidious problem that faces the administration here, Mr. Speaker, is not that they intend to use these user revenues for the appropriate department, but, because of obligations, as my hon. friend from Nipissing has said, because of election expediency and promises during the course of the election campaign they are now forced to bring in new revenues generally—not for The Department of Highways, but generally.

Now, sir, I am going to finish by saying this—that we oppose this bill because it hurts the little man. We feel that there are ample avenues of approach for the hon. Provincial Treasurer to take in connection with broadening the tax base, and he does not have to do it by this type of insidious regressive tax that shifts itself ultimately to the person who can least afford it.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I was almost persuaded for a moment by the hon. member for Sarnia that the Liberal Party believed that the little man should not be hit. I was going to forget about that 5 per cent surcharge imposed by the federal Liberals, most of which was to refund corporation taxes.

However, I will forget about that because I want, this afternoon, to concentrate my fire on that side of the House.

**Mr. J. B. Trotter** (Parkdale): He has not heard about the just society.

An hon. member: No.



**Mr. Singer:** Douglas has not heard about—

**Mr. MacDonald:** Well, Mr. Speaker, the basic point I want to make at the outset is that highway revenues—and in talking to the principle of this bill, we are talking about highway revenues—have been shrouded in secrecy for ten years. It has been impossible to find out on exactly what basis this government is operating. Studies have been going on and it has been impossible to get access to the studies. MPPs have been deprived of what they are entitled to.

Quite frankly, I would say to you, Mr. Speaker, I have been mystified as what in heaven's name was the game. I could not figure it out. But I think I have found some of the answers to the game, I think, Mr. Speaker, and I would just like to try to unmask the government's efforts for the last ten years.

We have before us this afternoon an amendment that was moved by my colleague, the first two sections of which deal with the proposal that a select committee should be set up to report to this House on the effectiveness of current procedures for collecting tax and the pricing arrangements of the oil companies and to make recommendations for improvements in this particular field. I am not going to speak further to that, Mr. Speaker, because I understand that my colleagues, last night while I was fielding a good candidate for a federal constituency, looked after that aspect of the situation well.

There is just one point that sums up the mystery with regard to this particular aspect. If one goes back to 1964, as my colleague from Sudbury East (Mr. Martel) put on the record last night, the total number of gallons of gasoline used in the province of Ontario was 1,594 million gallons. If one calculates the tax that was due to this government in that year, one would have found that the revenues would have been \$230 million. The fact of the matter is that the official figures indicate that the revenues were only \$183 million.

Where are the other \$50 million? I can tell you where \$15 million were, Mr. Speaker—they were refunded in various ways—to farmers, to fishermen, to boating, and so on. But what about the remaining \$35 million? I think that it is time that we found out how the government is raising its revenues. What is the explanation for what is an apparent wastage of some \$35 million?

However, Mr. Speaker, let me go on to section 3 of the amendment, that I want to particularly address myself to and which reads as follows:

To examine studies on highway revenues, which have been done by The Department of Transport to ascertain whether Bill 37 achieves a proper balance between user benefits and general benefits.

Mr. Speaker, as hon. members of this House will know, ten years ago a rather thorough study was made into the whole question of highway revenues by a select committee of this Legislature. I happened to be a member of that select committee, so I know personally whereof I speak. The chairman of the committee happened to be the man who is now the Premier (Mr. Roberts)—

**An hon. member:** Good chairman.

**Mr. MacDonald:** Good chairman, right—and it was a good report. Mr. Speaker, that report made many recommendations, not just with regard to toll roads, which was the official name of the committee, but with regard to the highway revenues as a whole. But one of the significant things about that report, in the whole context of highway revenues, was that big trucks were not paying their way in terms of the cost of the construction and maintenance of a highway to sustain the pounding which they imposed on the highway—a weight-distance tax. A unanimous recommendation, endorsed by the Prime Minister and other members who are now in the Cabinet, all of the members of the committee—eight of them were Tories, two of them were Liberals, and myself.

Secondly, Mr. Speaker—and this is what makes these remarks even more appropriate for this particular Act that we are dealing with in second reading now—before we achieve equity in our highway revenues, before we got a better allocation among all of the users of the highways, through a weight-distance tax, this was our conclusion: There should not be further increases in gasoline tax, because too much of the burden was being imposed on the cars that were driving our highways as compared with the big trucks.

Mr. Speaker, here is my problem and I confess it frankly to the House. That report was completed in the year 1957 or 1958. It made recommendations that before we imposed a weight-distance tax there should be further studies conducted by The Department of Highways or the Department of

Transport—which, I think, was set up at about that time but one could never get at these studies, Mr. Speaker. I inquired—I know if one were to go back through the records in the years 1959 to 1963 or 1964—every year, and I got evasive replies about studies not yet completed. They were inter-government studies and therefore available to the public; they were not available to the hon. members. All I could do was to operate, and I was quite willing to operate, on the basis of that select committee report back in 1957 and 1958 and until I got the benefit of the studies that had been conducted by The Department of Highways or by The Department of Transport.

Last fall, Mr. Speaker, I had a very interesting experience. The leader of the Opposition, on behalf of his party, myself on behalf of the New Democratic Party, and the hon. Minister of Financial and Commercial Affairs on behalf of the Conservative Party were guests at the annual meeting of the automotive transport association, an organization that I sometimes rather ungraciously describe as the truckers' lobby.

I was not all together going in among friends. The Minister, on behalf of the government, felt he was in among friends and his blandishments were many—in terms of what the government was willing to do, and what the government was pursuing in protecting and in looking after the interests of everybody, including those who happened to be at that meeting.

He had some nasty things to say with regard to the stand of those who talked about a weight-distance tax. This was rather simplistic and it was out of date, he said; people like myself did not realize the complexities of the whole thing. He had a lot of rather harsh things to say in his delightful way, particularly when he was before an audience that he thought was on his side.

Mr. Speaker, my comment then is my comment now: that if the government has any further studies or information to indicate that the conclusions of that select committee ten years ago were wrong, let us have them.

We are entitled to them. But until we have got those studies, and the government provides us with the evidence to the contrary, I am willing to go along with those studies of ten years ago. I am not going to dismiss a careful study conducted by a committee, headed by the Premier. If some of his Cabinet Ministers want to do that, that is their privilege. I am not willing to do so. I

was a member of that committee and I know something of the work that went into it.

I now find it very interesting, after all the blandishments from the Tory Minister who went down to visit the ATA, to find out that they are steaming, they are smarting, under what happened in the Budget. I have here the March 18, volume 2, number 6 issue of the *ATA News Roundup*. Let me read a paragraph or so. How different from the delightful cosy atmosphere of last fall, when the Minister came down to speak to them. They now say, and I quote:

We have not recuperated from the severity of the shock of the increased taxes Ontario truck owners will have to pay as a result of Provincial Treasurer Charles MacNaughton's Budget speech of March 12. The full range of motor vehicle and fuel tax increases will be found on pages 3 and 4, despite the findings of the Ontario committee on taxation that the owners of heavy trucks and buses are more than meeting their cost responsibilities.

Mr. Speaker, I want to come back to that, because it is rather relevant, in a few moments.

In addition to the increased gas and diesel taxes by two cents a gallon effective March 1, 1969, licence fees on heavy duty vehicles will be increased from 8 per cent to 10 per cent and, in addition, carriers operating on special permits for overweight or oversized loads will, effective January 1, be called on to pay a new fee of \$100 per vehicle for one year's permit, \$50 for short term permit and \$10 for a one trip permit.

U.S. carriers operating in transit in bond under what is known as class L licence, are having their one-way trip permits increased from \$9 to \$20.

Then they draw their conclusions, Mr. Speaker. These are the friends of the government, who have been protected by this benign paternalism of the Tory government. This is what happened to them when they succumbed to the blandishments:

Based on the vehicles licensed last year, under The PCV Act, the fee increases on trucks, truck trailers and trailers will total more than \$1.2 million. The gas and diesel hikes will cost another \$4.2 million. By adding the tax increases on non-PCV equipment, we estimated Ontario's for-hire carriers will be called on to pay an additional \$9 million per year in taxes.

Well, these were the people who thought that they were being protected by this government, and they have now discovered that they were slapped in about three or four different directions and they have not quite recovered from the severity of the shock.

However, Mr. Speaker, let me go back once again to that ATA meeting in November—

**Mr. P. J. Yakabuski** (Renfrew South): However, let us look at it all.

**Mr. MacDonald:** Right. We will look at it all. Just listen.

The Ministers who attended will recall that when we were in the course of discussing this whole issue, somebody rose in the audience and said that I was wrong when I stated that the government department had not conducted studies for the implementation of the select committee back in 1957. The man said that he had been associated with the research department of The Department of Transport, and he was in a position to state that studies had been completed by 1963 and 1964 and put in the hands of the government.

Indeed, said he, these studies have been supplied to top United States authorities who thought that they were one of best studies in the field. My only comment, Mr. Speaker, to that assembled group was that this was very interesting news indeed.

The government had spent public monies to study the whole question of highway revenues, and these studies had been made available to United States authorities who thought of them so highly, but the people of the province of Ontario, the elected representatives of the people of the province of Ontario, have never been able to get copies of these studies.

Indeed, Mr. Speaker, not only did I ask before and during the estimates, many times in each one of the years from 1958 and 1959 on, for these studies and was refused them, but last fall, after that ATA meeting, once again I wrote to the Deputy Minister of The Department of Transport, indicating that we were informed, that studies had been completed with regard to highway revenues, and the implementation and the validity of weight-distance taxes, and things of this nature, back in 1963 and 1964, and could I have a copy of the study.

Once again, I got the old worn argument that this was an interdepartmental study; that it was not available for the public; it

was not in the public interest to make this study available.

Mr. Speaker, I now come to what I think can be described rather accurately as the unmasking process. Because I was rather interested, when I was reading the report of the committee on taxation, volume 3—and I am going to quote many sections of it—to be found on pages 272 to 276—I was very interested to discover that in the Smith report on page 273, when they are discussing here the question of the financing of road costs and the effort to derive some formula for apportioning costs between users and non-users, that they settled on what is described as an "earnings credit method" of costs allocation.

Now for my purposes this afternoon, I am not going to go into the detail of that formula because that is not our immediate concern. But I draw this quotation to your attention, Mr. Speaker:

This has been the principal formula used in most of the recent North American enquiries, and it was heavily relied upon by the research branch of The Department of Transport in its study of the problem. We base our conclusions on research done by that department.

In other words, Mr. Speaker, here is the Smith report in effect saying that they have based their conclusions on the secret studies that the government has been hiding for ten years, and were not made available for the public or for the members of the Legislature.

Now, let me go to the next page, when they proceed to another section dealing with the distribution of motor vehicle charges between those who are using the highways—not between highway users and general use—but between those who are using the highways. Should we have a higher gasoline tax rather than the weight-distance tax, or is the weight-distance tax valid? And I draw your attention, Mr. Speaker, to this comment, to be found on page 274:

Here again we have relied heavily on research undertaken by the Ontario Department of Transport.

In other words, Mr. Speaker, I think it is a very fair assumption to say that we have in the Smith report a none-too-competent pot-boiling and regurgitation of the studies that were done by The Department of Transport and have been retained secret for the last ten years. I will tell you in a moment why I say it is a "none-too-competent" job.



Now we finally have some glimpse of the studies that have been going on in this department that the government would not make available. Why they would not make them available is an interesting question which I will try to answer in a moment.

However, let us take a look at the Smith report, Mr. Speaker. On page 273, when they are trying to arrive at this formula for the appropriate sharing of costs between highway users and general benefit, highway non-users such as those who get economic benefits, or the neighbouring property owners, they state in paragraph 94:

Using the method we have just described, The Department of Transport has estimated the user responsibility for road costs at 68 per cent, that is the weighted average for all classes of rural and urban roads.

What does that mean, Mr. Speaker? It means simply this, that The Department of Transport has come to the conclusion that the highway revenues should be at least 68 per cent of the total cost of highways and that would be a fair apportioning of the burden to those who are using the highways.

In their view, the remaining 32 per cent could legitimately come out of the public revenues because it has benefits to the economy as a whole, or it has benefits to neighbouring property owners and they should bear that remaining 32 per cent.

In other words, their formula is a 68 to 32 per cent split on the basis of some years. The Smith committee concludes:

To set a range of percentages within which an acceptable share will fall is a much more realistic approach. On the basis of our own analysis, we feel that current motor vehicle revenue in Ontario—

I draw this to the attention of the Provincial Treasurer—

—current motor vehicle revenue in Ontario should range somewhere between 65 and 75 per cent of the average annual road expenditures.

It is now 68 per cent and they say it should be between 65 and 75 per cent.

I must just draw your attention to where I think the Smith report went off-beam, and I will give you some evidence to suggest how they went off-beam. It is not my research, but people who are engaged in the field. The Smith report goes on to point out that the highway expenditures in the province of Ontario projected over a number of years are \$550 million a year, and that the revenues

were only \$375 million a year. Therefore, they come to the conclusion which the Provincial Treasurer quoted in his Budget, saying that it follows, therefore, that "some increase in user charges can properly be countenanced," and he used that as his justification for increasing the gasoline tax.

Now, Mr. Speaker, let us pause for a moment and take a look at this contention that the highway expenditures are \$550 million a year and highway revenues are only \$375 million a year, approximately 68 per cent and therefore it is fair to add more tax to get more from highway users.

I was interested to note that the automotive transport association—and I find myself now in league with them to try to smoke this government out—

Mr. Yakabuski: For a change!

Mr. MacDonald: Right!

Mr. R. F. Nixon (Leader of the Opposition): Are you back?

Mr. MacDonald: Is the member suggesting that their figures are not accurate?

Mr. E. W. Sopha (Sudbury): Where have you been?

An hon. member: We have not seen you in a long time.

Mr. Sopha: We saw the member for Oshawa (Mr. Pilkey), but we have not seen you. Where have you been?

Mr. MacDonald: I would point out, Mr. Speaker, that I noticed in the morning paper that when Mr. Gaglardi was absent out in British Columbia they docked his salary by \$276. I wonder if there is some docking going on around here for the absenteeism.

Interjections by hon. members.

Mr. Speaker: Order, please! Order!

Mr. Sopha: It is a tough league, you had better keep quiet.

Mr. MacDonald: May I quote from an ATA publication, one or two paragraphs, Mr. Speaker, with regard to the alleged \$550 million a year expenditure on highways.

The figure of \$550 million for average annual road expenditure used by the committee appears seriously inflated. Our own calculations, based partly on estimates of the future programmed expenditures published by The Department of Highways

indicate that the true figure is some \$200 million lower.

In other words, \$350 million, not \$550 million.

If the latter figure is used, the expected users' share becomes considerably greater than the committee's estimate.

They go on to point out also that a partial explanation of the foregoing discrepancy of about \$200 million may well be that the committee included Department of Highways expenditures on the commuter rail projects in its estimate of \$550 million. They make the case, which I think is rather valid, that surely you should not charge the automobile users for the building of rail commuter services.

They also go on to point out that the \$550 million includes municipal roads, but by a strangely inefficient set of calculations they did not include the municipal revenues for roads along with the comparable figure for revenues of the province.

In short, the Smith committee's report in this instance is a very unreliable document—at best, the report has done some pot-boiling of the studies that were done in The Department of Highways. In the process of the pot-boiling, so the ATA explains, for reasons that appear valid, the report has come up with conclusions that are away off the beam.

Instead of having \$550 million annual expenditure on highways, you have in fact \$350 million, and your revenues are \$375 million. So the result, sir—and now we get to the nub of the issue—is that highway revenues in this province are not 68 per cent, or between 65 and 75 per cent of the expenditures. Highway revenues in this province are over 100 per cent of your expenditures.

Well, Mr. Speaker, I draw to the attention of the Minister who shakes his head, another little publication from the ATA. It starts out by—

**Hon. Mr. Rowntree:** The hon. member must be on their list.

**Mr. MacDonald:** I was always on their list. I will give Joe Goodman credit that even when we were disagreeing he continued to pour the material in my direction. I hope he is pouring some of it in your direction now because it quotes some of the blandishments of the Minister at their meeting last November. Then it goes on to point out how this government's actions vary so greatly from their words as expressed by the Minister. The nub of it is a tabulation of expenditures

and revenues for the last few years, Mr. Speaker.

We cannot get this all on the record, but just let me go back, for example, to the year 1964. In the year 1964, the total revenues of the province of Ontario were \$279 million and the total expenditures were \$287 million, so your revenues represented 96 per cent of your expenditures. In 1965, interestingly enough—and that was after the last increase in gasoline tax, you will remember, following the last election; we always raise our taxes the year after the election. The gasoline tax went up in 1964, and it reflected itself in the 1965 figures. Let us look at what happened, Mr. Speaker. In 1965, the total revenues were \$325 million while your expenditures were only \$306 million. In other words, in that year, your revenues were 106 per cent of your expenditures, not 65 per cent to 75 per cent which the Smith report says is a fair balance. Not 65 per cent to 75 per cent, but 106 per cent.

Let us proceed, Mr. Speaker. For 1966, your total revenues were \$351 million and your total expenditures down to \$344 million, so your revenues were 102 per cent of your expenditures. In 1967, \$388 million revenue, and \$399 million expenditure, so this time you were raising 97 per cent of your total needs.

For 1968, we have figures for a total revenue of \$406 million and a total expenditure of \$442 million, for 91 per cent. Now the Minister has come in and slapped on these taxes. Look at the result. Next year the total revenues will be \$492 million and the total expenditures will be \$464 million, so that once again your revenues will be 106 per cent of your expenditures in highways.

Mr. Speaker, these are ATA figures, but they are taken out of the fiscal accounts of the province of Ontario. I do not think they can be disputed, so we finally have got the answer to the question, I suggest. We have got the answer to the question as to why this government has been sitting on reports, and keeping them away from the people on this side of the House.

They have been sitting on reports because they stated that highway users were already paying more than their fair share of highway expenditure. And this government was going to sit on that report though they could have clobbered us in the New Democratic Party because of our weight-distance tax—because if one accepts those studies, the weight-distance tax is not justified since you are already raising adequate amounts, though one can

examine whether the division of the revenues among highway users is fairly apportioned. But the reason why this government sat on the reports, the reason why this government would not make them available is that the reports contended that you had no entitlement to increase the gasoline tax and in raising those taxes you are violating the report of the Smith committee which the Minister had the incredible effrontery to go down to the ATA and use as a justification for the government's policy, and which the Provincial Treasurer had the effrontery to come and to use as justification for his increase in the gasoline tax.

**Hon. C. S. MacNaughton** (Provincial Treasurer): What do you mean, "effrontery?"

**Mr. MacDonald:** Effrontery to come in and say that you use this report as a justification for increasing gasoline tax, when you have studies which have indicated that your highway revenues are already higher than they should be if you are going to have equity in your tax structure.

**Hon. Mr. MacNaughton:** That sounds like your own welter of figures.

**Mr. MacDonald:** I am not using our own figures. I am using figures that finally we have smoked out of your secret studies. Mr. Speaker, let me say this to the Provincial Treasurer right now—I think that it is about time that he quit this hugger-mugger game.

**Hon. Mr. MacNaughton:** What does hugger-mugger mean?

**Mr. MacDonald:** Hugger-mugger means to try to hide under the table something that should be in the open. If you spend thousands of dollars—and you did spend monies in studies in The Department of Transport, and those studies were available to be regurgitated in part to the Smith committee—I suggest to you that we in this House are entitled to have a copy of those studies. I hereby ask you to table them so that we can have the full benefit of those studies.

**Hon. Mr. Rowntree:** Sit down. You will get a copy of that report. Mr. Grossman—

**An hon. member:** You be careful now.

**Another hon. member:** Will you sit down?

**Mr. M. Shulman** (High Park): You do not know your responsibility.

**Mr. MacDonald:** What is in the report?

**Hon. Mr. Rowntree:** I have never seen that report.

**Mr. MacDonald:** Exactly. You should have. As a matter of fact, Mr. Speaker, will the Minister tell me when he was the Minister of Transport?

**Hon. Mr. Rowntree:** From 1960 to 1962, as you well know.

**Mr. MacDonald:** I had forgotten the exact dates.

**Hon. Mr. Rowntree:** You just carry on by inference. Why do you not just say you are sorry?

**Mr. MacDonald:** Because I am not sorry, I am not being sorry, you are a member of the Cabinet. As a matter of fact, you used to be, if you are not now, on the Treasury board and to plead ignorance on something that is vital to the whole question of equity of our tax structure is to reveal your failure to accept your obligation. The fact of the matter is, Mr. Speaker—

**Hon. Mr. Rowntree:** The reason that I mentioned that I had not seen that report—and I have not to this day, quite frankly—was that it was a departmental study, it was not any public study—

**Mr. MacDonald:** Yes—

**Hon. Mr. Rowntree:** —but I tell you, in all fairness, that I did not even know that the report was finished until Cooke spoke to me outside in the hall at that convention. Cooke is the chap who did it.

**Mr. MacDonald:** Is this the chap down at the ATA?

**Hon. Mr. Rowntree:** Yes, and he was formerly on the staff of The Department of Transport.

**Mr. MacDonald:** Let us get the facts set down here so that we can see them. That study was going on while the Minister was the head of the department. Between the time of the select committee of 1958, and 1963 for two of those years, the Minister was the head of the department, and the Minister was so little interested in it that he did not even know that it had been completed.

**Hon. Mr. Rowntree:** It was not completed—

**Mr. MacDonald:** It was completed in the year 1963 and you sit there and—

**Hon. Mr. Rowntree:** I was in The Department of Transport from 1960 to 1962.



**Mr. MacDonald:** I know it. I got that point. I am not so deaf that I cannot get the dates 1960 to 1962. But you were in the department while the study was going on, and the study was completed in 1963. The man whom you say is Mr. Cooke and who was in the research department, told the ATA meeting that it had been given to the government, and he said it was the government's responsibility to make it public. Now, the government did not make it available to us, but they made it available to authorities in the United States who described it as one of the most authoritative studies available.

**Mr. Shulman:** Shame, shame.

**Mr. MacDonald:** Oh, the Provincial Treasurer shakes his head? Well, this Mr. Cooke, who was the director of research and who did the study and who was still in the department for some years afterwards, knows what happened. He told the ATA that it was made available to departmental people involved in the same fields in the U.S.A. But this is not a departmental study.

Let me get back to my point, because I do not want to unduly beat this issue—the fact is that the government for 10 years has been sitting on a report that states that its highway revenues are inequitable—that you should be raising between 65 and 75 per cent of your highway needs from highway users. In fact, you have been raising 90 to 100 per cent, and with the increase in taxes this year, you are going to be raising 106 per cent. You did not want this report to come out and show that your tax impositions were not justified.

**Mr. Speaker,** I said to the truckers—if I may go back to that ATA meeting—that I am going to stick with the select committee report that I was a part of back in 1958, in a committee shared with the now Premier, until I have evidence to the contrary. I suggest that we should have the full departmental report, not just the part that is regurgitated in four pages of the Smith committee. So that the whole House can indicate and have an opportunity—

**Mr. Yakabuski:** Times change, times change. You have no flexibility. I have never seen a report—1958, 1968.

**Mr. MacDonald:** —and that is the reason why, Mr. Speaker, this amendment that we have put before the House in part 3, suggests—Mr. Speaker, please, I suppose that it is impossible to ask you to shut that off?

**An hon. member:** You try it, son.

**Mr. MacDonald:** Part 3 of this amendment.

Interjection by an hon. member.

**Mr. Speaker:** Order, please!

**Mr. MacDonald:** —of this amendment before the House calls for examination of the studies on highway revenues which have been done by The Department of Transport to ascertain whether Bill 37 achieves a proper balance between the highway users, and general benefits. I submit that on the basis of what is on the Smith report, which is only a glimpse of that study, that we are justified in opposing this bill, because this government is opposing the recommendations it has from studies that were made at its behest, and on its behalf.

**Hon. Mr. MacNaughton:** Not only justified, you are supposed to oppose sensibly.

**Mr. MacDonald:** Oh, no, I am not just supposed to oppose. I am supposed to oppose when this government claims that it is introducing equity—and this is one of its objectives in tax structure—and then I discover by a process of ferreting for ten years into studies that you are trying to hide, that instead of introducing equity, you are building upon the inequities.

**Hon. Mr. MacNaughton:** —not trying to hide—

**Mr. Singer:** Release the report then, and let us make a decision.

**Mr. MacDonald:** Well, read the report then and let us make it as simple as that. You can get it. You are in the government and you are willing to quote the Smith committee based on it. Now make the report available. That is why, Mr. Speaker, I suggest to you that this House would be on very sound ground to vote for this amendment, which sets up a select committee to look into the collection procedures in which some \$35 million appears to get lost, to recommend improved collection procedures, and finally, to look into these highway studies that the government has been sitting on secretly for 10 years.

**Mr. Shulman:** Mr. Speaker, I do not wish to repeat any of the things that have been said by other speakers. I will be very brief, but there are just two matters that I would like to bring up, which I do not believe have been touched on.

The first is the terrible squeeze that this inequitable bill puts upon one small type of

business, and this is the delivery service, and I have received—this is the third letter and I would like to read it into the record as it sums up the problem very well and very briefly. Delivery service is, of course, small business. Often these are one-man or two-men businesses and work on a very marginal basis. Earnings are small, there are no public companies involved here, there are no big corporations, there is no pay-off to political parties. These are little people and they are being squeezed unmercifully. This letter came in this afternoon:

Dear Dr. Shulman:

In respect to the Ontario Budget brought down by Provincial Treasurer Charles S. MacNaughton on March 12, 1968, I wish to express my opposition to the increased gasoline and diesel tax by 2 cents per gallon. This, along with the increases in motor vehicle registration fees, is placing an added hardship upon my industry.

While I recognize and appreciate my responsibility as a good corporate citizen in this community, I do feel that we are being hard pressed to continue to absorb increased taxes of this nature. In voicing my disapproval and strong opposition I respectfully suggest that our industry is being subjected to unreasonable and unwarranted taxes.

Our industry is necessary to the community and we are providing good and essential services. I feel that we are being placed in a serious and over-burdened position through these tax increases and so wish to register my strong protest.

Yours very truly

Mr. A. Sikorski

Richards Delivery Service Limited  
Toronto 9.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): How many units does he operate?

**Mr. Shulman:** I am sorry, he does not say. This just came in these last few minutes, but I will try and find out.

**Mr. R. Gisborn** (Hamilton East): What difference does that make?

**Mr. Shulman:** But I will tell you this much, that all of the delivery services through the city, as far as I have come in contact with them—and I have had reasonable contact over the years—have been small businesses. This extra 2 cents a gallon tax is an inequitable, unfair tax.

The other thing I wish to speak about in relation to this tax, sir, is on a more basic issue, and it is possibly more important. It is that the whole system is wrong. I was under the impression that when we, as members, were elected to this Legislature, that the government would bring in certain legislation for the approval of this House, and that with their majority they would undoubtedly be able to pass the legislation they wished, but that on occasion they would listen to the Opposition and would make adjustments.

But I find that they bring in taxes, make them law, put them into effect, and then turn around and say, "Well boys you can consider them at your leisure and pass the bill when you want to, but we are going to collect them anyway." This shows a complete contempt for the legislative process.

There is a certain excuse for this in some tax bills. I can accept the government argument that in certain things, for example, tobacco, that taxes could be avoided by storing up ahead of time. But it certainly does not apply to this particular tax. We cannot store gasoline in our cars or in our homes.

These taxes should be approved by the Legislature before they are put into effect. We do not approve them, but this government brings them in and says, "Well, we are going to put the tax on."

You are not having government by democratic legislation; you are having government by fiat; you are having government by Cabinet; you are having government by committee. This is not what we need in this province, or in this country. It is wrong and it is improper and it shows a complete contempt toward this Legislature.

**Mr. Makarchuk:** Mr. Speaker, I also wish to speak briefly about this particular bill because a lot has been said and most that could be said about it, has been said.

What I would like to stress is the rather discriminatory nature of this particular tax, and the fact that it discriminates against the individual on a low income. Generally you find that in his case a certain portion or percentage of his income is spent on gasoline, on the car which he needs in order to earn his livelihood. When you compare this to the individual who makes a higher income, you find out that the percentage left to him, or the percentage he spends on gasoline is a lot smaller than the low income individual spends.

I would like to read from the government's own economic review report what it says

about the distribution of income in Ontario. What I want to stress is the gap between the lower income and the higher income groups is not really closing, but because of taxes of this particular nature, the gap is actually expanding.

Your report says that despite the favourable overall trend—what they mean here is that there have been increases in income—there still remains a considerable degree of socially undesirable inequality in Ontario's income distribution. Putting the tax on the gas will just help to perpetuate this particular inequality, and from your own charts it indicates here that about 80 per cent of the people in Ontario get something like 54 per cent of the income, and the other 20 per cent latches on to 46 per cent of the income.

An hon. member: The fat cats.

Mr. Makarchuk: Yes, the fat cats, as my colleague says.

Continuing on the imposition of this particular tax, the gasoline tax, will certainly help to perpetuate what is a socially undesirable situation, which is what your own people say.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I would just like to make a few notes with regard to this, what I might call a very retrogressive tax. I think it is widely known throughout the province that it is this. I would just quote a few editorials from some of the papers around, headlined "Ontario Budget Irresponsible, Cabinet Ignores Its Own Advice," "Gasoline Tax Boost Inflationary". And, "Ontario '68-69 Budget Post-election Effort". And one that winds it up kind of well is, "Find Pledges Often Made Hastily Often Repented Afterwards".

This is from an editorial from the *Chatham News*, March 28, 1968. Inflation is our big worry at the moment and gasoline tax is definitely inflationary. An increase in personal income tax would have been a wiser tax approach at the present time, but the door was closed to that pre-election promise.

And this is now coming up from last year. A part that bothers us in our area too, is that the additional two cents means a higher operating cost for farmers. They do receive this refund later on, but in a way it is a cost of operation because they must have the money available to pay for it when the gas is delivered.

A point that I would like to mention at this time is this tax of distributing firms. I understand that the distributing firms—and

some of them might sell millions of gallons a month—pay this tax back every two months. I think that they have a great deal of money available to them that they could invest in short term loans, but that really belongs to the people of Ontario.

I think this is a thing that the Provincial Treasurer should look into, to receive this money quicker or charge interest on it, because if they are going to carry millions of dollars over a period of a few months, it means a lot to the taxpayer.

Mr. Singer: Mr. Speaker, a funny thing happened on the way to the last election on October 17. Suddenly we had a promise that there would be—I think it came from the Premier—no tax raise in income tax or sales tax. Well, some of the less affluent members running on behalf of the government interpreted that reasonably quickly that there would be no tax raise. I do not recall anyone denying that the Premier meant exactly what he said, that there would be no tax raise in income tax or in sales tax.

I suppose it was good enough to help produce the desired results.

One would have thought that this was completely by accident that at election time this kind of a plan came up. But you have to look at the last Budget to realize that it was more than just a coincidence. You have to look at the last Budget and recognize that the revenue was over-estimated and the expenditure was under-estimated to give an improper picture of Ontario's finances to the people of Ontario so that they could be lulled into the foolish belief that all was well in Ontario's financial house.

Well, it is a coincidence. But in the three sessions that I have been here—in the first session after each election—suddenly we begin to reap the whirlwind; suddenly we find what the true picture is; and suddenly we get this kind of unreasonably logical and unfair increase in taxes. They needed more than just cooking the books this time, Mr. Speaker—

Mr. Nixon: Cooking the books! I thought that went out with the previous Provincial Treasurer.

Mr. Singer: They needed more than that. They needed the additional promise that there was going to be no raise in taxes; income tax and sales tax.

So there it was. Now we are reaping the whirlwind. Now we are getting all these



retrogressive taxes. Now we are getting all these unfair taxes.

It is unnatural, and it would not be so tragic, Mr. Speaker, if it was not deliberately planned. That is the point that the people of Ontario must begin to understand. It is the ruthlessness with which this government does these things that must really bring anger, real anger, to all of the people of the province.

I am glad the Minister of Economics and Development is here because he is the man who is still responsible for housing and it is because there is no housing programme that this kind of a tax is going to have such a dire effect on people who are in lower incomes. What is happening to them? Where do they find housing today?

As housing prices go up within our metropolitan areas, the poorer people, the people with lower incomes, are being pushed further and further out into the suburbs—beyond the suburbs—they are being pushed into Ajax and Oshawa and Pickering on the east, and way down into the west and up to Richmond Hill and Aurora, and north of there, because, Mr. Speaker, they are not able to find regional housing accommodation. When they have to come into work, Mr. Speaker—

**Hon. Mr. Randall:** Mr. Speaker, on a point of order, I am just wondering, while the hon. member is talking, when he talked about the \$100 million that we promised to spend, his party promised to spend \$700 million and the NDP \$1 billion more than our provincial income. I wonder what the taxes would have been if they had been elected?

**Mr. C. D. Pilkey (Oshawa):** That is a great point of order, a great point!

**Mr. Singer:** Mr. Speaker, I do not know if you want to rule on that point of order or not. I will let the Minister's remarks speak for themselves. There is no point of order, Mr. Speaker, there is not even a point of sense in what the Minister said.

Now, Mr. Speaker, what puzzles me is that with this lack of a housing programme, how this Minister responsible for housing could let his colleague, the Provincial Treasurer, do this, because he knows that the people of lower incomes have to go further and further away from the core of the city, where so many of them work, in order to find housing accommodation that they can afford.

**Mr. Speaker:** Order! The member is speaking to the principle of the bill for gasoline

tax, and he has now strayed over into certain other areas. I would ask that he come back to the principle of this bill.

**Mr. Singer:** Mr. Speaker, I was just coming to the point that the further you live away from the place you have to work, the further you have to travel and—

**An hon. member:** And the more gas tax to pay.

**Mr. Singer:** —and that is the point, Mr. Speaker. When you get further away, you have to run further in your car every day. Now it is obvious that the people who have to go the long distances have to spend more in gas tax and this is why it is so unfair. I am sure that the Minister must have noticed, Mr. Speaker, that the municipality of Metropolitan Toronto lifted its geographical barrier from where its employees must come, because it found that people whom it employed within the lower income limits—

**Mr. Speaker:** This has nothing to do with the principle of this bill; the member is straying. He has made his point that people who have to travel long distances are going to be affected. Now will he pass along?

**Mr. Singer:** Mr. Speaker, with great respect, I have made my point and I am now emphasizing it.

**Hon. Mr. Randall:** At least to some members.

**Mr. Singer:** You have broken my train of thought now, Mr. Speaker.

**Mr. Speaker:** I am sorry.

**Hon. A. Grossman (Minister of Reform Institutions):** The hon. member was at the caboose.

**Mr. Singer:** Metropolitan Toronto expanded its geographic limits from where it draws its employees and it had to, Mr. Speaker, because it was not finding employees who could live within that area and take the jobs at the salaries it was paying. Those people had to travel much greater distances.

The other interesting thing about this tax, Mr. Speaker, is this: that the people in the lower income brackets who have to pay these taxes are, by and large, salaried persons who have to pay these taxes out of their own pocket. The people who live closer are very often able to charge off, as a part of their employment, their car expenses, and are often able to charge this up as against their income

tax, so that again this kind of a tax is regressive to the extent that it has to pick on the people who can least afford it. Your whole programme militates to this kind of discrimination.

Mr. Speaker, this has been a long debate. I wanted to re-emphasize the fact that it is not by accident that the year after an election we find ourselves in this position. This is the steady programme and pattern that this government has followed for the three sessions that I have been privileged to be a member, and this, unfortunately, has not gotten through to the public as yet.

This time I hope it will; this time the public must recognize that the government plays fast and loose with the people who can least afford it in their taxing policies, and this time I hope that the government will begin to pay some attention about equality in the basis of taxation.

Mr. Gisborn: Mr. Speaker, I just want to put on record my opposition to the increase in the gasoline tax by 2 cents and as well as the practical imposition of these regressive taxes during this session, we have to revert back to the few months prior to the election last October. No one can deny that this government placed a shameful hoax on the people of this province with their enunciation that they were going, in 1968, to relieve the burden of municipal taxes on the homeowner and it would be done without any tax increases. We will never be able to forget the kind of a hoax that was imposed upon the people of the province.

Now, in opposing the regressive type of taxes that we are faced with in many areas, there have been suggestions as to how we can raise money. Of course, many have put forward the idea that we can raise more from the mining industries, the forest industries, the corporation tax, the personal income tax on various types of levels as surcharge, or what have you, and many other areas. It seems to me that the hon. Provincial Treasurer has, in some way, made excuses for not using other methods of taxation and I sort of found an excuse, and I would like him to explain it when he makes his explanations to the House in regard to the opposition to these tax increases. I refer him to his own remarks in presenting his Budget on March 12, page 662 of *Hansard*, and I would quote from the top of the page:

Where are the inexorable pressures for government expenditure today? In the burgeoning urban communities on education and transportation, and in other fields where services must grow as our population grows pressures which must be met by provin-

cial and municipal governments, who presently has principal access to the growth-fields of taxation—the personal income tax and the corporation income tax?

Here the Minister answers his own question:

The federal government. Who possesses the regressive tax fields, the retail sales tax and the various consumers' taxes? The provincial government. And yet, what does it profit the hard-pressed municipal taxpayer to substitute one regressive tax field for another?

Meanwhile, encouraged by the alluring prospect of growing revenues from the progressive tax fields the federal government in a position to invent new programmes, largely within provincial jurisdiction. Through the shared cost mechanism, the provincial government must then resort further to regressive tax fields to finance programmes which may not conform to their priorities.

Hon. Mr. Grossman: That is a good speech. Who made it?

Mr. Gisborn: Now in those two paragraphs, the Provincial Treasurer seems to be making an excuse for not using those two areas, the corporation fields and the personal income tax field for raising monies and I hope he will explain those two paragraphs.

Is he trying to say to whoever may read his statement that he has no right to increase corporation tax, that he has no right to raise monies in other fields? If you read it two or three times, I can come to no other conclusion that this is what he is trying to say, and I hope he will try and clear up those statements to myself at least, if not to the other members of the House when he answers the opposition to this bill.

Mr. D. Jackson (Timiskaming): Mr. Speaker, I would like to register my opposition to this bill, and first of all I would like to comment on a statement that was made in the House last night by the member for Quinte (Mr. Potter).

He said that in order to have roads we must pay tax. I agree with him, in order to have roads someone has to pay for them. The money has to be forthcoming or we will not have roads.

But this is the basis for my opposition. As a northern member I offer violent opposition to this bill because we have roads that are in a terrible state. Even with the taxation that we pay we do not have the roads, so we cannot agree to a further taxation for more deplorable roads.

Something else that was brought out last night was the fact that this tax is going to raise transportation costs of goods going into the north. Over the past few weeks we have



been talking about the cost of gasoline in the north. It is my opinion that the gasoline companies will pick up this added 2 cents a gallon and it will come to us as another penny in the cost of gasoline. So instead of the 62 cents we have been talking about, it will be 63 cents a gallon.

At the moment I am doing some renovation on my home. The federal government put 11 per cent on building materials, the province has put 5 per cent on sales tax and now we have added more to the transportation. I really do not understand how this government can say it is a fair tax when it is added to all these other taxes.

We spoke of liquor and the cost of it, but the taxation on liquor should be added to it. But do most of us worry about the cost of \$5 to buy a bottle of liquor if we want one?

Mr. Sopha: Yes, I do.

Mr. Jackson: He does not drink. The man who is making \$3,000 odd a year worries about it. In many cases it is his only pleasure, even if I do or do not approve of drinking. That is a personal thing.

Hon. Mr. Grossman: Do you favour drinking or don't you?

Mr. Jackson: The little extra tax on liquor hurts the smaller person, or the smaller income person. Add the little extra tax on food, add the little extra tax on building materials, add the little extra tax on transportation and we get a burden that is almost impossible for the small wage earner to carry.

It is my opinion that there are many other sources of taxation that this government could go after. To reiterate my colleague's statement, it is only because of their gutless attitude that they have not gone after those other sources.

Mr. Speaker: Is there any other member who wishes to participate?

Mr. T. Reid (Scarborough East): Mr. Speaker, in rising to offer an additional protest to this form of regressive taxation, I was wondering if I could also seek a point of clarification from the hon. Provincial Treasurer.

My understanding of the Carter commission proposals is that the federal government should seek to become the collection agent of all personal income taxes and corporation incomes taxes, and that existing personal income tax abatements to the province should not be increased. If Ottawa

wishes to give the province more tax room then this could be accomplished by reducing its own rate of retail tax. This would enable the federal government to keep the personal tax rate as its most effective weapon.

The reason this question is not out of order, Mr. Speaker, is that the suggestion of the increase in this gasoline tax by the province might indicate that the government has accepted the Carter recommendation that the federal government have its tax field, and the provincial government have its separate tax field in the area of the indirect tax, as opposed to income and corporation taxes.

I was wondering therefore, Mr. Speaker, if I could ask whether this particular tax increase is an indication that the present Ontario government has accepted the Carter commission proposal that the province should get out of the personal and corporate income tax field and raise its funds by itself in the direct and indirect tax field. If this is so, it would be a point of clarification. I would like to ask the hon. Provincial Treasurer to clarify that point.

Mr. Speaker: I would imagine that the Provincial Treasurer in due course would clarify that when he speaks to the bill. Perhaps the member would continue with his remarks.

Is there any other member then to speak?

Mr. Sopha: I want to rise on a point of order. I would have raised it earlier, but I was waiting for you to return to the chair. The point of order is this.

This afternoon we heard from the member for York South a very surging entrenching criticism of the bill, based upon the proposition, as I apprehended it, that the Provincial Treasurer had no right to raise this money in this way because it was unnecessary for them to do so in such large amounts for the construction of highways. That is what I understood to be his point.

I ask you then, on a point of order, what is the difference in that approach to the approach I used last night in saying that the Treasurer is not entitled to raise this money by this bill because I have heard that other areas of society are escaping their just share of taxation? I see no difference at all between posing alternatives, but I was called out of order.

We must never forget that Parliament, as we know it, arose out of the context of complaint against taxation. The reason they sent troops to arrest Charles Stuart in Hampton



was because they were complaining about taxation. They said that there was no right to tax the inland counties for protection of the coasts.

**An hon. member:** The Provincial Treasurer will do the same.

**Mr. Sopha:** You see, for the future I want to defend my rights to complain about taxation. That is the point of order I raise with you; that in order to complain about it, I may have to go far afield and encompass other things to give merit to my complaint.

However, it struck me as a very good address this afternoon by the member for York South and certainly I am not ready to sacrifice my right to state my grievances about taxation. If I say in the House that I think those who go to Nassau should be taxed in some way, that they give up their Canadianism, I want my right to state it without the member for London South (Mr. White)—who is the arbiter of course of the propriety of what is said as well as its qualities—jumping up and inhibiting me from expressing my grievances.

I hope in the future that on a taxing measure that you will exercise considerable latitude in encompassing all the grievances against the Provincial Treasurer. He is the focal point of the grievances, sir, because he is the tax gatherer. If he did not have such broad shoulders to withstand these criticisms he would not be in the job. He did not complain at any point, but I thought about it overnight in my subconscious, toyed with it, and my resentment against the member for London South grew as I thought about it.

**Hon. Mr. Grossman:** Must have been a bit Freudian—

**Mr. Sopha:** Well, there it is. I would have raised it earlier, but you were away, and I want you at least to think about it in the future and not to inhibit me from a wide field of statement of grievance against taxing statutes.

**Mr. Speaker:** Order!

**Mr. J. White (London South):** I was planning to speak on the member's point of order.

**Mr. Speaker:** I do not think that is necessary. I think that the Speaker will deal with that.

The member for Sudbury has just raised a point, and my recollection of last evening

was that the member, first of all, went very far afield in his philosophical discourses but that any interruptions which were made either by a member on a point of order, or by the Speaker, did not seem to inhibit him to any great degree.

I think that my recollection is that he had a fairly wide rein and as I listened to the debate here this afternoon, I could say that again once or twice the member for Downsview, I felt, had strayed a bit and he very kindly returned to the point and, apparently was not too greatly incommoded.

In order that there may be some certainty to this debate, we must stay within some reasonable area of discourse. Far be it from me to prevent the members of this House, or the public who are brave enough to read *Hansard*, from reading the great orations by the member for Sudbury and I hope he will continue to enlighten the House—because he does give one of the better speeches that we hear in this House.

I would not like his subconscious to be bothered by that matter tonight. I assure him that I will give him my consideration and that, in the future, provided he keeps within driving range of the principles being discussed, he certainly will have his rights protected and the liberty of freedom of speech which is the right of every member of this House.

Is there any other member who wishes to speak to this bill before the Provincial Treasurer concludes the debate?

**Hon. Mr. MacNaughton:** Thank you, Mr. Speaker, I do not propose to take too long. I do not propose to attempt to answer all the questions and criticisms that have been levelled, because, quite frankly, I stopped taking note of them some time ago. However, a few short comments:

I would answer the hon. member who rose to propose a question—the hon. member for Scarborough East—and on the sense of the point of order of the hon. member for Sudbury, while it may be a little out of order, specifically I think it too relates to the Carter commission report.

The answer to the hon. member as far as I am personally concerned, and I think this would be the attitude of the government, is that we are rather strongly committed to tax reform as recommended by the Royal commission headed by Mr. Carter.

Personally, I am a very strong advocate of tax reform but I do suggest to you, Mr. Speaker, and to the hon. member, that neither

I nor, I think, the government are completely in harmony with the suggestions of Mr. Carter specifically in the area that you made reference to. I would say that I am not in agreement that the progressive tax fields should be entirely allocated to the federal government and the regressive tax fields allocated to the provincial government. Now I presume that answers your question.

**Mr. Nixon:** But you believe they are so allocated now.

**Hon. Mr. MacNaughton:** I believe there is a great disparity as far as the distribution of the progressive tax fields is concerned yes, I do. I do not think anyone can have any doubt about that, but if you have heard me speak, or have read certain of the comments that I have made from time to time, I would like to hope, Mr. Speaker, that I have made that very clear indeed.

I am sure the hon. leader of the Opposition would accept that I feel that way about it. And I would hope too that the hon. member for Sarnia would recognize that I feel that way about it. He said that we had not made strong enough efforts to the federal government to get our share of progressive tax fields.

I would have to quarrel with that observation and suggest that he might review the comments of the Prime Minister, my predecessor in office, myself and indeed every delegation from this government, at every tax sharing conference or federal-provincial conference within my memory. The case has been put very strongly for the government and surely the hon. member for Sarnia, if he has read and heard the positions that have been taken, will know that. He will know that indeed.

Mr. Speaker, with respect to the matter of road revenues, road user benefits on the one hand if you wish, and related road user revenues on the other. I was very interested to come upon a piece of recent statistical information—it is a chart—the tender price index which is recorded by the Ontario Department of Highways from 1962-63 through the fiscal years, up to and including the month of February, 1968.

It is very interesting to observe that five years ago, the composite index of prices and cost factors associated with the cost of road construction stood at 103.9, whereas as of February this year, it was 158.6. This is an increase in the composite index in excess of 50 per cent and in the same period of time I suggest that gasoline tax, the principal

road-user revenue, has increased by 12.5 per cent as manifested by the per-gallon increase which we have requested in our Budget and for which this bill will provide statutory authority.

I do not think there is any great point in going over the details of the cost indices. They are all here, they work out to this composite average. Some of them range from a low of an increase of 37.6 per cent for a certain type of gravel, to a high of 82.1 per cent and as I pointed out then, the increase is quite a bit in excess of 50 per cent against the 12.5 per cent revenue increase that we are seeking.

As a matter of comparative interest, if the criticism that has been levelled at the Provincial Treasurer and at the government for proposing this type of revenue increase in this Budget is, in fact, valid, then I would have to suggest to all those who have been critical that they are not only critical of this jurisdiction, they are critical of most of the provincial jurisdictions in Canada and we can start on the far east coast—that bastion of Liberal perfection, administered by the right arm the Prime Minister of Canada elect has chosen in this year.

**Mr. Sopha:** Designate!

**Hon. Mr. MacNaughton:** Well, designate—yes, I stand corrected, Mr. Speaker. But that estimable jovial Joe has seen fit to ask his taxpayers to increase the tax on gasoline from 20 cents a gallon to 25 cents a gallon.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** I rather presume, Mr. Speaker, that the Premier of Newfoundland is one of those that is going to be called upon very frequently to advise the Prime Minister of Canada designate.

**An hon. member:** He does not have a candidate.

**Hon. Mr. MacNaughton:** I hope he continues to offer that kind of advice to the new Prime Minister because it will support the position we take. I would say that Ontario's position, in terms of this source of revenue, is not really very bad.

**An hon. member:** Not really very good.

**Hon. Mr. MacNaughton:** There are five provinces, as a result of their current budgets and some of them even before their recent budgets, collecting substantially more



in terms of revenue from this source than the province of Ontario.

**Mr. Nixon:** Those are "have not" provinces.

**Hon. Mr. MacNaughton:** Well, it is a relevant situation, I would think. The higher tax, yes. Quebec has recently increased their tax by 3 cents per gallon. Prince Edward Island has done the same. Ontario ranks sixth in order from the highest. There are five higher than Ontario, and four lower. To some extent, it is a matter of transportation, I suppose, as far as cost factors are concerned. But in the current year, all provinces except two have, to date, seen fit to provide themselves with greater revenues by this means.

**Mr. Singer:** You always tell us you are the leaders in everything, and the progressive—

**Hon. Mr. MacNaughton:** Well, there is nothing magic about the need for revenue in the province of Ontario, *vis-à-vis* the revenues in any other province. The significant thing about what I have just said, Mr. Speaker, is simply that all provinces—and I am sure that the hon. members have read their recent budgets—have been obliged, by and large, to rely on the same revenue sources as Ontario has, because there are no other ones, basically speaking.

Now, access to these progressive tax fields, and I want to comment on that for a moment: reference was made to the statement at the time the Smith committee report was tabled last August 30, or 31, with respect to the observations regarding personal income tax and sales tax. To put it in proper context, Mr. Speaker, it went like this.

The government was in a position to commit itself to some very substantial transfer payments to the municipalities, and in turn to the municipal taxpayers, in terms of the basic shelter grant and the assumption of the costs of the administration of justice. The figures that were used at the time were based on 1966, which was the period reviewed by Mr. Smith, and upon which the recommendations of his committee were based. At that particular time, it was stated that these transfer payments could be provided for without any increase in personal income tax, or sales tax. This is now—I have now placed in full context, and indeed, Mr. Speaker, this is about to be done. It is in the process of being done. One of those commitments is already in fact done, and the other one is very shortly to be proposed to the House.

**Mr. Gisborn:** That is not what you meant to imply, though.

**Hon. Mr. MacNaughton:** Oh, no. I simply wanted to put this particular situation in proper context. I might say to the House that in the 16 or 17 months since I have been the Provincial Treasurer, I have never found it possible, nor do I ever expect to find it possible, to provide for required expenditures on the one hand, without to the greatest extent possible attracting revenues on the other—it just has not been possible for me.

I have heard certain propositions from the hon. member opposite from time to time about what we should do in terms of transfer payments, and so on, and expenditures. I can only say to you, Mr. Speaker, that implementation of any of or all of these would require substantially greater taxes than the Budget that I proposed on March 12.

I really do not think that there is much sense in pursuing this too much further. As far as I am concerned, I concluded long since, without the necessity of listening to almost everyone in the Opposition that, as the hon. member for Sudbury said some time ago, that the Budget did not make me a "pin-up" in Sudbury. I recognize that and I accept those things, and I think that it is fair to say that 90 per cent of the Opposition have now told me that. I now accept that, but I do say to you, sir, that it is the responsibility of the Provincial Treasurer to advise the government, to the best of his ability, with respect to raising the revenues required to promote the development of this great province of ours. That is why I simply ask all members of the Legislature to support the principle of this bill.

**Mr. Pilkey:** Mr. Speaker, I do not want to speak. I wonder if I could ask a question of the Minister?

**Hon. Mr. MacNaughton:** Yes.

**Mr. Pilkey:** I do not know if I followed you correctly, but you mentioned something about expenditures and income. In other words, if I followed you correctly, you said that if you are going to spend money, you would like to know that you have monies coming in. Did I follow you correctly there?

**Hon. Mr. MacNaughton:** Yes, I think that it is a fair summation.

**Mr. Speaker:** Order! The member will understand that every effort has been made to enable every member of the House to participate in this. The understanding is that



when that has been done, the Minister, having carriage of the legislation, will conclude the debate.

Now, if I am incorrect in that, then I am quite prepared to take the sense of the House. That would preclude further questions or statements, otherwise we would never come to a conclusion of debate. That is my understanding of the manner in which these debates are being conducted.

Rule 56, as the members will recall, to which I referred the other day, and by reference to two rulings made by the Speaker in the last Parliament, require that the vote be now taken as to whether the words sought to be deleted—namely that this bill be read a second time—shall stand as part of the bill. Therefore, the question that I shall put will be “Shall these words sought to be stricken out stand as part of the bill?”

In order that it may be understood what the vote is, and the reason that I put a preamble to this question last week and this week, is because it is an unusual proceeding. The vote that must be taken first is whether the words that are sought by the amendment placed by Mr. Martel, to be stricken out should stand, namely: “that this bill now be read a second time.”

We are now taking the vote, a voice vote on whether these words shall stand as part of the motion.

All those in favour of these words sought to be stricken out standing as part of the motion will please say “aye”. All those opposed will please say “nay”.

The House divided on the question which was decided in the affirmative on the following vote:

AYES	NAYS
Allan	Brown
Apps	Bukator
Auld	Bullbrook
Bales	Burr
Belanger	Davison
Bernier	Deans
Boyer	De Monte
Brunelle	Edighoffer
Carruthers	Farquhar
Carton	Ferrier
Connell	Gaunt
Demers	Gisborn
Downer	Good
Dunlop	Haggerty
Dymond	Innes
Evans	Jackson
Gilbertson	Knight
Gomme	Lawlor

AYES	NAYS
Grossman	MacDonald
Guindon	MacKenzie
Hamilton	Makarchuk
Haskett	Martel
Henderson	Newman
Hodgson	(Windsor-Walkerville)
(Victoria-Haliburton)	Nixon
Hodgson	Pilkey
(York North)	Pitman
Jessiman	Reid
Johnston	(Rainy River)
(Parry Sound)	Reid
Johnston	(Scarborough East)
(St. Catharines)	Ruston
Johnston	Singer
(Carleton)	Smith
Kennedy	(Nipissing)
Kerr	Sopha
Lawrence	Spence
(Carleton East)	Stokes
MacNaughton	Trotter
Meen	Worton—36.
Morin	
Morningstar	
Morrow	
McKeough	
Newman	
(Ontario South)	
Olde	
Potter	
Price	
Pritchard (Mrs.)	
Randall	
Reilly	
Reuter	
Robarts	
Rollins	
Root	
Rowe	
Rowntree	
Simonett	
Smith	
(Simcoe East)	
Smith	
(Hamilton Mountain)	
Snow	
Stewart	
Villeneuve	
Welch	
Wells	
White	
Whitney	
Winkler	
Wishart	
Yakabuski—64.	

Clerk of the House: Mr. Speaker, the “ayes” are 64; the “nays” 36.

**Mr. Speaker:** I declare the motion carried.

Motion agreed to; second reading of the bill.

## THE MOTOR VEHICLE FUEL TAX ACT

**Hon. Mr. MacNaughton** moves second reading of Bill 38, An Act to amend The Motor Vehicle Fuel Tax Act.

**Mr. Nixon:** Mr. Speaker, many of the arguments that apply to Bill 37 can apply equally well here, but there are two points that perhaps would be worthwhile raising before we pass on to the other tax bills.

In the first place, it seems strange that we cannot have the government policy with regard to the taxation of these commodities under one bill in different sections, so that there can be a more orderly relationship of the level of taxation of one of the products with the other.

The second point is the need to effect some fairness and equity in deciding what the level of taxation will be for the various products. This one deals largely with diesel fuel. This is used by engines which are usually considered to be considerably more efficient than those that burn gasoline. There must be a factor that makes it possible for the advisors of the Provincial Treasurer to relate the efficiency of gasoline-fueled vehicles with those that are fueled with diesel oil.

The same is true of airplane fuel as well. It is interesting that in the bill that the House just passed over our objections, the level of taxation for aircraft fuel is only 3 cents per gallon whereas for diesel fuel it is by the enactment of Bill 38 raised to 24 cents a gallon. The Smith report deals with the means whereby the relationship of these two fuels is undertaken, but on the principle of the bill we believe, of course, that the imposition of this higher tax is going to reflect in the cost of living. We are concerned that the people who are in business with the large trucking lines in the province are not being fairly treated by the increase of 24 cents, which is, I am led to believe, considerably more than the cost of a gallon of the fuel itself.

So we oppose the enactment of this increase in taxation for similar reasons to those that we have put before the House in the debate just concluded. With some of the additional information that the Provincial Treasurer can no doubt put before us, we intend to vote against it.

**Mr. MacDonald:** Mr. Speaker, as the leader of the Opposition has indicated, most of the

arguments we advanced on the last bill, apply to this one, but I would think they apply doubly, because it is interesting to note that the Provincial Treasurer did not even deign to deal with the arguments we put forward.

Finally, we have smoked out the essence of the report upon which this government presumably had been acting and, when we present it to the Provincial Treasurer, he just does not even deal with it. It is one thing to have a contempt for this House in not providing public documents that are produced with public monies. It is another thing for the Minister not even to condescend to a point to meeting the criticism when it is presented in this House.

**Hon. Mr. MacNaughton:** I said I did not know anything about it.

**Mr. MacDonald:** I submit, Mr. Speaker, that it is about time that the Minister found out something about the report.

**Hon. Mr. MacNaughton:** It may well be!

**Mr. MacDonald:** Yes, I think he should do something about it, because the simple summation of the argument is that he comes in here justifying his increase in taxes by reading one line out of this report, namely, that there are further taxes that can be raised equitably, yet he ignores not only the rest of the report, but more important, the whole basis of the studies upon which this report is merely a bit of pot-boiling.

**Hon. Mr. MacNaughton:** I thought it was the other report. You made reference to another report.

**Mr. MacDonald:** Sure, I made reference to it because, Mr. Speaker, the Minister has forgotten I drew attention to the fact that this report stated that it was based on the other report. May I remind the Minister from the Smith report once again, if he has forgotten:

This has been the principal formula used in making a recent North American inquiry. It was heavily relied upon by the research branch of The Department of Transport in its study of the problem. We base our conclusion on research done by that department.

**Mr. Yakabuski:** Borrowing again, eh?

**Mr. MacDonald:** Mr. Speaker, it is that display of intellectual prowess that momentarily overwhelmed me.

It being 6 o'clock, p.m., the House took recess.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, April 9, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 9, 1968

The House resumed at 8 o'clock, p.m.

**Mr. Speaker:** I wonder if the member for York South would allow me to welcome some of the guests we have in the galleries before he takes the floor again. We have some boy scouts from the 7th Agincourt boy scout troop here; and in the west gallery the members of the Scarborough North Progressive Conservative association.

**Clerk of the House:** Resuming the debate on the motion for second reading of Bill 38, an Act to amend The Motor Vehicle Fuel Tax Act.

## THE MOTOR VEHICLE FUEL TAX ACT (Continued)

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I do not know that I really have anything more to say. This afternoon I revealed to the Provincial Treasurer (Mr. MacNaughton) the basis upon which the government had been making its policies for years and he was not even aware of that basis. He has to go back and discover the reports in various government departments before he can attempt to answer the questions put to him, so I do not think there is much point in wasting the time of the House in asking further questions.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Speaker, I would intrude just for a moment to tell—

**Mr. MacDonald:** Perhaps I will go on then.

**Hon. Mr. MacNaughton:** —the hon. member that I am aware of how we are making policies out.

**Mr. MacDonald:** If the Provincial Treasurer is aware he perhaps learned a bit of it this afternoon. However to be serious on the issue—and I will review it very briefly—the government pretended to justify its increase in gasoline tax and the fuel tax by the reference to that one sentence in the Smith report to the effect that increases in these taxes would be justified. That one sentence was

based on an estimate of highway costs being \$550 million each year and highway revenues being \$375 million a year—therefore it conformed with their stipulation that revenues raised from highway users should be in the bracket of 65 per cent to 75 per cent.

The fact of the matter is that \$550 million a year is a false figure, an inflated figure. In fact, the amount of money that is being spent in highways is approximately \$350 million a year and the government is raising \$375 million so that they are in effect raising more money than they are spending on highways. Their user revenues are 106 per cent of their expenditures and this is in serious violation of the ground rules laid down by the Smith report that the government presumably is following. Now the answer to this question, and since—

**An hon. member:** He said all that?

**Mr. MacDonald:** I know I said it all but the hon. member apparently had not grasped it. That is my problem, that is why I am repeating it. However, Mr. Speaker, I repeat it again and I am willing to give the Minister time to get these reports out, reports that have been sitting around gathering dust in government departments for some ten years. But I draw to the attention of the Minister of Transport (Mr. Haskett), if I can capture his ear, that the substance of the report that he had refused to make available to the House after repeated requests—including correspondence that I had with his Deputy Minister following the ATA meeting last November—is contained in the Smith report.

The Smith report states that it drew most of its information from that departmental study so I think the hugger-mugger period should be over, that you should finally make that report, on which a great deal of public monies were spent, available to the public of the province of Ontario and more particularly to the members of this Legislature. It is all very fine to spend public monies and study the taxation structure to update the select committee that was chaired by the Prime Minister (Mr. Robarts) of the province, prior to his assuming that position some ten years.

It is all very well to make those studies. It is all very well to make them available to the United States authorities, as a former official associated with the research branch of your department indicated to the ATA had been done.

But I think we are entitled to it. The Minister looks at me with that quizzical smile which I never can quite know how to interpret, but I repeat, I think we are entitled to it and I put it to him, I put it to the Prime Minister, I put it to the Provincial Treasurer, that we in this House are entitled to those reports, particularly since the substance of them is now in this Smith committee report. Indeed it was on the basis of our needing these reports so that we can have an opportunity to study them that we made an amendment on the previous bill, that all of this should be referred to a select committee so that we can find out exactly on what basis the government is operating. I suggest, Mr. Speaker, that this is a process that would be useful for the government because I am not certain that they know how they are operating. Certainly they are not operating in keeping with the Smith committee recommendations.

**Mr. Speaker:** The member for Wentworth has the floor.

**Mr. I. Deans (Wentworth):** Thank you, Mr. Speaker. The principles in this bill are not at all unlike the principles of the bill that preceded it and I find it equally unacceptable and equally obnoxious. I know that my hon. friends here to my left will be interested in my comments so I hope they will pay attention.

Interjections by hon. members.

**Mr. Deans:** I think if we take a look at this bill we can see hidden away very carefully in it the true purpose. The idea is that we are going to get more money out of the people of Ontario and since, because of election promises, we cannot go to them with an increase in sales tax we will get it elsewhere, and that is exactly what this bill is designed to do. I think we have got to view the purpose of the bill, and what will actually happen when this goes into effect or as it has gone into effect.

What is going to occur is of course that all of the major transport companies and all of those people who are in the transporting business are going to increase the tariff. It is that simple. Up goes the cost of operation, up goes the cost to the consumer. Now they

might as well have inflicted this directly on the consumer. It is a very subtle way of extracting from the pockets of the people of Ontario additional funds, sort of semi-painlessly. It is very unfortunate that this government has not got what I chose yesterday to call the intestinal fortitude to stand up and do it in a manner that is forthright and honest.

**Hon. Mr. MacNaughton:** I cannot see anything subtle about it.

**Mr. Deans:** It is subtle inasmuch as many citizens do not realize its implications.

Interjections by hon. members.

**Mr. Deans:** It is a Conservative attempt at subtlety.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Deans:** I think we have got to realize what the outcome of this is going to be and I do not think there is any person in this House who does not recognize the outcome. The outcome is going to be further erosion of the purchasing power of the people of Ontario. That is exactly what it is, there is no other way to describe it.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Deans:** Mr. Speaker, I cannot for the life of me see why, I cannot understand why the Provincial Treasurer has to resort to this type of taxation. There is no reason why.

**Hon. Mr. MacNaughton:** Mr. Speaker, maybe the hon. member will permit a question. It might help clarify what he is trying to say. Repeated references to a corporation tax increase have been made. What does the hon. member think happens to a corporation tax increase? Who pays for increases in corporate tax?

**Mr. MacDonald:** Well, wipe them all out, if that is the hon. Minister's logic.

**Mr. R. M. Johnston (St. Catharines):** Has the hon. member ever thought of cutting down on the profits?

**Hon. Mr. MacNaughton:** There is no question about that. As a matter of fact, I simply say to the hon. member some of the people—

**Mr. Deans:** Mr. Speaker, I wonder if the member would have—

Interjections by hon. members.

**Hon. Mr. MacNaughton:** Please be quiet so that I can hear it. Certain of the major unions recognize—

**Mr. Deans:** I am sorry, I could not hear the Minister, sir, for his colleagues babbling in the background.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Deans:** The fact of the matter is that this is just another way of imposing additional tax on the people of Ontario.

Interjections by hon. members.

**Mr. Speaker:** Order, order! I would ask that the members would at least give the members speaking the courtesy of being heard, because we are not going to provide any reasonable debate that anyone can hear, nor are we going to accomplish any business this evening unless the House does that. Will the member carry on.

**Mr. Deans:** Thank you, Mr. Speaker. As I say, the end result of this tax is going to be the erosion of the purchasing powers of the people of Ontario. If we are going to take money out of their pockets, at least do so in a manner that can be accounted for, do so in a forthright manner, at least come out and tell them we are taking it directly from them and not through some other devious means and this is what is happening here. There is no doubt—

**Mr. J. E. Bullbrook (Sarnia):** How less devious can we get?

**Mr. Deans:** How less devious can you get?

Interjections by hon. members.

**Mr. Deans:** We have already imposed upon the people of Ontario a gasoline tax. It appears that we are going to tax them even further with his particular bill. We are going to tax them again with the tobacco tax. We are going to go on and on and on, keep taxing and taxing and taxing and never really coming down to the true issue of where should we be going to raise this additional capital.

The time has come when we must re-evaluate the tax methods. It has been said before—we must decide whether the corporate interests in this province are paying their fair share. According to the reports that have been put out, and I am referring to the Carter report, the corporate interests of this province and all other provinces in this country are not paying their fair share of the load.

The time has come for this province to take the lead. To go out in front for a change instead of referring to all the others who are paying more or paying less, to take its rightful position at the front and determine policies that will be progressive, that will bring about what Mr. Trudeau referred to as a just society.

**Mr. Speaker:** The member is out of order.

Interjections by hon. members.

**Mr. Speaker:** Order! Order! Order!

**Mr. E. W. Sopha (Sudbury):** It is really encouraging to see the way in which the first citizen designate of this country has captured the hearts and minds of men.

Interjections by hon. members.

**Mr. Sopha:** I will put upon the record that this curious euphoria that seems to pervade this House tonight in these surroundings—such a gloomy subject as a tax increase. I think, sir, you require the iron hand of a sergeant major in your position and I want you to know that we will be behind you in maintaining order.

I listened to the member for York South today. He was absent when I said it before, so I merely repeat that I was virtually spell-bound as I listened to him use the Smith report on taxation, and other information to hand, to challenge the Provincial Treasurer in respect of the purposes for which this and the former taxing measure are to be used. After all, that is not the project and I seek to underline that the member for York South during his discourse, pointed to an earlier error in his ways, flogging as he has done for the nine years that I have been here, the weight-distance factor as a means of taxation for users of our highways. I can assure him, of course, that that will only impinge upon me, a limited reliability in his honest opinions in the future.

The remarkable thing about the Smith report on taxation—and much earlier in the session when a violent interchange was going back and forth across the floor about it, I commented, and it is inscribed in the record that it reminded me of Spengler's "Decline of the West." Here is an opportunity to set out explicitly what I meant. It was oft said of Spengler's book, sir, that if you were an expert in any particular field such as music, architecture, painting, drama, or literature, that upon reading Spengler, the expert would say, "Well, it is a pretty good book, but he is not very authoritative in my field."



So it is with the Smith report, you know something about the area of which the Smith report was talking, then it seems that the conclusions in that area are questioned by those knowledgeable in the field. So it is in mining revenue payments; so it is with the member for York South in respect of highway taxation, so it is with the leader of the Opposition (Mr. Nixon) in the field of education. And one wonders then about the total validity of the report. My preference is for the Carter report.

I cannot but wonder aloud what precluded the Treasury board, the Provincial Treasurer and his advisors from making a start in Ontario in the Budget for the 1968-1969 taxation year when they had all the opportunity to state, "This is the banner province of the nation". Why did they prefer to follow the old paths like the first footsteps across the campus at the University of Toronto after a snowfall, when every one goes in the first path that is made. That is what they are doing here in this taxation statute; The Motor Vehicle Fuel Tax Act is even worse than the last one.

It may not raise as much revenue when they ring the cash registers over in the Frost building, but its impact will be much more sinister upon the public in general, and those least able to pay. Because large corporations paying that tax will be able to pass on the additional tax in additional prices, and additional charges. And someone a long time ago—I think it was about the same point in human history—that man discovered the use of fire for cooking—about that time, someone discovered that to increase prices means that you make more money. That has been an eternal principle—if you charge more for a product, you make more money out of it. That was a great discovery by the human race.

The implications in the modern economy is, of course, that when you have a justification—and let me assure the Attorney General (Mr. Wishart) and the Minister of Reform Institutions (Mr. Grossman) that I am perfectly serious—that when you have justification in the background for increasing the price—well, experience is replete with examples that the price increase that is passed on is greater than the excuse justifies. So it may be here, that these trucking companies using the fuel will say to their customers, "We have met the increase in the incidence of taxation. We have to increase our charges to you."

I am not going to repeat anything that I said last night, but I should have mentioned

last night that one can envisage the collective bargaining round that we are going to encounter, throughout the province, as a result of the increases.

For the leaders of unions will come to the bargaining table, will they not? Can you not see them this summer, telling the people on the other side, "We are facing increases in gasoline tax, OMSIP, the hospital service premium," and so on? And who can gainsay them, on the other side of the bargaining table, and deny the validity of their claim, thus putting the further inflationary pressures upon the economy?

Interjection by an hon. member.

Mr. Sopha: Well, I prefer the Carter report, as I said. I prefer the Carter report and the Treasurer of Ontario—and I have a good deal of sympathy for him, I am not going to stand here and call him names, or go out of my way in the cut and thrust of debate to make sarcastic or unkind reference to him, he has got a tough job. He has to justify these tax increases. Of course, he will be the focal point for bitterness throughout the province as people suddenly discover their impact. He has my greatest sympathy. But no one put a gun to his head and told him, "You have to be Treasurer of Ontario." Oh, no. That was a free and voluntary act on his part.

Mr. R. F. Nixon (Leader of the Opposition): Others wanted it. Quite a bit of competition.

Mr. Sopha: Yes!

My leader says others wanted it. I have personal experience on that score.

Mr. E. A. Winkler (Grey South): Who is that?

Mr. Sopha: He is not here any more, the one that wanted it most. He is gone. No one sees him around frequently. Is that hint enough?

Mr. Nixon: He is not selling insurance.

Mr. Sopha: You see, Mr. Speaker, I put the proposition to you. In the changing times in which we live, the age of enlightenment, no longer in this province is it considered to be the highest mark of distinction to live one's life and accumulate a great deal of money. Now that is a great change that we have gone through. This type of taxation encourages the perpetuation of that myth; that is to say, to leave the great accumulations of money alone. Because those who accumulate

a big pile of it, it is thought, that when they go to their great reward, the amount of loot they leave behind them is the hallmark of their success and that standard, the cash-register mentality, is passing from our life.

There are many other areas of excellence. I suppose the Kennedys started that—the bringing of excellence to public life. Well the Provincial Treasurer is wrong, and, I am sorry to say, he is morally wrong, that instead of imposing this type of taxation he will not go after them that has. Those that have it and could do with less of it. But I was never more serious in my life, as I said to you before supper during a point of order. I have no hesitation at all, as the member for Sudbury, and I will not blush when I go back home and look my people in the eye, having said here that I, to descend to the vernacular, I would really nail by taxation measures those that take off to the Bahamas. I would really nail them for anything they left behind them. I have no sympathy.

**Mr. J. Renwick (Riverdale):** How?

**Mr. Sopha:** Very easy, every share that needs to be transferred on the books of a company resident in Ontario could be a means of getting at them. Companies with head offices in Ontario, where the place of transfer is the head office. That is one means. Land in Ontario is another. Oh, yes. There are plenty of puissant for the incidence of taxation, because it is not a question, I say to my friend from Riverdale, that when they take the Air Canada flight to Nassau, they do not charter an extra aircraft to take all their wealth with them. A good deal of the wealth continues to be derived from property, real and personal, that is within Ontario.

**Mr. J. H. White (London South):** The member should speak to the federal government about that and Air Canada also.

**Mr. Sopha:** And the Provincial Treasurer could get at that property very easily with the skilled advice which he gets from those employed in the bureaucracy of The Treasury Department.

I tried to talk last night along that line. Because I want to bolster this with evidence, I say to my two friends, the Ministers without Portfolio, through you, sir, who attend me, that for a society to permit someone like W. H. Wright to walk away from northern Ontario with \$47 million—

**Mr. J. Renwick:** At least he stayed in Ontario.

**Mr. Sopha:** By the happenstance that an ore body happens to be located at Kirkland Lake in the golden mile—the sheer fortuitous circumstance—I deny philosophically, morally, idealistically, practically and every other way, that one man can come along to that ore body and say, “It is mine, I own that, I have the right to its development and exploitation and I can put the profits, derived from somebody else’s sweat at over a mile underground, in my bank account.” Future historians will look back on this age and say those people were consumed by madness—that it was mad to permit that.

My friend, the member for Niagara Falls (Mr. Bukator), I recall only a week or so ago, was talking about something called the Oakes gardens. I know what that refers to, and Niagara Falls was very lucky to get them, but Kirkland Lake did not get anything from Harry Oakes. Those are the people that I want the Provincial Treasurer to get.

But the old philosophy still prevails in the Frost building, though they have a new building over there, still the old philosophy, you must not crimp individual initiative. You must not dispel enterprise. You must leave it all to the *laissez faire* derring-do that a man born in this great country pursues the Canadian dream that success—I say to the member for High Park (Mr. Shulman) is appended to him who garners the greatest amount of loot. In 1968 that is hogwash.

Nathan Cohen is a greater Canadian to me with the expertise of his pen and his command of language than the greatest corporate industrialist you can find. Nancy Greene and many others. So what the Provincial Treasurer is doing here—I return to my theme—he is pursuing the classic ways of raising revenue—put it on the poor.

Finally, Carter and his assistants exposed the fallacy of that for all time and it is a discouraging thing in this country, it is really discouraging to one in public life. Well, we are in public life. Before I leave the subject, let me say that if pursuit of gilt was the greatest motivator of human endeavour, none of us would be here, because we will never accumulate any as long as we are foolish enough to be in public life.

You see, Mr. Speaker, those accountants expose the fallacy of taxation as we have heretofore known it in the classic sense. And Carter said in the simplest terms that wherever a dollar is derived from it, it should have attaching to it the same incidence of taxation.

That is not this bill, that is not that bill, and that is not the advancement of that principle. And you only have to live here and keep your eyes open to see that when some measure is proposed that benefits the power brokers, those with influence, how fast it arrives in legislative form. I cannot think of one provincial one that comes to mind as an example but I am reminded of the short space of time virtually, equated to the space of time between the light turning green and the car behind honking its horn, that elapsed between the depositing of the Royal commission report on banking and the legislative enactment.

But when something is expostulated that will benefit those without power and influence, those that only have minor politicians such as myself to speak for them, then it seems a generation may go by before the relief that is their just dessert—to which they are entitled—finally is accepted and becomes part of the character of our society.

Now the Carter report presages the dawning of a completely new age in the taxation aspect of our society but not with the Treasurer of Ontario, not with him.

**Hon. Mr. MacNaughton:** How does the member know that?

**Mr. Sopha:** How do I know? Because I read this one page that is in the Minister's bill, and I read the one page which is the last one and I know that.

**Hon. Mr. MacNaughton:** That is not so at all.

**Mr. Sopha:** I know it is not, but all I have to do is look at the next one, the next one that gets at sin. But I have considerable sympathy for the working man who smokes because there are too many around this Legislature that are ready to say—"well, if you drink or smoke you have to pay for it". I do not look at it quite in that way. It is one of the recreations, or two of the recreations that people—

**Mr. Speaker:** Order! The member is running ahead of himself.

**Mr. Sopha:** All right. The Provincial Treasurer asked me how I do I know it? How do I know tomorrow is Wednesday? By a man's deeds you shall know him, by his words, indeed. Finally, though, many criticisms were levelled at the Provincial Treasurer, but like Pilate he did not deign to answer. He gave us the benefit of—he did not stop to answer, like Pilate.

**Mr. W. G. Pitman (Peterborough):** He washed his hands over it.

**Mr. Sopha:** Yes, that is right, he washed his hands. The Provincial Treasurer, you will recall, gave us a very laconic statement in defence of many things that were said in Opposition. And really, what can he say—what can he say, I ask rhetorically? The first citizen—my first great disappointment is the first citizen of this province—in the fall of last year, on September 5, the first citizen's obligation was to go to the people and say, "I run on my record; I am running on the record of my government". It was as simple as that.

Interjections by hon. members.

**Mr. Sopha:** My leader puts the stamp of verity on it. He was afraid to do that and if he is afraid, if the first citizen is afraid, then we have no right to expect much in the way of courage from the timid group behind him. No, no.

So the Prime Minister felt the necessity to get his new mandate; he had to indulge in a sophisticated form of bribery, a very sophisticated form of bribery. Well, it is true. The auditorium in Hamilton; the shelter grant; the taking over of the cost of administration of justice; what were they?

Interjections by hon. members.

**Mr. Speaker:** Order! The member has strayed again from the principle of this bill. He is back on the election.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Mr. Sopha:** All right, I leave it, I leave it. Merely to state it impresses every one, Mr. Speaker, through you, of the truth of it. They know it and the guilt is on their consciences for it. Many of them are here because of those promises made in the fall of last year.

Interjections by hon. members.

**Mr. Sopha:** But in the motor vehicle fuel tax, the public—old, longsuffering John Taxpayer, who finally has to pay the price of politicians' folly—always has to pay—Duncan MacPherson shows him typically as being the focal point and the brunt of governments that push him around.

Then at the other end of the scale, and I have no shame in saying those words of Frank Underhill that will live for a long time, "In this society the lion's share goes to the lion". It was always thus. Those that had



a lot were unable to keep it. We are courageous enough and we have got them here; we have got them on matters of principle. My leader has stood in his place here and has had the political courage to say as the leader of the Liberal Party in Ontario where he would impose the incidents of taxation by way of alternative, thus leaving himself open to those who disagree with the method he would adopt when he must next go to the people.

But whatever their verdict—and I happen to be optimistic that the verdict of the people will be one to encourage this young man in the life of this province—he will at least have the knowledge when he lays his head down to rest at night that he was unafraid to state it here, and what a wonderful position it is compared to this which is wrong. It is wrong, and I say it, I hurl it to the Provincial Treasurer, to continue to impose regressive taxation on people who have one heck of a time getting through the turnstile at Loblaw's on any Saturday when they buy their week's groceries.

Sometimes they do not know how they do it on the wages that they get for a week's work. They have to do it and envelope in the same pay cheque this additional taxation that is imposed upon them. Well, that is the way I see it on April 9, 1968, and as with the last one I will vote against it.

**Hon. Mr. MacNaughton:** I would just interject a short word here before the hon. member for Peterborough rises. Really, I should explain to you, sir, and to the members of the House that the real purpose of this bill is to—

**Mr. P. D. Lawlor (Lakeshore):** To hit the little guy driving to work.

**Hon. Mr. MacNaughton:** Yes, but it is to keep it in proper relationship with the bill that we voted on and that was approved by the Legislature just before the House rose at 6 o'clock. However, you have allowed the hon. member for Sudbury to wander from the specific purpose of the bill so far, sir, that you might allow me to make one or two comments this evening. I have to tell the House that nobody really ever wants to stop the hon. member for Sudbury, nobody really does. It is good, it is oratory and it is the best, it is parliamentary performance at its best. Whether he is in order, Mr. Speaker, really does not matter, his parliamentary performance is superb, superb. There is nothing like it.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** I do not think it is either. But on that simple score may I remind the hon. member for Sudbury that he is not alone in his concern for the taxpayer. I would simply like to say to you sir, and to the House—and I go back to where I made very brief mention of it before the House rose, and, I think replying to a question from the hon. member for Scarborough East (Mr. T. Reid)—I believe in tax reform. I believe in much of the philosophy of Carter. I think some of the pragmatic aspects of Carter are wrong. I do not believe in tax reform Carter-style. I believe that Smith, Mr. Speaker, purposes many sensible guidelines to government—guidelines that are now in the process of being exhaustively examined. Briefs by the score, as requested are descending on the desk of the Treasurer of Ontario, and being assigned to a central task force or committee of evaluation, all part of a process that was announced last August, all part of a process that was really requested by the Prime Minister and the Treasurer of Ontario, and the government of Ontario. The process is now in operation. It is a process that asks for the expression of the views of the people of Ontario.

Those who govern at the municipal level, those who operate and perform in the interest of Ontario in the industrial and commercial levels, in fact all segments of the society of Ontario have been asked to submit their views, and they are doing it. A forum will be provided in due course, as was promised at the time of the submission of the Smith committee report. For these views to be presented verbally and in open forum as I mentioned a moment ago, this is all in process now. I might ask you, Mr. Speaker, and the hon. member for Sudbury, what does he expect from August 30 to April 9, in terms of the reform that has been proposed by Carter and proposed by Smith?

Does he expect it to be imposed? Does he want it to be a partnership effort with other levels of government for which this province is responsible? Does he want it to be an effort on behalf of the people that this particular government has much sought for? Does he want it done this way, or does he recognize that in this interim period, and at this time when the revenues are needed to bridge a gap—while the federal government is making up its mind whether it likes the philosophy of Carter, in the first place, or whether it proposes to do anything about it at all, or whether it wants to wait until this government

does move and take some action in the only sensible fashion that it can be done, with respect to the recommendations of the Smith committee report? Now, I ask the hon. member in all honest fairness, what does he expect us to do? Fly in the face of these things?

**Mr. Sopha:** Will the government give us a deadline?

**Hon. Mr. MacNaughton:** We have already announced to this House as we did to the tax foundation, a schedule for the submission of briefs. We have done that.

**Mr. Sopha:** Yes, yes.

**Hon. Mr. MacNaughton:** We have made that information available to the House.

**Mr. Sopha:** When will the Minister's white paper be ready?

**Hon. Mr. MacNaughton:** Let me pursue this in chronological sequence if I may, Mr. Speaker, we made that information available to the House; we made it available to the tax foundation; we made it available to the bureau of municipal research, we made it available to the legislative assembly, and for all practical purposes, we are on schedule. Some of these areas that happily want to submit briefs, and give full analysis to the problem have asked for a bit more time, but on balance we are fairly well on schedule with a major tax proposal, a major opportunity to consider tax reform. We may be out two, three or four weeks; I do not know from our schedule, but we have almost approached the point where the submissions will be in.

When all the submissions are in—the hon. member knows this, it has been said often enough—and the task force of the central committee has examined them from the government point of view, the series of conferences that have been referred to time and time again, will take place. Following that the white paper will be submitted. Now we are, within three or four or five weeks, on schedule—Mr. Speaker, I submit to you, and I submit in honest fairness to the hon. member who has justifiable concern—in a realm that is of concern to every taxpayer in this province. But really, in the interim period for the revenues that were required to bridge the gap rather than jumping to conclusions or imposing situations without the advice of all the people that we want to listen to—how much faster, I suggest

to you sir, and to the hon. member, could we have moved?

I have already told you, sir, that I respect his views. I know he holds them honestly. I respect the views of every member of this House in matters concerning taxation because I repeat and I cannot repeat it more emphatically, the whole process of taxation, not only in Ontario, but in Canada, must be reformed. It must be reformed and it cannot be done overnight.

**Mr. Sopha:** Make a note!

**Hon. Mr. MacNaughton:** It cannot be done.

**Mr. J. B. Trotter (Parkdale):** Change of government.

**Hon. Mr. MacNaughton:** We do not need any help from the member for High Park on this. I can tell you that some of the observations the hon. member for High Park made last night were pure futility—pure futility. He makes them every year. They mean nothing. They go no place. So—

Interjections by hon. members.

**Mr. M. Shulman (High Park):** Mr. Speaker, I would bring to the Minister's attention that I have not spoken on this particular bill.

**Hon. Mr. MacNaughton:** I apologize.

**Mr. Shulman:** I accept the Minister's apology.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** I may have to come to him later, I do not know. But I simply want to impress upon you, Mr. Speaker, and I want to impress on every member of this House that there is a crying need for tax reform in Canada. There is a crying need for development of expenditure priorities.

**Mr. Trotter:** Well, the Minister is the Provincial Treasurer, why does he not do it?

**Hon. Mr. MacNaughton:** What in the world, Mr. Speaker, does he think we are trying to do?

**Mr. Trotter:** Well the government has not—

**Hon. Mr. MacNaughton:** The hon. member would not know. He would not know.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** You would not know. All right, Mr. Speaker, I simply appre-

ciate, sir, that you allow the hon. member for Sudbury to conduct such a wide ranging contribution to the debate that may have been precisely out of order. I did not object to it, sir, because I wanted to do it myself. I wanted to do it myself.

Now then, Mr. Speaker, I make my case and I suggest to you, as Provincial Treasurer, that this government stands committed, to tax—

**Mr. Trotter:** It sure does.

**Hon. Mr. MacNaughton:** —to tax reform, sensible tax reform.

**Mr. Pitman:** Mr. Speaker, one of the advantages of sitting in this House in the evening listening to the member for Sudbury, is that finally we have flushed this Provincial Treasurer out. We are now finally going to do something about taxation reform, but I wonder if the—

**Hon. Mr. MacNaughton:** The member does not have to flush me out!

**Mr. MacDonald:** It has taken the Minister a whole year to make—

Interjections by hon. members.

**Mr. Pitman:** I wonder if the Provincial Treasurer would remind himself while asking this side of the House to be patient, while he brings his army of experts in to look at the Smith report, while he collects all of his briefs, that it took him just a few days to find one or two things in that Smith report last fall when the election was on.

**Hon. Mr. MacNaughton:** I will tell the member what we will do, we will flush him down.

**Mr. Pitman:** What happened to all the expertise? What happened to the calm and academic attitude towards taxation reform last September and October when the Provincial Treasurer's colleagues were wandering all over the province, putting plums here and plums there—

Interjections by hon. members.

**Mr. Pitman:** They were trying to win an election. Yes, with a document which has not been brought before this House and certainly has not been debated and he wants a calm and academic attitude. All right, I will accept the Provincial Treasurer if he is a reformer—he is going to be a tax reformer. I am glad to hear it. We are glad to hear it but to paraphrase the song, “Do not talk of

reform, show me”. In this particular piece of legislation you are not showing anyone in the province or in any other province that you are interested in tax reform.

**Mr. G. Demers (Nickel Belt):** Is the hon. member in favour of the “just society”?

**Mr. Pitman:** We have heard a great deal about the just society and that is exactly where we are going to have to start if we are going to create a just society.

If I might also mention something to my friends on the right here, I hope that while they were up in Ottawa cheering on the gentleman who has taken over the leadership of that political party, between the cheering they had an opportunity to talk to him about Dominion-provincial relations because much of the just society which Pierre Elliott Trudeau is talking about has to be given by the provincial Legislature. I must say that I am not too happy so far about what he has said about Dominion-provincial relations, as they affect taxation or anything else.

**Mr. MacDonald:** Does the member think he will get his \$700 million and \$74 million from him?

**Mr. Demers:** Remember Saskatchewan.

**Mr. Pitman:** Yes; we have members from Saskatchewan!

Interjections by hon. members.

**Mr. Pitman:** And the people out there are remembering Saskatchewan too!

**Mr. Speaker:** Order!

**Mr. Pitman:** Let me tell the House.

**Mr. Speaker:** Order!

**Mr. Pitman:** To come back to the Provincial Treasurer, I look across the chamber, Mr. Speaker and I find that sometimes I feel compassion for this Provincial Treasurer. He takes it upon himself—

**Hon. Mr. MacNaughton:** Never bother with compassion for me.

**Mr. Pitman:** The Minister makes it very hard for me to have compassion, I assure him but nonetheless the Provincial Treasurer, has taken on himself two of what I would call the major stumbling blocks of this government dealing with the affairs of this province. One I have already mentioned, on a number of occasions, regional government and taxation.



I might say, Mr. Speaker, that if the Provincial Treasurer really does pull off some kind of an orderly regional government and if he does get some kind of a just taxation system into this province he deserves to be the leader of the Conservative Party in Ontario.

An hon. member: He cannot do it.

Mr. Pitman: And he may very well be one of the best leaders the Opposition in this House has ever seen—

Mr. Lawlor: He is working at it.

Hon. A. Grossman (Minister of Reform Institutions): Did the member ever hear of—

Mr. MacDonald: Remember 1951!

Mr. Pitman: Mr. Speaker, the Provincial Treasurer in presenting this tax bill, is dealing with a problem which has faced provinces since Confederation. In fact, I suppose you could go right back to John A. Macdonald and his efforts to create provinces which were nothing but municipalities. He gave them taxation resources which were completely inadequate for the kind of problems which developed later. We have seen a crisis in the 1930s, very much like what we are facing today and I suggest to you that in this affluent society of the 1960s we face a taxation problem which is, in its way, as serious as that which was faced in the 1930s.

That is, we are not going to get growth in this province—we are not going to be able to provide the kind of life, the kind of education, the kind of transportation, the kind of regional development the Minister is concerned about, unless we can do something about sorting out these taxes.

I suggest to the Minister that we are impatient and it is very hard for us to be moved by the Provincial Treasurer's remarks a few moments ago, because we have seen both the Carter and the Smith reports brought down. If there is any theme in either of them—and I personally share other members' concern in this House and a greater interest in the Carter report than the Smith report—but there is certainly one theme that goes through both of them, that certain elements in our society are being massively overtaxed. They are the lower middle income and the upper lower income—you do not have to worry about the lower lower income. But those sectors of our economy will be massively overtaxed and what we are asking tonight is a gesture, an indication from this province.

So we say to you, read the taxation report by Smith, to say nothing of Carter. We were deprived last night of the comments of the member for Sudbury on Henry George. Let me read just a line or two of Lancelot Smith on page 12, section 39:

We concur in the widely accepted practice that takes income as the prime index of taxpaying capacity.

On page 15:

We attempt to show in a later chapter that different taxes place rather different burdens on individuals and families with different levels of income. Thus property taxes, motor vehicle fuel taxes and retail taxes, to take but a few examples, each absorb rather different proportions of family income depending on the size of that income. Such taxes of course, cannot take into account varying personal and financial circumstances.

And there is the line Mr. Speaker:

This suggests to us that the personal income tax which can be tailored to take relatively precise account of such circumstances has a particularly critical rule in helping to achieve equity and that the burden of the other taxes on individuals and families provides a rough but useful guide to the desirable degrees of progressivity in personal income tax rates.

Well, there are the words of Lancelot Smith. What we are asking, Mr. Speaker, is a gesture, a simple gesture by this government, an indication that it realizes that it has imposed an unjust tax, we have already added to the overtaxing of the already overtaxed.

Be a reformer, be a reformer here tonight; make this gesture.

Hon. Mr. MacNaughton: Impossible, preposterous!

Mr. Pitman: What is preposterous, hon. Provincial Treasurer? May I appeal to those who sit behind him? We in this House in Toronto have a different situation from the one in Ottawa. There they have an upper House and I am sure one member will remember seeing, when an unjust tax was going to be implemented unjustly by a government, it was taken to an upper House for a second sober thought. In that upper House, Mr. Speaker, it was rejected. I suggest to you that the members of that side are the sober second thought. They are indeed the place where justice can be found. So I appeal to the Provincial Treasurer for a gesture, but

I appeal also to the other members of that party, who think: "give this Provincial Treasurer an opportunity to be a reformer; reject this unjust tax."

**Mr. White:** Mr. Speaker, the dramatics and emotion and flummox—

**Mr. MacDonald:** Watch that word.

**Mr. White:** —and archaic references to Henry George and other esoteric simplicists, are very touching indeed. And of course, the issue with which we are dealing is one of some political import, as witnessed by the fact that the most partisan members of the Opposition have risen to their feet, to make impassioned declamations.

I am going to speak very briefly and to the facts, and I will say, unemotionally.

First of all, it must be acknowledged that the provinces have a set of fiscal responsibilities which increase geometrically, and which increase far faster than the population increases. So if one has an increase of, let us say, 5 per cent in population in a year, one's expenses may rise 10, or 15, or 20 per cent, or more, to provide the schools and the hospitals and the roads and sewers and everything that comes within the provincial ambit. Contrasted with that is the fact that our tax increases are arithmetical in nature; they are not as progressive; they are not as buoyant as the federal taxation sources.

I will not go into detail contrasting that situation with the arithmetical nature of the increase in expenditures at the federal level, and the geometric increases in their revenues. But it must be apparent to the members in this House, as it is to economists across the country, that the federal level of government has relatively too much money and the provinces and the municipalities have relatively too little money. This makes it possible for the federal level of government to expend monies in ways that are not appropriate, that are not efficient, and are not economic, and everybody acknowledges that, if they can turn aside from narrow partisan purposes temporarily.

Now, sir, we are faced with this situation; our expenditures are rising very very quickly; we really have no alternative; we have to spend these monies for our young people and indeed, for everybody. We are and have been prepared to use our credit fully and perhaps we can utilize our credit somewhat more advantageously in the future. This is something that one would not contemplate with inflation at a very high rate and with un-

employment relatively low in this province. This is the source of funds that I think we might reserve for some other stage in our business cycle. So we are utilizing our credit as fully as circumstances permit and we are forced to close the gap between our total expenditures minus our borrowings by means of taxation.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Mr. White:** Now, my friends, what taxes are at our disposal? There are half a dozen of them and one of those happens to be gasoline and diesel fuel taxes. You can do all the breastbeating you want, you are not fooling anybody on this side. We know this is not a popular tax, but it is not a regressive tax and I—

**Mr. Lawlor:** The Minister says it is regressive.

**Mr. White:** I will wring the admission from these people before the night is over.

If a man owns a Cadillac, and gets 10, or 12, or 14 miles per gallon, he pays two or three times as much tax per mile as the man that is driving a Volkswagen or some small car. So that is one aspect of it.

Interjections by hon. members.

**Mr. MacDonald:** The member is preaching for a call but making no impact.

**Mr. White:** I am preaching in the hope of bringing some reason to the hon. member.

**Mr. P. J. Yakubuski (Renfrew South):** He cannot bring reason to anything—

Interjections by hon. members.

**Mr. White:** We are subsidizing and have done for the last 10 or 15 years. We have been subsidizing highway construction from general tax revenues. We ran a surplus, as a matter of fact, for some years, up to about 1955. We ran a surplus. We collected more money in gas tax than we expended on highways, during a period from sometime in the late 1940s to sometime in the mid-1950s. That situation has not prevailed for 10 or 15 years.

Then where does the subsidy come from, my friends? I will tell you where it comes from—it comes from the little old lady that buys goods that are taxable. It is coming from the very modest people who cannot afford a car of any kind—that is where it is coming from. Sales taxes and income taxes. From

corporation taxes whose dividends and bond payments are paid to people from every economic stratum. Am I to think, Mr. Speaker, that the members of the Opposition are serious in asking that these non-automobile owners, that these non-car drivers produce additional subsidy for the highway system in Ontario? Would they say that an increase in the retail sales tax was a more appropriate source of funds? And if they would not, Mr. Speaker, then surely honour will compel them to vote for these measures.

**Mr. J. Renwick:** Mr. Speaker, would the member for London South permit one question?

**Mr. White:** Certainly!

**Mr. J. Renwick:** What field of taxation outside of customs and excise is this government precluded from operating within? What field?

**Mr. White:** Well, indirect sales tax, to give one of many examples.

**Mr. J. Renwick:** Which tax? There is a sales tax, there is an income tax, there is a corporation tax, there is succession duty and the choice which this government has made is to tax the people in the province—

**Mr. Speaker:** Order! Order! The member was asking a question. He is now making a declamation.

The member for High Park has the floor.

**Mr. Shulman:** Mr. Speaker, I had not intended to enter this particular debate, but I would not want the member for London South to think that I am any less partisan than the other people who have spoken on this side of the House.

**Mr. J. Renwick:** The Provincial Treasurer wanted your views.

**Mr. Shulman:** Also inasmuch as the speech which I have not given as yet has been already criticized by the Provincial Treasurer, I felt perhaps I should give him the benefit of saying a few words.

**Hon. Mr. MacNaughton:** I did mistake you for somebody else.

**Mr. Yakabuski:** Oh, this should be great!

**Mr. Speaker:** Order!

**Mr. Shulman:** This tax is an iniquitous one. It is an improper one. There are better taxes. The member for Wentworth has made a suggestion and it was followed by certain

questions from the government benches. His suggestion was that corporation taxes should be raised, whereupon we heard a great whoop and holler from the Treasury benches. They said: "Do you not realize that if corporation taxes are raised that means prices go up?" So I think perhaps it is time we educated the Treasury benches just a little bit as to what this does mean, and that there is an alternative to this particular tax—

Interjections by hon. members.

**Mr. J. E. Stokes (Thunder Bay):** If members keep quiet around here they might hear something—might learn something.

**Mr. Shulman:** Yesterday—

**An hon. member:** Put it to the hon. member for Sudbury.

**Mr. Shulman:** It is impossible; he cannot learn.

**Mr. Speaker:** Gentlemen, gentlemen! Order!

Interjections by hon. members.

**Mr. Shulman:** Hon. members, through you, sir, yesterday I gave an example of a company that works in Peel South which, every year, manages to deposit some millions of dollars in a little bank down in Port Credit. That money is not paid out in dividends—taxes are not paid on it, as would be paid by the individuals who received it. This is an example of a large company where taxes could be raised, where money could be brought into the Treasury, where there would be no additional cost of the items produced for a very good reason. Because other companies that are producing the same items are paying a reasonable dividend and this company, Admiral, must compete with them and they cannot afford to raise the prices. We could receive higher taxes, we could have more money in the Treasury and it would not cost the public an extra cent. Now let me tell you something else.

I am in the fortunate situation of having been through the other side, the more pleasant side, of the mill and I have learned a few of the tricks that they have in corporations, and I would like to tell you of one of them right now. And I confess—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Shulman:** I confess this one of the methods that has been used by people who I worked with and which I too have taken



advantage of, but it is wrong and it is time now that I have reformed, that I point this out to the House.

**Mr. MacDonald:** Here goes a reformer.

**Mr. Shulman:** The Provincial Treasurer can do something to raise money properly from the people who can afford to pay it. We have a funny little law in this country and that funny little law says that a corporation on its first \$35,000 of income only pays 23 per cent taxes. So what happens?

**Mr. White:** Not a funny law.

**Mr. Shulman:** Yes, it is a funny law and I will tell you why it is a funny law.

Interjections by hon. members.

**Mr. Shulman:** Because wealthy men—

**Mr. MacDonald:** We are in the process of—

**Mr. Shulman:** Because wealthy men then go into business producing corporations, and I would be delighted to give you examples of how one business is run by 20 different corporations and by some strange coincidence each of these corporations earns \$35,000 every year.

They should be taxed properly. That is where you should be raising your money, not on the gasoline tax.

**Mr. Lawlor:** And producing a consolidated statement.

**An hon. member:** What does the member say to that?

**Mr. Shulman:** Mr. Speaker, the interesting thing is that here is a form of taxation which can be raised which would not hurt anyone, which would not squeeze anyone and yet the Provincial Treasurer prefers to put the squeeze on everyone through this type of tax. Thank you.

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I come back and I oppose this bill as I did the bill last night and again for several reasons that have already been mentioned. Last night I put to the Provincial Treasurer a question as to some of the skulduggery that goes on, in that the taxes that should have been retrievable in 1964 should have been, according to the superior auto association, some \$230 million, and I waited today for the Provincial Treasurer to reply.

I have also read his letter to Mr. Smith of superior auto but I would like the Provincial Treasurer—

**Hon. Mr. MacNaughton:** On a point of order!

The hon. member is on another bill now. I draw it to your honour's attention that we are on another bill entirely. Reference has been made to a letter to Mr. Elwood Smith; as a matter of courtesy I sent the hon. member a copy of my reply. I thought he would appreciate it but we are on another bill, sir, if I may call your attention to that.

**Mr. Martel:** Mr. Speaker, if I might just continue for a moment, I will come to that.

Interjections by hon. members.

**Mr. Speaker:** Order, order! I have endeavoured this evening to give as much leeway as possible to the Opposition members and we have had some surprising results. I would think that perhaps we might now direct ourselves a little more closely to the principle of the bill and that does not include the far ranging discussion which we have had to date. So I would ask the member for Sudbury East to refrain from going into last evening and another bill and to direct himself to the present bill, and I would ask the succeeding speaker to do likewise.

**Mr. Martel:** Mr. Speaker, the point I was trying to get at was a point on the pricing which might not necessitate an increase in taxation to the people but a good look at the study of pricing.

**Mr. Speaker:** Well, I have already ruled in a similar discussion last evening and I would make that ruling again, that the pricing policies of the company concerned have nothing to do with the principle of this bill or of the other bill and I would so rule again.

**Mr. Martel:** Mr. Speaker, I did not rise on a point of order last night but I would like to rise on one now in that I think it does have a very fundamental effect, this pricing policy on which I questioned the Minister last night and on which I was ruled out of order.

**Mr. Speaker:** I have ruled that it does not effect the principles of the bill. The ruling is open to challenge by the member if he wishes to do so. So far as I am concerned that does not have any effect on the principle of this taxing bill. It may have an effect on the ultimate result but certainly not on this principle.

**Mr. Martel:** Well, Mr. Speaker, we are talking about raising money.

**Mr. Speaker:** The member will remember that we are not talking about raising money as he says. We are discussing the principle of Bill 38, An Act to amend The Motor Vehicle Fuel Tax Act and only that money and that method of raising it.

**Mr. Martel:** Mr. Speaker, as I am not going to be able to talk to the point that I think is vital, and which this government does not want to hear about or it chooses to ignore, that being pricing, there is no use my talking any further.

**Mr. Lawlor:** The Speaker is in a bad mood.

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I have a few brief comments to make on this particular bill again dealing with the little man at the bottom. As I said earlier, they are getting rather restless about the increased taxation and just how long and how much are they going to be forced to continue to pay. The wage earner who has to use his vehicle, who depends on the food that is carried in by the trucking industry and so on, really has no choice. He cannot escape out of this trap.

The amount of money that he has is rather limited. It is a fixed sum in most cases, unless he has a good union which may be able to negotiate an increased contract or an increased wage in a year or two. But in most cases he lives on a fixed income and every year he sees a greater and greater portion of this income going to pay taxes such as this increase in the price of motor vehicle fuel.

The Minister earlier asked where were we suggesting that we get the money. I would like to point out some of the things that are mentioned in the Carter report. They are using the figures for 1964, and the Carter report says in that particular year if the corporations—and this takes in your friends the oil companies, and it takes in the insurance companies, and it suggests the idea of capital gains tax—if those particular companies paid their share of taxes now, and they are not asking them to pay more than anyone else; they are saying that they should pay their fair share of taxes. If they paid their fair share in 1964 the Canadian government would have got something like \$532 million.

Obviously taking into account that Ontario would probably get about one third of that, that would mean about \$175 million available to the province of Ontario.

**Hon. Mr. MacNaughton:** On a point of order!

**Mr. Makarchuk:** I have as much right to a point of order around here as any member of this House.

Interjections by hon. members.

**Mr. Speaker:** Order! The Minister did not rise on a point of order in the time before. He rose and suggested that since there was considerable latitude extended to Opposition speakers that he would ask for that same opportunity which we gave him. He has now risen on a point of order, he has the floor, and I would be glad to hear his point of order.

**Hon. Mr. MacNaughton:** Well, I think that it is quite appropriate that you, sir, and the members of the House should be properly informed. These references to \$500 million as a result of the implementation of the Carter commission report recommendations are not correct. I suggest to you, Mr. Speaker, and to every hon. member of the House, that if they read the recommendations of the Carter report they will find that if it is implemented in its totality it will produce additional revenue on the order of \$240 million.

**Mr. MacDonald:** That is not a point of order at all.

**Hon. Mr. MacNaughton:** It is a point of order.

**Mr. Speaker:** Order, the Minister did not state his point of order, but I would presume that the point of order that he was raising which was quite clear was that the member was perhaps misleading the House. The Minister has endeavoured to clarify that, and he did, so the member for Brantford now has the floor.

**Mr. Shulman:** On a point of order. I would like to get something straight because it seems to bear on this: Would you please inform the House what is a point of order as recognized by this chair?

**Mr. Speaker:** The member for Brantford has the floor.

**Mr. Makarchuk:** If I can finally continue on this particular course after the hon. Minister has tried to confuse the issue, I am still quoting what the Carter report said, that for 1964, if these corporations paid their fair share of taxes, and not more, there would be something like \$532 million more going into



the federal coffers, and inevitably trickling down to the provinces. Well, Mr. Speaker, this would amount to approximately \$175 million for Ontario. If you spread this money out among individual families in Ontario, this would amount to about \$300 or \$400 per year, which is, I am sure, a nice sum that can be selected or procured from other places instead of taking the money out of the gasoline tax or out of the fuel tax, and so on.

Mr. Speaker, I would like to say in conclusion that as I listened to the hon. member for Sudbury speak on Carter—or his rather leftist views on taxation, and I just wondered if this must be his left period; and I suppose in two weeks he will be in his right period, or it might be the euphoria that is left over from the weekend spring rites or the Easter rites in Ottawa—however, I did enjoy it, and I should thank the other people who provided everything else. Nevertheless, Mr. Speaker, the views of the Carter report, and the ideas in the Carter report, are not new.

The idea of capital gains tax, and the idea of corporations paying their fair share of taxes, the idea of mines paying their fair share of taxes, these are not new ideas. These have been advocated by the CCF, and the NDP for years and years. What Mr. Carter has done is to put these into a formalized statement. It is there before you in black and white, and all the hon. Minister has to do is to read this thing. If he really has any compassion for the taxpayer, he should see that the money—he knows that Carter outlined it to him where it is, and he should go after that particular money, not the money on kerosene or gasoline or gas or diesel fuel.

**Hon. Mr. Grossman:** Mr. Speaker, it was very interesting listening to the hon. members opposite talking about “just” taxes, and as equal distribution of the tax load as possible. Of course, I do not think that there ever was a just tax invented. I am sure that the hon. members will agree that there is no such thing as a tax which hits equally or which is applied in the manner in which you would like it applied. To get to the specific bill, Mr. Speaker, without going astray as most of the members have with your indulgence; I do not know how, on the one hand, the hon. members opposite can argue for a “just” tax, and then put themselves in the position where they are against Bill 38, which would in fact impose an additional tax on fuel oil, when we have just passed a bill which includes an additional

tax on gasoline. In order words, if there is anything—

**An hon. member:** The government passed it.

**Hon. Mr. Grossman:** No, this legislature passed it.

Interjections by hon. members.

**Hon. Mr. Grossman:** In any case, Mr. Speaker, if we are going to talk about “just” taxation, it means that if the Opposition were successful, and this bill were to be defeated, motor vehicle operators using gasoline would be charged an extra tax because we have already approved of that bill, and those using fuel oil would not have that tax imposed upon them. How in the world can they say that they are in favour of more justice in taxes, and take this position?

**Mr. E. R. Good (Waterloo North):** This that we have heard just now, Mr. Speaker, I think, is one of the more feeble attempts to support this present bill. As a new member I am amazed that the hon. Minister would not realize the discrepancies in his argument when he must have known that we on this side were so vehemently opposed to the first bill which he is now trying to use to justify this. In other words, a two-wrongs-make-a-right sort of principle, that is what he is trying to have us understand.

And now, I am not going to wander from the subject; I would just like to reiterate what we have heard here today. This increased taxation is going to mean higher transportation rates for the trucking companies; it is going to mean higher transportation costs on buses between cities; bus routes within the cities are going to have to raise their fares. This is all going to relate back to the person using the public transportation systems throughout our cities. Now, you have lots of suggestions today; we have heard of ways that taxes can be raised that are probably more equitable and on a fairer basis for raising the necessary money.

There is one thing that I would like to ask the hon. Provincial Treasurer: What about the diesel trucks that are coming into our province, say Kingston, with their saddle tanks loaded with American fuel tearing down our Highway 401 and going up out again at Buffalo, or coming in at Buffalo and going out again at Windsor, and not contributing to our tax whatsoever. Have you given any thought on those situations? Are you prepared to do anything or is something now in effect so that they are helping to pay? I would



like to hear comments on that because I think you have made it abundantly clear that you have no compassion for the smaller wage earner who might use the public transportation systems and the gas-operated buses. I would like to hear your comments on this other matter.

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Thank you, Mr. Speaker.

**Mr. Speaker:** I think it would be wiser if the Minister answered the questions at the end of the debate as is normal in these cases.

**Mr. Ferrier:** Mr. Speaker, I just want to make a short comment but I feel that this bill, like the last one, places an unfair burden upon the people of northern Ontario because we live a great distance away from the supply houses; everything that we get must come by rail or air or truck which all use—

**An hon. member:** Or pipeline!

**Mr. Ferrier:** Yes—

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** The northern freight rates are much cheaper than down in eastern Ontario.

**Mr. Ferrier:** Well, I will talk even in favour of eastern Ontario. Eastern Ontario is probably in the same boat. You come to the poorer areas of the province that are getting treated unfairly in this kind of taxation measure and the discrepancy between the incomes of south and north are widening. And this kind of legislation widens it more and more. The cost of living increases, and this kind of legislation, by putting a tax on transportation, will mean that this raises food costs and everything else that we buy. I feel that it is taking unfair advantage of us who live away from the major centres of this province.

There have been alternatives put forth here tonight by many of the hon. members—how this taxation money might be raised, and I feel that this not the way to do it. It is hitting us too hard in the north and I am going to oppose this, as I did the last one.

**Mr. Bullbrook:** Mr. Speaker, you afforded me the opportunity this afternoon, in discussing Bill 37, to put forward my position in connection with the principle behind the legislation itself. The question of the transference—the shifting of the burden, eventu-

ally, Mr. Speaker, to the consumer. The inapplicability, to a certain extent, of this type of legislation because of the huge geographic area of our province.

Hon. members have continued this discussion for the remainder of the afternoon in connection with the prior bill and the instant bill. They have begun to discuss with you and, through you, with the hon. Provincial Treasurer, the question of the application of the Smith and Carter commission reports, in connection with the field of taxation. I do much appreciate the comments of the Provincial Treasurer in connection with the dilemma he faces, and I, like the hon. member for Sudbury, am much appreciative of his undertaking to this House that he, personally—and, I suggest, speaking on behalf of the Treasury board—recognizes the need for tax reform in both the federal and provincial fields.

This is what we are told and I am prepared as one member to accept this, sir, without passion or polemics or simplicity. I am prepared to accept it. I want to associate myself with the question put forward by the hon. member for Riverdale to the hon. member for London South, in connection with what fields of taxation are not constitutionally available to the hon. Provincial Treasurer, except the fields of customs and excise.

Nobody can be fooled. I am a small town lawyer from Sarnia. I do not know everything, and I do not presume, I would stress to the Provincial Treasurer, to be nearly as knowledgeable in this field as you are, sir. I bow to your knowledge, and the superiority of the people whom you have behind you in connection with fiscal policy. But, sir, one does not have to be too knowledgeable to sit in this back bench as I have and listen to the attitude of the hon. Provincial Treasurer in saying that there is a need for tax reform and saying that we have set out a schedule, and we will bring before this Legislature a "white paper", and we will tell you the application that we think is reasonable in connection with the recommendations of the Carter and Smith commissions. It comes to my mind—and I think it must come to the mind of almost every other hon. member in this House—why do we say, in effect, that we cannot undertake implementation of certain recommendations in those reports, Mr. Treasurer, through you, Mr. Speaker? Yet, at the same time, we are prepared to go out, sir, and burden unduly—perhaps lightly, but unduly—the provincial Treasury to the tune of approximately \$250 million—and correct me

here, sir, if I am wrong. I am suggesting the tax shelter programme, together with the undertaking in connection with the administration of justice.

The recommendation of the need for assistance to municipalities is paramount in Smith and nobody takes issue with it. You cannot take issue with it. We have recognized as a matter of common sense that the municipal taxpayer cannot continue to undertake the burden that he has undertaken, under the archaic principles laid down by The Municipal Act and The Assessment Act. We recognize this, and so we say there is a need—at least I suggest there is a need—for reform in this field. But the thing I cannot get through my head—and I recognize I might well be obtuse, Mr. Speaker—the thing I cannot get through my head is this. How can we have the hon. Provincial Treasurer say, "Bear with me, we need tax reforms and we are going to give you tax reforms and we are going to do this chronologically. We are going to give the municipalities, the tax foundation, other people that benefit, are presenting briefs to us, so that we are knowledgeable in the field"? How can we, in all conscience, last September, after these self-same reports came in, go to the people of the province of Ontario during an election, and say we are going to spend another \$250 million of your money, without telling them where it is coming from?

This is the iniquitous part of this whole scheme.

As I said before, I respect unequivocally the word of the Provincial Treasurer that he is going to bring before us a white paper here, but the point is he is now burdened with the necessity of finding monies as a result of election promises. And he cannot find those monies through tax reform. I submit with the very greatest respect that if he is sincere, and I accept that sincerity, in wishing to bring more progressive revenues through to the province of Ontario, he should have thought of this. The hon. Prime Minister should have thought of this last September when they went about this province in their political largesse.

**Mr. Speaker:** Is there any other member wishing to speak to this before the debate is closed by the Minister?

**Mr. Sopha:** Oh, the Minister has spoken.

**Mr. Speaker:** The Minister has not given his speech. The Minister was giving a polemic in reply to that of the member for Sudbury.

**Mr. Sopha:** Well, I reserve the right of reply, sir.

**An hon. member:** Will the hon. Minister be a polemic?

**Hon. Mr. MacNaughton:** Mr. Speaker, this is not intended to be a polemic. I have to say to you, sir, and I say it with genuine conviction, the comments of the hon. member for Sarnia made a great deal of sense to me. Now I would only wish for a short opportunity to reply to it. I do it in this sequence. I think he wound up by suggesting that before they decided to propose certain transfer payments, somebody should have determined where the money was coming from.

There is nothing very novel about that, because if the hon. member for Sarnia had been in that seat in the back row in the last session of the House I am sure he would have observed me rise in my place at an appropriate point in time and ask the same question of the hon. leader of the Opposition, who was proposing a transfer payment amounting to 80 per cent of the cost of education and outlining to the House that to do that would have involved something on the order, as I recall it, of \$330 to \$350 million.

And on that occasion, one year ago, it was all we heard about it. All we heard at that time was the simple premise of paying 80 per cent of the cost of education.

**An hon. member:** The NDP said five years.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** Just forget about polemics, let us get on with it. Mr. Speaker, would it be possible to have a little order here, sir?

**Mr. Speaker:** Order!

**Hon. Mr. MacNaughton:** I would like to—

Interjections by hon. members.

**Hon. Mr. MacNaughton:** Oh, no, Mr. Speaker, as a matter of fact, I am addressing my observations to the hon. member for Sarnia who asked for certain information. That is what I am doing. I address them through you, sir, with respect, and *Hansard* will record that what I am saying to you sir, and to this honourable House, is accurate.

And to repeat to the hon. member for Sarnia, we stated a deep process of research. But to accomplish this would cost, shall we say, \$330 million. And at that point we translated it in terms of taxation, and it is all in *Hansard*. I commend it to the reading of the

hon. member for Sarnia; I commend it to his careful consideration when he so glibly raises this matter of transfer payments and where the money is coming from.

**Mr. Bullbrook:** When is the Minister going to get around to answering the question?

**Hon. Mr. MacNaughton:** Oh, yes, but I also want to provide him, Mr. Speaker, with some food for thought. Just as he has attempted to give it to me.

**Mr. MacDonald:** I have merely sought a study of a report that has been sitting around for ten years.

**Hon. Mr. MacNaughton:** Now, if he will analyze the Budget, and I presume that he has given it some attention, he will find that in the budgetary process the total of the taxes represented by the bills standing on the order paper—one of which has been debated for the best part of two sessions and was concurred in just before 6 o'clock, the one that we are now debating and two more—but by all these means we are imposing taxes on the total order of \$105 million. \$105 million; I repeat that, Mr. Speaker, because I want it very definitely recorded in *Hansard*.

All of the tax measures that are proposed will result in revenues from those sources of \$105 million. But, Mr. Speaker, on the other hand, in terms of transfer payments, in terms of the two commitments that we made at the time of the publication or the submission of the Smith report, the cost based on 1968 estimates turns out to be something like \$191 million.

**Mr. MacDonald:** Did the Minister read the Plunkett report today?

**Hon. Mr. MacNaughton:** Mr. Speaker, I am not talking about the Plunkett report, I am talking to the hon. member for Sarnia; \$191 million is about the applicable figure for those two commitments alone in addition to that, I propose to you, sir, and I propose to the hon. member for Sarnia, and it is all of course in this document if he would read it. It is all in there, and in addition to that, you see, we are providing for an increase in grants to the education system of our province in excess of \$200 million. Now, we are doing—

Interjection by an hon. member.

**Hon. Mr. MacNaughton:** Yes, members opposite would like to vote, it is fine when they are listening to your hon. member for Sarnia, but when the leader of the Opposition

hears some facts he is not interested. All these things—and the hon. member for Sarnia wants to know where the money comes from.

**Mr. Bullbrook:** That was not my question.

**Hon. Mr. MacNaughton:** Oh, yes, it was.

**Mr. Bullbrook:** My question is why did the government promise it?

**Hon. Mr. MacNaughton:** Because we were going to do it. Because we did know where it was coming from.

**Mr. Speaker:** Order.

**Mr. Bullbrook:** Exactly, but this type of regressive taxation—

**Hon. Mr. MacNaughton:** No, no, Mr. Speaker, the point that I am leading up to is simply this: If we had only gone along with these two commitments, the two commitments—a basic shelter grant, and the assumption of the cost of the administration of justice—we would not have had to do this. But we are doing more. We are providing assistance in a major priority field, the field of education. This is the point that I am trying to make to the hon. member, and the hon. member for Riverdale—

**Mr. J. Renwick:** A point of order.

**Mr. Speaker:** Order, the member for Riverdale has a point of order, and he will state his point of order.

**Mr. J. Renwick:** Mr. Speaker, my point of order is that the Provincial Treasurer has just misled the House. The government did not make just two commitments, they made two further negative commitments. They seized upon the basic shelter exemption and taking over the administration of justice, and they also committed the government during the election to no increase in income tax or in sales tax.

**Mr. Speaker:** Order.

The member has stated his point of order!

**Hon. Mr. MacNaughton:** I will—just as quickly as I can, Mr. Speaker, but I just wanted to—

**Mr. J. L. Brown (Beaches-Woodbine):** Talk about the point at hand.

**Hon. Mr. MacNaughton:** I really did want to discuss this with the hon. member for Sarnia, because he made a lucid submission.

Now, I think that I have dealt with that point. Just another point, one or two points



more here, and then I am through, and then I hope that the House will see fit to concur in the motion.

Interjection by an hon. member.

**Hon. Mr. MacNaughton:** Oh, come on! There have been references made around here to the proposition of increasing the sales tax. It has been suggested that we could have moved to the sales tax.

Somebody has suggested that we did not have to rely solely on the tax fields we chose to rely on. All right—will hon. members buy that? All right, that left the sales tax as one. Let us establish that we have no quarrel with our position on sales tax. No quarrel with that. Okay, tax reform. That gets me back to the point that I really want to talk about, and this gets me back to where sales tax is very important in terms of tax reform, and I suggest that again to the hon. member for Sarnia. The sales tax base must be thoroughly reviewed and dealt with before we tinker with increases in rates of the sales tax. Would he buy that?

Interjection by an hon. member.

**Hon. Mr. MacNaughton:** All right.

**Mr. Speaker:** It would be much better if the Minister and the member could carry on their dialogue through the chair which is the normal procedure.

**Hon. Mr. MacNaughton:** Forgive me, Mr. Speaker, I apologize to you, sir.

**Mr. Bullbrook:** I think that I am playing Boswell to your Johnson tonight.

**Hon. Mr. MacNaughton:** If the hon. member for Sarnia wants to get up and engage himself in this type of debate, I would suggest to him that I am always ready and willing, but I do wish to make one more observation, and this is associated with my earlier comment about the need for tax reform. Again, it is associated with the very narrow residential or farm property tax base at the municipal level. All these things are very important in the comments of Mr. Smith and his committee, and so I simply ask you, sir, and I ask the House again whether or not it is appropriate to take time to really evaluate this study in its entirety—this whole report took four years to complete—whether you do as the Opposition suggest and just jump in blindly. For the immediate time being I only say this one more thing to him—and it almost has the attributes of a debate

on the Budget—but I do say this, that using these tax sources, using these revenue sources to produce \$105 million, we have been able to increase our expenditures programmes by some \$459 million, deal with very sensible priorities, use our credit reasonably and minimally and use some liquid reserves to good advantage.

I say, in this interim Budget, sir, between the submission of the report, its proper evaluation, the submission of briefs, the hearing of people and something on the line of tax reform that is going to come, I suggest to you, sir, I do not know what better could have been done and neither do hon. members.

Interjections by hon. members.

**Mr. Speaker:** Order! The motion before the House is for second reading of Bill 38. Is it the pleasure of the House that motion carry? In my opinion, the "ayes" have it.

Call in the members.

The House divided on the motion; which was carried by the following vote:

AYES	NAYS
Allan	Braithwaite
Apps	Brown
Bales	Bukator
Belanger	Bullbrook
Bernier	Burr
Boyer	Davison
Brunelle	Deans
Carruthers	Edighoffer
Carton	Farquhar
Connell	Ferrier
Demers	Gaunt
Downer	Gisborn
Dymond	Good
Evans	Haggerty
Gilbertson	Innes
Gomme	Jackson
Grossman	Knight
Guindon	Lawlor
Hamilton	MacDonald
Haskett	MacKenzie
Henderson	Martel
Hodgson	Newman
(Victoria-Haliburton)	(Windsor-Walkerville)
Hodgson	Nixon
(York North)	Paterson
Jessiman	Peacock
Johnston	Pitman
(Parry Sound)	Reid
Johnston	(Rainy River)
(St. Catharines)	Reid
Johnston	(Scarborough East)
(Carleton)	Renwick
Kennedy	(Riverdale)

## AYES

Kerr  
Lawrence  
(Carleton East)  
MacNaughton  
Meen  
Morin  
Morningstar  
Morrow  
McKeough  
Olde  
Potter  
Price  
Randall  
Reilly  
Reuter  
Robarts  
Rollins  
Root  
Rowe  
Simonet  
Snow  
Stewart  
Villeneuve  
Welch  
Wells  
White  
Whitney  
Winkler  
Wishart  
Yakubski  
Yaremko—58.

## NAYS

Renwick (Mrs.)  
(Scarborough Centre)  
Ruston  
Shulman  
Singer  
Smith  
(Nipissing)  
Sopha  
Spence  
Stokes  
Trotter  
Worton—39.

Clerk of the House: Mr. Speaker, the "ayes" are 58; the "nays" 39.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

## THE TOBACCO TAX ACT, 1965

Hon. Mr. MacNaughton moves second reading of Bill 39, An Act to amend The Tobacco Tax Act, 1965.

Mr. J. P. Spence (Kent): Mr. Speaker, I would like to say a few words on this bill. I might say, Mr. Speaker, I hope I do not repeat the debate that we heard this evening in this Legislature, in regards to increase in taxation, but under this bill I would like to say a few words.

Mr. Yakubski: The member has said that already.

Mr. Spence: I might say, Mr. Speaker, this bill increases the taxes on tobacco. It seems that every time that this government increases

taxes, tobacco is one of the commodities that bears an increase.

I believe in 1966, when taxes were increased, the tobacco tax was increased. Of course, in 1967 the announcement was that there were no new taxes, but again this year this bill increases taxation on tobacco, the revenue from which, I understand, will be \$36 million.

The tobacco industry is a very important industry in the province of Ontario. A large number of people derive their livelihood or employment from the harvesting, the growing and the manufacturing of tobacco. And today, with this increased taxation, with this bill, it has reached the saturation point. It has gone overboard in taxing tobacco.

There are a lot of people who get enjoyment out of using tobacco and, I might say, Mr. Speaker, the majority of those people are little people. I think there is a fairer way of collecting more taxes, by other methods.

Before the election of October 7, 1967, I was sitting in my living room watching television and, Mr. Speaker, the hon. Provincial Treasurer came on. I listened with great interest. He was discussing the basic tax exemption on property and, after he was through, I said, "after this next election, there will be no increase in taxation." But, however, we have. I listened, Mr. Speaker, to the hon. Provincial Treasurer discuss this basic tax exemption on television. Mr. Speaker, I would not say it if I did not see it—maybe I have got a vision, I do not know—but I could say I know I listened to him announce that over television in my own home.

Mr. Speaker, we have reached the saturation point. I think this increased tax falls more on the little man than on the big man. I think there are other ways and other methods of collecting taxes than going overboard in taxing this commodity.

Mr. D. Jackson (Timiskaming): Mr. Speaker, I rise to oppose this bill and I realize that, by doing so, I contradict some of the things that my colleagues have said, in their opposition to tobacco as such. However, I must point out, Mr. Speaker, that this government has been reluctant to take a stand on tobacco as we have, as a health hazard, and realizing that they have felt that it is a health hazard and still are reluctant to take that stand and are using it to gouge the person that does use it, even though it is a health hazard.

Mr. White: The member cannot have it both ways.

**Mr. Jackson:** Once again this tax is affecting the person on the bottom income level, the person that must use a higher percentage of his daily income to buy that one package of cigarettes or that one cigar, but I would like to point out that this is not only an unfair tax, but that it is a redundant tax.

They have already taxed cigarettes by increasing the cost of transport—by increasing the cost of the fuel that operates that transport. By doing so they have double-taxed tobacco. I must say that I oppose the use of tobacco, because I do not smoke and I think anyone who does is a little silly, but it is still a personal matter and I must oppose the bill on general principles, because I think it is an unfair taxation.

Motion agreed to; second reading of the bill.

#### THE RACE TRACKS TAX ACT

**Hon. Mr. MacNaughton** moves second reading of Bill 40, An Act to amend The Race Tracks Tax Act.

**Mr. Shulman:** Mr. Speaker, I tend to agree with the government for once.

**Hon. J. P. Robarts** (Prime Minister): That is a nice beginning.

**Mr. Shulman:** To a point.

We all realize that extra funds must be raised this year. We have suggested ways that these monies could be raised, but the government, in its wisdom, has decided it does not wish to use these other methods. But of the various methods it has chosen to raise money, actually a tax on this particular sport is a most reasonable one. The government rate of tax on horse racing has not been unreasonably high and I would be delighted to support this 1 per cent raise if that money was going into the Treasury to be used for general corporate purposes, or to be used to help prevent a higher rise in OMSIP, or to be used for any specific purpose that would help the Treasury of this province and would prevent the necessity for other taxes being instituted. But this is not what is being done with the money, unfortunately. This money is going to be used, largely, to distribute to the wealthy of this province who happen to enjoy the sport of raising and racing horses.

For some two years we have been trying—we of the NDP—to get a list of the people to whom money is distributed.

**Mr. White:** This is out of order.

**Mr. Shulman:** It is in direct application to this bill, Mr. Speaker.

**Mr. Speaker:** Well, perhaps the member could advise the Speaker where in the bill there is anything with respect to the application of money other than the raising of it. If he can then I would rule he is in order. If he cannot, he is not in order.

**Mr. Shulman:** Mr. Speaker, the hon. Provincial Treasurer has stated publicly that the funds that are to be raised by this bill—

**Mr. Speaker:** The member is not answering the question put to him by the Speaker. We are debating at the moment a taxing bill which is before the House in printed form. If the member can show me in that bill where the matter he is now trying to raise is set forth, then certainly he is in order, but I did not see it when I checked the bill.

**Mr. Shulman:** Sir, may I then explain to you that although it is not in the printed form, the Provincial Treasurer has stated that these funds are to be used for this specific purpose and it is certainly applicable to this debate.

**Mr. Speaker:** It would be my opinion—and I would so rule if necessary, and I presume it will not be necessary—that the matter such as the member is raising would fall in the estimates of this department, in my opinion, where the information he is either going to ask for now or would supply now, would be used in questioning the use of the money which is raised by this tax bill. Therefore, I would certainly rule that the member's remarks with respect to the matters he just now touched on are out of order.

**Mr. Shulman:** Sir, with the greatest of regret I must appeal your ruling.

**Mr. Sopha:** What do we do now?

Interjections by hon. members.

**Mr. Speaker:** Call in the members.

**Mr. MacDonald:** Mr. Speaker, on a point of order, I draw your attention to the fact that the motion before the House for which the bell has rung has never been put.

**Mr. Speaker:** The motion for which the bell was rung is now to be put before it is voted on.

**Mr. MacDonald:** Right!

**Mr. Speaker:** The debate on second reading of Bill 40, An Act to amend The Race



Tracks Tax Act was begun by the member for High Park, who endeavoured to introduce into his discussion on the principle of the bill, which is the basis of debate on second reading, the purpose and use of the money to be raised by the taxing Act. I ruled that this was a matter for discussion in estimates and not a matter of principle with respect to the taxing clauses in the bill. This ruling of the Speaker was appealed by the member for High Park and it will now be put to the House.

The House divided on the Speaker's ruling, which was sustained on the following vote:

AYES	NAYS
Allan	Braithwaite
Apps	Brown
Bales	Bukator
Belanger	Bullbrook
Bernier	Burr
Boyer	Davison
Brunelle	Deans
Carruthers	De Monte
Carton	Edighoffer
Connell	Farquhar
Demers	Ferrier
Downer	Gaunt
Dymond	Innes
Evans	Jackson
Gilbertson	Knight
Gomme	Lawlor
Grossman	MacDonald
Guindon	MacKenzie
Hamilton	Martel
Haskett	Newman
Henderson	(Windsor-Walkerville)
Hodgson	Nixon
(Victoria-Haliburton)	Paterson
Hodgson	Peacock
(York North)	Pitman
Jessiman	Reid
Johnston	(Rainy River)
(Parry Sound)	Reid
Johnston	(Scarborough East)
(St. Catharines)	Renwick
Johnston	(Riverdale)
(Carleton)	Renwick (Mrs.)
Kennedy	(Scarborough Centre)
Kerr	Shulman
Lawrence	Singer
(Carleton East)	Smith
MacNaughton	(Nipissing)
Meen	Sopha
Morin	Spence
Morningstar	Stokes
McKeough	Trotter
Olde	Worton-36.
Potter	
Prioe	

## AYES

Randall  
Reilly  
Reuter  
Roberts  
Rollins  
Root  
Rowe  
Simonett  
Snow  
Stewart  
Villeneuve  
Wells  
White  
Whitney  
Winkler  
Wishart  
Yakabuski  
Yaremko-56.

## NAYS

Clerk of the House: Mr. Speaker, the "ayes" are 56, the "nays" 36.

Mr. Speaker: I declare the ruling of the Speaker upheld. The debate will now proceed.

Mr. Shulman: Mr. Speaker, as I was saying, and I hope I will be permitted to observe, I did say that with much regret I appealed your ruling, and I do regret it very much, but I must point out I think it is very important that the rules should be maintained at an even level, sir, at all times.

And earlier this evening, as you have pointed out, there was a great deal of latitude allowed.

Mr. Speaker: Order, please. I would point out to the member that the debate is on the principle of this bill and not on what has occurred earlier this evening, because the rules of this House are very firm—and the rules of all Houses such as this—that matters which have been decided by this House are not subject to further debate. So that the member will now carry on with his debate on the principle of the bill now before the House.

Mr. Shulman: Thank you, Mr. Speaker.

I think I can sum up very briefly then, in one sentence, the money that is going to be raised by this particular bill is being raised—

Interjections by hon. members.

Mr. Shulman: I assure hon. members that next time we will be over there

Mr. Speaker: Order!

An hon. member: The people would not allow it.

**Mr. Shulman:** Mr. Speaker, to continue, on behalf of my party—

**An hon. member:** Trudeau will finish it.

**Mr. Shulman:** —let me say that I am sure we would be delighted to support the principle of this bill if the Provincial Treasurer in his summation before the vote is taken will assure us that the money to be raised by this bill will be retained in the Treasury and not given out to his friends.

**Mr. Speaker:** Order! I would almost feel that the member has been in contempt of the Chair, because I drew very carefully to his attention—and the member for York South can relax—I drew carefully to his attention that things which were decided, and the rules of the House are plain, are decided. And the member got along very well until he came to the last phrase of his statement, which was exactly what the House had just voted on, and was not in order. The Speaker had ruled it out of order.

However, I will leave the matter at that because the member has ceased. But I would draw to his attention and to the attention of the other members of the House that in order to have progress and decorum we have to observe the rules of the House and the decisions of the House. And that was a decision that is not more than five minutes old.

The member for Sudbury.

**Mr. Sopha:** Mr. Speaker, I am authorized by the leader of our party, the official Opposition, to say that we support this bill. The only regret that we have is that the increase in tax is not great enough, and in our view the increase ought to be 9 per cent.

I looked back to the debates of 1960, which was the first year that I was in the House, and I see during that year Mr. Ross Whicher, the former member for Bruce—

**An hon. member:** Good member!

**Mr. Sopha:** Yes, indeed. A very able and fine individual he was. He occupied the position of Budget critic for this party at one time.

**Hon. M. B. Dymond (Minister of Health):** Great Tory!

**Mr. Sopha:** The Minister will see how much of a Tory he is, because I understand that he announced today that he is running in the riding of Grey-Bruce.

**Hon. Mr. Roberts:** Who for?

**Mr. Sopha:** As the Trudeau candidate.

**Hon. Mr. Grossman:** As a Trudeau candidate?

**Mr. Sopha:** Yes.

**Hon. Mr. Grossman:** What a switch around that it. He would rather switch than fight.

**An hon. member:** That is not quite on the principle of the bill is it?

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Sopha:** You see, Mr. Speaker, how easy it is to get away from the principle of the bill, as the result of—

**Mr. Speaker:** As the result of remarks made by the member, so perhaps—

**Mr. V. M. Singer (Downsview):** Oh, no, it was the result of the remark made by the Premier.

**Mr. Speaker:** The member for Sudbury, if my hearing was right, referred to the former member for Bruce, and that of course had nothing to do with the principle of the bill, I presume, and that started the—

**Mr. Singer:** Yes, it did. He was quoting from *Hansard*.

**Mr. Sopha:** Yes, well we will get back to the principle of the bill.

**Mr. Speaker:** That will be fine.

**Mr. Sopha:** And I was reminding the House that eight years ago, on the last day of March, 1960, that Mr. Whicher, stating the position of this party, advocated that the tax on the pari-mutuel handle be increased to 9 per cent. At that time he pointed out, as has been pointed out every year since—I have pointed it out probably; if I looked in 1961 I would find that is where I began to make some remarks in respect of this area of amusement, that in all the major jurisdictions of horse racing in North America, the tax of the state is 9 per cent.

That is so in New York and Florida, which have the largest handle. And it is true in California—no, it is not entirely true, because I observe that Mr. Whicher pointed out at that time the tax in New York is 10 per cent and the share of the operators of the tax is 5 per cent. In other words, the state of New York takes two dollars for every one that the operators of the tracks take, and there is no valid reason that has ever been advanced

in this Legislature to show that similar imposition should not be levied in Ontario.

Now here is the way that we see this, that this is totally a recreational activity, enjoyed in terms of numbers. The greater majority of the people of Ontario have access to the race tracks because they live in the Golden Horseshoe, but certainly on a geographic basis it is of little interest to people who live in the far flung reaches of Ontario. That is why, during the estimates of The Department of the Provincial Treasurer, it will be very germane to get at these things that you have ruled out of the discussion this evening, because there is another side to this picture.

I said no one points a gun at the Treasurer's head and compels him to be Provincial Treasurer. Well, certainly that is true in a much more effective sense of people going to race tracks than it is to people smoking cigarettes. And I daresay, though it is one of the things that cannot be proved in respect of that recreation, but there may be a good deal of validity to the speculation that on many occasions the light bill or the milkman's bill, or other obligations toward home and family are left unanswered, so to speak, because of attendance at the track.

I have that feeling and, of course, one encounters from experience tales of woe that give substantiation to it. The Minister of Social and Family Services (Mr. Yaremko), today referred to the encounter with the compulsive gambler who has his wife out to work. Now presumably anyone who fits that category is doing some of his gambling at the track—at the two dollar window.

So really there is a moral basis upon which the state, the government, society, approaches the mutual handle with the assurance that the public Treasury is going to have to replace the lack of income caused from indulgence in this sport. From another point of view, everything else in the province is taxed. The very last recreation that was available to the citizenry, I think, was taking the fishing pole and going out—I am not going to dwell upon this—and putting the line in the water. And now the Provincial Treasurer is with you when you do that. He is right alongside.

Mr. Nixon: The Minister of Lands and Forests (Mr. Brunelle) on the other side.

Mr. Sopha: Yes, on the other side.

Mr. MacDonald: Point of order! Point of order!

Mr. Sopha: It is perfectly just that the state should go into the cashiers' windows here, go

beyond the cashiers' windows and take a fair and equitable proportion. Now the other side of the picture is, of course, the careful lamentations that one hears from the operators of the tracks. They get the 9 per cent that the government should get, the people should get, and they are forever beating their breasts about the lack of income to support this sport.

You see, the whole thing is reversed in the big racing jurisdictions, sir, and we are one of the more important racing jurisdictions on the continent, perhaps not in terms of members. To give some figures of the ball park variety—the handle and thoroughbred racing is of the order of \$110 million a year. Add another, the Minister of Public Works could assist me here, another—

Hon. Mr. MacNaughton: About \$130 million or \$140 million.

Mr. Sopha: Another \$30 million or \$40 million—\$130 million or \$140 million, thank you.

That compares with New York, which is probably of the order of something like \$600 million to \$700 million, so probably something approaching a billion dollars a year and the state of New York is in the kitty for 9 per cent of that and the tracks take 5. From the point of view of principle of taxation, I have no compunction whatsoever to increasing our share. Had the member for High Park been ruled in order, perhaps it would have flowed from there—the reasons why it would have been perfectly valid for the Provincial Treasurer, instead of adding the pip, so to speak, to it, 1 percentage point, to go in for a couple more.

If we had any merit to our argument in 1960 the then Provincial Treasurer, the member for Haldimand-Norfolk (Mr. Allan), did not put up much of an argument. There is greater weight of our argument now. Now, just to give you an illustration that we do not really stand around here and exude quantities of ozone and carbon dioxide, without accomplishing anything, notwithstanding the pain and suffering that members have to endure in listening to us, let me give you an illustration of accomplishment.

For years we pleaded with the former Provincial Treasurer to increase the daily charge that the commission makes to the race track operators—in addition to this there is a daily charge and the former charge, I think, was something like \$100 a day. We pleaded over here, we said, "Look, this com-



mission ought to be paid by the people whom it is engaged to police, that is, the race track operators". And finally our pleas fell on fertile ears and he increased it to \$200. So we managed a 100 per cent increase and so it is with this. We wanted 50 per cent increase in the tax. We got 16 per cent but we did not intend to indulge in a national give-away either. We did not intend to be Santa Claus at one and the same time, which the Provincial Treasurer has turned out to be. Well, more of that later, and I for one conclude that much meritorious argument can be made on that aspect of the thing. It is very difficult, you see, to talk about one's reasons, Mr. Speaker, when being proscribed from painting the total picture.

Let me put it this way, in conclusion. I remember reading an article some years ago—if you talk about this as a secondary industry—I well recall reading an article written by someone who knew the sport in the village of Fort Erie, where one of the major tracks is located. It is supposed to attract people from Buffalo, across the river and Buffalo is the population centre of a million or more I suppose, a big urban metropolis. They spend 42 days down there every summer—half of July and all of August in Fort Erie. I remember reading that when they leave Fort Erie, come Labour Day, to a large extent, they bleed that community white; that horse racing has a tremendous impact in that community and a good many of the very few inhabitants—it is a relatively small place, my friend from Niagara Falls would be able to tell how many—are attracted to the track and many suffer economic effects as a result of their presence there. Now, maybe on the other hand, it creates a lot of employment around Fort Erie; but the way I have always looked at it, though I am one of those who has enjoyed the sport, I am quite prepared to say that as a field of recreation, enjoying the monopoly position that it does in this province—no competition—I put it in terms of committee ownership of the only crap game in town, which perhaps is too vernacular a phrase, but that is what it amounts to. And if you cannot make money when you have a complete monopoly, it is certainly poor management.

I am willing to take this position and I separate entirely the standardbred racing from thoroughbred. None of my remarks—and this may apply to the standardbred which has come along in the province with a tremendous burst of vigour and creation of interest in that sport. I suppose there is

quite a decline in the interest in thoroughbred racing.

Well, I do not look for any mitigation of the interest in standardbred racing. I think it will increase over the years. There just seems to be something about it that not only invites participation from a larger number of horse owners and breeders and drivers, and soon more fans. As opposed to the thoroughbred decline, that, as far as I am concerned, is a spectator recreation. If these people cannot make a go of the thoroughbred end of it then they should close it up—stop the thing entirely. It really serves no socially useful purpose to racehorses. In this day and age, there are many other forms of recreation that perhaps are more salubrious and salutary than this one. So I am not one of those that beat their breasts about the decline in interest in the thoroughbred aspect of it. All the tracks—all the tracks, wherever they are located, can be employed for standardbred racing.

Now I say to my friend from Victoria-Haliburton (Mr. R. G. Hodgson) that he well knows—he would support me in this—that in the early days of the season at Greenwood, which I opened some time in January or the end of January—yes, in January of this year—when the standardbreds were there at Greenwood, the handle was of the order of \$500,000 a night, and on Fridays and Saturdays, it would approach something in the order of \$800,000 or \$900,000 a night. But a couple of weeks ago the thoroughbreds opened at Greenwood, which is a very handy track and we have had some very nice days, and one observed that consistently day after day, the handle is something like \$330,000 or \$350,000, moving up to three quarters of a million on Saturdays; and my friend from High Park—pardon me, for Saint David (Mr. Price) is very knowledgeable in this area also.

Well, what are you going to do, Mr. Speaker, if people do not want to go to race tracks? There is nothing that the government ought to do to stimulate them to do so. But when we are looking around for areas in which to raise revenues to pay for those promises that the Prime Minister made last October—and as far as I know, he does not go to race tracks at all except to the Queen's Plate to wear his clawhammer coat, and his pearl grey topper; and as far as I am concerned, as one who has studied this thing, it can disappear entirely. But morally, it is quite proper if you are going to tax liquor and cigarettes, then exactly the same principle can be applied to the race track handle

without deviation or distinction or difference. So, there was all the more reason this year—and really the major portion of this debate will have to be left in animated suspension until the estimates of the Provincial Treasurer arise, in order to bring the weight of argument and those matters to bear on it—there was ever so much reason that the Provincial Treasurer and the Prime Minister and the Treasury board should have had the courage of their convictions this year, and put the thing in and at 9 per cent, which is precisely where it should be.

It is interesting to note that, and I wish that I could remember how much we spent on education the first year that I was here; it was probably something of the order of \$300 million, and now we are spending something approaching \$1,200 million. In this field of taxation there has not been anything like that kind of increase consistent with the emphasis on social progress in such a specific field as education.

In 1959, the member for Haldimand-Norfolk reported that \$5.3 million had been raised through race tracks. In 1967, the taxation year ending, \$14.5 million had come into the Treasury. Well, that is not a very dramatic growth, and not at all consistent. Merely to state it is to show the inconsistency with the emphasis on social progress that is on one end of the scale and the reluctance of the Treasury board to look to the proper areas to pay for it at the other end—coupled, of course, with a chiseling little tax like the fishing licences—well, we are talking in the realm of peanuts. So, we are precluded, of course, by constitutional custom from moving any amendment to increase taxation, we can only move to reduce it, we cannot move to increase it; but had we that power, I would have no doubt that we would at the appropriate time offer an amendment to raise this tax to 9 per cent, and this our position.

**Mr. MacDonald:** Mr. Speaker, I would like to state the position of the New Democratic Party.

**Mr. Speaker:** Order, the member for Niagara Falls had yielded to the member for Sudbury; if he wishes to speak, perhaps he yields to—

**Mr. MacDonald:** Mr. Speaker, I will not be long, I just want to make our position very clear, I was interested in reading in some of the trade magazines of the racing industry, the fact that some months ago an advertising firm by the name of Vickers and Benson hired a sociologist by the name of Martin Goldfard

to look into the problems of the racing industry. This man is very critical of the jockey club. Extremely critical. In spite of being critical, the jockey club has switched their advertising account to Vickers and Benson. So apparently they think that his criticism has some validity. And his comment in speaking recently to the national association of race tracks—

**Hon. Mr. MacNaughton:** I do not think that the jockey club is in the debate here at the moment.

**Mr. MacDonald:** We are talking about raising money at the race tracks. The Minister sits and listens to meanderings delightful and pleasant, Mr. Speaker, but you want to chop off something that is getting to the point—

**Mr. Speaker:** Order, order!

**Hon. Mr. MacNaughton:** But I think the references to the jockey club are out of order.

**Mr. MacDonald:** Mr. Speaker, we have wandered so far afield tonight that any ruling to try to bring us back to within reaching distance is very close to closure, and we have had it once or twice tonight. Right?

**Mr. Speaker:** Perhaps the member could clarify this matter very easily by just indicating how the remarks that he is now making fit into the principle of the bill, and I am quite sure that the House will be glad to hear it.

**Mr. MacDonald:** I was about to give the quotation which would persuade even the Provincial Treasurer. The quotation from Mr. Goldfarb is that "tax relief is not a solution to the problems facing the race track". It is for that reason that I would agree with the basic argument that has been advanced because we have been advancing it for many years on the question of increasing the tax on racing.

**Hon. Mr. MacNaughton:** On a point of order, there is no relief for the race tracks provided in this bill.

**Mr. MacDonald:** If you want to play your games, go ahead and play your games.

**Hon. Mr. MacNaughton:** Mr. Speaker, I am not playing games, I am trying to deal with this bill.

**Mr. MacDonald:** You are playing games, right.



**Mr. Speaker:** Order, the debate has ranged fairly far and wide, and it is quite apparent that any attempts that were made to curb it were not received by the House in general, nor with any amount of pleasure, and therefore as far as I am concerned, I would say that, provided the member for York South does keep within speaking range of the bill, I will not rule his remarks out of order, but I would ask him to bring them into relationship with the taxing bill that is now before us.

**Mr. MacDonald:** The bill before this House is to raise taxes on betting. We have for years indicated that we are in favour of that, but we are opposing this bill. We are opposing this bill because money is mis-raised, if it is going to be misspent, and in our view, it is being misspent.

Now, Mr. Speaker, if you want to chop me off in that, go ahead and chop me off.

**Mr. Speaker:** There should not be any necessity for the member for York South to challenge the Speaker with respect to that because the member knows the rules of the House even better than the Speaker. He has been here for a number of years, and he knows what the rules are, and what the House just voted on and I would ask that he follows those rules which—

**Mr. MacDonald:** That is right, and I rose to make the position of this party clear. There is something strange about the rules of the House if one cannot make the position of a party clear. The position of the party is that money is mis-raised if it is going to be misspent. This is not money that is free to the Provincial Treasury. This is earmarked money, and that is the reason why we are opposed to it.

**Mr. Nixon:** That is different from the position taken by the hon. member for High Park.

**Mr. MacDonald:** It is not, it is precisely the point—

**Mr. Speaker:** The member for Niagara Falls.

Interjections by hon. members.

**Mr. Speaker:** Order.

**Mr. C. Bukator (Niagara Falls):** Mr. Speaker, I wanted to speak to Bill 41, not Bill 40. I made an error.

**Mr. Speaker:** You are not participating in the debate?

**Mr. Bukator:** No, I am not.

**Mr. Speaker:** I would apologize to the Provincial Treasurer, but the member has been up three times on his feet.

**Mr. Nixon:** Mr. Speaker, I have a few remarks to make and this is the last of the tax bills that we have had presented to us in the last two days. Our position with respect to Bill 40 has been well put by the member for Sudbury. But there is something that came from the Provincial Treasurer, after I had spoken on the last bill, that I feel, with your permission, sir, would be in order for a few moments right now. It has to do with the Provincial Treasurer and the administration's attitude toward tax reform. Because all of these bills are based on the old base entirely, without any of the reform that has been suggested by the Smith report or the Carter report, the reform to which the Provincial Treasurer himself says he is so dedicated.

His reasons for not bringing forward these reforms have been put to the House. Whether we accept them or not, we have the bills that are before us which simply change the amount of taxation based on the old line tax attitudes and decisions that have come down to us over 25 years of Conservative administration. But he did say two or three things that I feel should be clarified before we leave this particular bill.

**Mr. MacDonald:** It is out of order.

**Mr. Nixon:** I am following, Mr. Speaker, precisely on what the Provincial Treasurer was referring to a few moments ago.

**Mr. MacDonald:** But it is out of order.

**Mr. Nixon:** And I would say this particular bill is specifically like the last three we have dealt with, in that it does not accomplish the reform of the system that has been put before the House by the Carter committee and the Smith committee report.

**Mr. MacDonald:** I rise on a point of order.

**Mr. Speaker:** State your point of order.

**Mr. MacDonald:** Mr. Speaker, your orders and your rulings in this House will be respected when they are worthy of respect and I submit to you—

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Do not get so high and mighty.

**Mr. MacDonald:** Have I got the floor, Mr. Speaker?

Interjections by hon. members.



**Mr. MacDonald:** Just a minute, Mr. Speaker.

**Mr. Speaker:** Order! The member has the floor of the House and—

**Mr. MacDonald:** Right, Mr. Speaker, your rulings will be respected when they are worthy of respect, but every time the line is drawn, it is against somebody in the Opposition and, with very great frequency, somebody in this group.

**Hon. Mr. McKeough:** Oh, nonsense!

**Mr. MacDonald:** Now, Mr. Speaker, I am rising on a point of order. If we are going to debate strictly the principles on second reading of a bill, do not let everybody wander all over the lot and think that, at will, when it suits your will, or the pressure from somebody on that side of the House, you can come back to the rules. The rules are made to be lived up to regularly, and not with the flexibility which is in the control of that side of the House, or even you, Mr. Speaker.

**Mr. Nixon:** Mr. Speaker, if I might speak to the point of order, if you will permit me, the view that I am putting for your consideration and the consideration of the House deals with Bill 40. It is a principle that is found in the other three bills as well. But this does not mean that it is excluded from Bill 40, and for that reason I would submit to you that my remarks will be in order.

**Hon. Mr. Robarts:** Mr. Speaker, I would like to speak to the point of order very briefly and refute the remarks made by the member for York South, that there is any partisanship in the rulings which you have made in this House.

I have watched these rulings with some care in anticipation of a charge like this being made and I think if we check the record it will be found that this side of the House has been ruled out of order equally as often as has the other side of the House, and we accept the ruling.

**Mr. R. Gisborn (Hamilton East):** The Prime Minister has not been in the House very often.

**Hon. Mr. Robarts:** Now, then.

**An hon. member:** He was not here for the vote this afternoon.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Robarts:** Mr. Speaker, the question of my attendance in the House perhaps

could be left for discussion at another time. I can assure members I am never far away from here and I am very seldom unaware—

**Mr. Nixon:** The Prime Minister missed the last vote.

**Hon. Mr. Robarts:** —of what is going on in the House. But in any event, I make my point and I think any examination of the record will prove it to be correct. The other remark I would make about points of order is that in most cases, these and the straying from the purpose of a bill really is not dealt with until some member of the House decides that the variation is great enough to make a remark about it.

But I do not think we put it in the hands of the Speaker to rule, in the practice of this House, and very often in order to have a meaningful debate, from my side of the House in any event and as leader of this party I am quite content, even though I may be aware that the rules of the House are being stretched to allow this to happen, so that we may get at the points of view and facts that may be relevant. I do not think you can mix up the areas under which matters are debated.

For instance, to say that any tax is allocated—I think every member of this House knows that under the system under which we operate, all revenues go into the general revenue fund. There are no allocated taxes of any kind, sort, shape or form in this province. All the revenues raised by the government go into the general revenue fund and then are voted out of that fund.

This is the whole point. You cannot mix these two things up. The taxes are raised and put into a fund and through another process entirely, that is, the process of budgeting and estimates, the money is moved out of the general revenue fund for whatever purpose the government may put forward in the Budget.

So I make these comments simply to ensure that we do not get ourselves so tied up in partisanship procedure that we destroy the functioning of the House. There are no rules that can be laid down and followed so exactly to deal in a reasonable way with the various issues that come before us and apply in every instance without, in my opinion, crippling the flexibility of the House.

I think the hon. leader of the Opposition probably is out of order in one interpretation, but I would be prepared to accept his position that he is simply continuing a debate that has taken place on the three previous

bills. I just ask for forbearance as we apply the rules in the House, always bearing in mind that the rules are designed to provide the fullest, but nonetheless most orderly debate if we are ever to accomplish the purposes for which we are here.

**Mr. MacDonald:** Mr. Speaker, the Prime Minister, in dealing with this very important point of order—and it is extremely important if the business of this House is going to proceed through this session—in my view, has expressed a view which is unworkable. The proposition that members can wander from the debate at will until some member gets up and draws it to the attention of the Speaker, I suggest is an unworkable proposition.

**Mr. S. Apps** (Kingston and the Islands): He did not say that.

**Mr. MacDonald:** He did say that. He stated, Mr. Speaker—

**An hon. member:** He did not.

**Mr. MacDonald:** The record is there, and I listened to it very clearly. It is the job of the Speaker to indicate when somebody has strayed too far from being in order. It is not the job of somebody in the House to remind the Speaker that it is being done. That, I submit, Mr. Speaker, is a false interpretation of the rules of the House. It is the Speaker's responsibility to decide when members are straying from the rules of the House, and if he varies the flexibility with which he interprets straying from "being in order," then his variations are wide open to the interpretation of partisanship.

Now the Prime Minister may be affronted, when I suggest—

**Mr. Speaker:** Order, order! Now I would like to say several things in reply to the several remarks here this evening. One is that there are many new members in this House to whom the rules are not well known and the practices of this House are not familiar. There are many members, such as the member for York South, who have been here for a number of years and know the rules and know the practices and usages of the House.

And I would point out to all the members, including those who have just spoken to this point, something which I believe I had occasion to say earlier in this session, that there are the written rules of the House which are found in the little red book, by the former Clerk of the House, Mr. Alex Lewis. And there are the customs and usages of the

House which have grown up around these formal rules.

During the time which it has been my pleasure and honour and duty to be in this House I have found that the Speaker of the day—and I have sat under several Speakers—has used a rather wide latitude in interpreting the usages and customs so that there would be the widest possible area of debate within reason given to members of the House.

I have tried to follow in that tradition and if it has appeared that some of the rulings have been against, perhaps, one party in the House it might just be that that one party in the House is not following the rules and customs and usages of the House so far as Mr. Speaker can ascertain. I undertook, when I was elected to this position, to preserve the rights of all the members, including those very important ones that the member for Sudbury mentioned indulged in recently in the House. And it is my intention so to do to the best of my ability.

I can assure the member for York South that if I were to interpret the rules and apply the rules strictly in accordance with the rule book, I am sure he would be one of the first to complain. Because over the years he, like myself and other members, has been accustomed to a different interpretation of the customs as well as the rules of this House.

I will leave it at that for this evening so far as the point of order raised is concerned, and I would ask that the leader of the Opposition proceed with his remarks and keep himself within the spirit of the debate and the usages of this House as we understand them.

**Mr. Nixon:** I will endeavour to do that, Mr. Speaker. And I will also endeavour to be brief.

The Provincial Treasurer has said he is committed to tax reform and I can assure him that we on this side are as well. There have been five years during which the Smith committee has been deliberating, that the government has used the very deliberations as the excuse for standing pat in their tax situation. We have now had the report since last September and they are using the fact that they have not had time to assess the need for change and the recommendations, for standing pat still further.

While we are not prepared to accept that, we have the bills before us and we have dealt with them as we saw fit in the votes that have just gone by, but now the Provincial

Treasurer is looking into the future on a timetable for tax reform. He is receiving briefs from interested parties across the province.

Fine.

He then referred to a forum—I do not know what kind of a forum that is, but a forum of some sort—in which the briefs can be assessed. Now surely this Legislature is that forum or some committee of this Legislature, rather than another Royal commission, and I surely trust that he is not going to suggest anything that would take it outside the deliberations of this particular body.

We are heading for the most important federal-provincial fiscal conference, probably in the next 10 to 15 years, because the pattern that is struck in 1968 in the deliberations between the Premier and the Provincial Treasurer and their counterparts in the other provinces and the Prime Minister and Minister of Finance of Canada, is of outstanding importance. So surely no time must be lost in beginning the preliminary discussions which are going to be essential to real tax reform. I had hoped that a fall session might bring into enactment the provisions that the government is prepared to put before us as a result of the Smith committee and deliberations. They may feel that they want to wait until the federal-provincial conference has been completed and they know in fact where they stand with respect to the share of the so-called inaccessible tax sources that the Provincial Treasurer has been complaining about in his Budget and in the debates here tonight.

But I feel that in winding up this debate the Provincial Treasurer should make it abundantly clear what his timetable for tax reform actually is. He has indicated a few minutes ago that we are within three weeks of meeting these deadlines. But the deadlines are extremely important, much more important than simply receiving the scores of briefs that he referred to previously. We want to know about that forum that he was talking about, we want to know what provisions he is making to inaugurate discussions with the federal government for those crucial discussions and the crucial conference in the fall of 1968 and whether he intends to inaugurate the reform before this Legislature in the fall of 1968 or let it go for another year.

**Mr. Speaker:** Is there any other member wishing to speak before the Minister?

**Mr. H. Peacock (Windsor West):** I do not wish to speak to the motion, Mr. Speaker, I wish to make a point of order.

It is that at the suggestion of the Prime Minister, speaking to the previous point of order, it would not be possible for Mr. Speaker to rule on whether a member was in order or not until he had advanced his remarks. I suggest that the leader of the Opposition was not in order, Mr. Speaker, in speaking to the principle of Bill 40, An Act to amend The Race Tracks Tax Act.

**Hon. Mr. MacNaughton:** Well Mr. Speaker, if it is appropriate and fair, I would like to reply to the hon. leader of the Opposition.

**Hon. Mr. Roberts:** The Minister is out of order.

**Hon. Mr. MacNaughton:** The Prime Minister says I am out of order. If I am, then the hon. leader of the Opposition was out of order.

**Mr. Speaker:** That is quite correct and, you see, that has grown from the interpolation by the Provincial Treasurer in the debate and has grown out of that particular—

**Mr. Stokes:** You are in a dilemma of your own making.

**Mr. Speaker:** So as far as I am concerned, I will be quite agreeable to having the Minister speak to the principle of the bill, but I think that he should not compound the difficulty by expounding on the matters raised which do not have to do with the principle of the bill.

**Hon. Mr. MacNaughton:** Very well, Mr. Speaker. Then the only comment I would like to make with respect to the bill—and I do wish to say to you, sir, and the House—there is a small departure here and I would hope that every member of the Legislature would be much interested in it. This is the first time, I believe, that a bill of this specific character has ever been presented to the House. Prior to the situation that we are confronted with tonight, these matters could be dealt with by regulation. I must say, Mr. Speaker, when I learned that, I simply felt personally, and in light of the recommendations of Mr. McRuer that matters involving taxation should not be dealt with by regulation and that is why this bill is before the House.

That is all I have to say, Mr. Speaker, I have no further comment to make, but I simply want to draw that to the attention of the House.



**Mr. Speaker:** The motion before the House is a motion by the Provincial Treasurer for second reading of Bill 40, An Act to amend The Race Tracks Tax Act. Is it the pleasure of the House that the motion carry?

I declare the motion carried.

Interejections by hon. members.

**Mr. Speaker:** There were no "nays".

**Mr. MacDonald:** Mr. Speaker, it is "All those in favour"; and you called for "ayes".

**Mr. Speaker:** I am sorry, yes, the member is right.

All those opposed? In my opinion, the "ayes" have it.

Call in the members.

Interjections by hon. members.

**Mr. Speaker:** I would like the member for York South either to agree with me, because it is my recollection when I think about it that I had so placed the motion.

**Mr. MacDonald:** I think, Mr. Speaker, in this instance you are right, yes. I thought

when you called you were calling for the "ayes" and you did not call for the "nays"; and that is why—

**Mr. Speaker:** I was talked into it for the moment; but as I think about it I think I put the motion the other way.

Motion agreed to; second reading of the bill.

**Hon. Mr. Robarts:** Am I to assume, sir, that second reading of that bill was carried?

**Mr. Speaker:** It has been read the second time, sir, the motion was carried and the bill has been read the second time by the Clerk.

**Hon. Mr. Robarts:** Mr. Speaker, tomorrow we will continue with second readings on the order paper. Some of these bills will then move to committee of the whole. In other words, I would like to continue working on the order paper before we go back to the estimates.

**Hon. Mr. Robarts** moves adjournment of the House.

Motion agreed to.

The House adjourned at 11:30 o'clock, p.m.











ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Wednesday, April 10, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 10, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests, students from the following schools: in the west gallery, Dr. G. M. Williams secondary school, Aurora; and later this afternoon in the west gallery, Welland high and vocational school, Welland; in the east gallery, General Amherst high school, Amherstberg.

Petitions.

Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I beg leave to table the annual report of the Ontario highway transport board for the year ending December 31, 1967.

**Mr. Speaker:** Motions.

Introduction of bills.

## REDUCTION OF MUNICIPAL TAXES

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to provide for the reduction of municipal taxes on residential property.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** It is my privilege to introduce an Act to provide for reducing municipal taxes on residential property. The purpose of this Act is to implement a major recommendation of the Ontario committee on taxation: that the burden of municipal taxes on residential property be reduced by means of an innovation which the committee called a "basic shelter exemption."

This legislation will be good news for all those who pay taxes on residential property, and all those whose costs are affected by those taxes. It will do exactly what the title of the Act says. It will reduce the charge for municipal taxes on every one of the 2.5 million dwelling units that are "home" to the people of Ontario.

The committee on taxation concluded that property taxes were necessary but recommended that the provincial government take a new step to ease their burden, especially on the people who are least able to pay them. Specifically, its recommendation was a system that would "assist residential taxpayers and at the same time reduce the undesirable regressivity of the property tax."

The committee expressed deep concern with the feature of "regressivity"—that is, the fact that the residential property tax bears little relationship to a person's ability to pay, and therefore tends to place the harshest burden on those of lowest income in the humblest homes.

The committee noted that there had been many unsuccessful efforts to make the property tax less regressive. It examined several alternatives, including the methods that have been tried in other jurisdictions, as part of its search for the method that would do the most effective job. The conclusion of the committee was this:

We propose a flat exemption that would reduce the taxable assessment of every self-contained dwelling or a unit within an apartment house or other multiple-family structure.

The committee described some of the characteristics of its proposal in this way, making a comparison with the straight money grant that is made to home-owners in some other jurisdictions:

—basic shelter exemption reduces the regressiveness of the property tax by giving the same dollar amount of help to all who are subject to the same rate of tax within the one municipality. The similarity to the home-owner grant is obvious. The differences are equally striking.

Whereas the homeowner grant is a flat amount, regardless of the weight of local taxation, the basic shelter exemption would recognize the real differences in the tax burden from one taxing jurisdiction to another, and these would be reflected immediately and directly in the size of the tax reductions.

Changes in tax levels from one year to the next would result in similar immediate adjustments. Furthermore, the basic shelter exemption would apply to all residential properties whether owner- or tenant-occupied.

The committee recommended that the province should meet the taxes on the first \$2,000 of taxable assessment on each residence, with the assessment equalized from municipality to municipality in a way that related it to market values. That is the background. These were the basic recommendations on this subject that were placed before the government.

There was no question about our agreement in principle with the committee's concern about property taxes. The government's view was reiterated by the Provincial Treasurer (Mr. MacNaughton) in his Budget statement on March 12, when he said: "We continue to be impressed by the severe financial strait-jacket on local government with its implication of a rapidly rising property tax burden." In keeping with that continuing concern, Mr. Speaker, the province of Ontario has increased its payments to municipalities, steadily and substantially, over the years. The province, by means of these increasing payments, uses its broader base of tax revenues in order to ease the load on property taxpayers.

In considering the report of the committee on taxation, the government also agreed in principle, and without hesitation, with the idea of introducing a significant new element in the province's support of municipal taxpayers. This new idea is a practical method of reducing "the undesirable regressivity of the property tax." If I may put that idea positively: It introduces a technique that tends to bring about the graduating of property taxes according to ability to pay. This technique brings benefit to all residential property taxpayers; and it brings the greatest benefit proportionately to those who need it most.

The government therefore undertook to institute an appropriate form of realty tax reduction in 1968. This decision was followed by several months of study by officers of my department and Treasury board, to determine and work out the best way of putting these principles into practice. Our studies confirmed the wisdom of the Smith committee in rejecting the methods that are used by other jurisdictions to give relief from realty taxes. Many of these other methods look excellent at first glance, but on closer examination by my department they prove to have serious drawbacks for application in this province.

In British Columbia and Alberta, owner-occupants are allowed fixed grants which are deducted from their property tax bills. Municipalities in both jurisdictions apply to the provincial governments for payments of the full amounts of these grants. Owner-occupants in Saskatchewan are also allowed fixed grants on their property tax bills. They are paid directly by the provincial government upon application. None of these plans is based on graduation of taxes according to individual tax burdens.

In the United States, Indiana, Massachusetts, New Jersey, Maryland, Wisconsin and Oregon provide property tax concessions for the aged, subject to a means test. These means tests are geared to income and amount of property and are essentially a form of old age assistance, rather than general tax reductions for homeowners. In Michigan and Minnesota, graduated property tax credits are allowed against state income taxes, an administrative technique that is not applicable to Ontario. Still other states provide flat grants that very much weaken the relationship to the specific problems of the property tax.

In addition to seeing what others are doing, we studied alternative methods which were devised for Ontario's circumstances by specialists in municipal finance and by systems specialists. The purpose of all this research was to be sure that we would introduce a system that would contain these features:

That was related directly to the burden of property taxes:

That would extend its benefits in the greatest degree possible to each person who pays residential taxes and, beyond that, to the persons who bear the impact of these taxes for each dwelling;

That would make sense from an administrative point of view, being simple enough that it would not require a cumbersome bureaucracy to handle it, and would not require excessive costs;

That would have the greatest possible degree of reliability;

And that would not impose on individuals any needless red tape.

There is no need for me to go into detail on all the matters examined in the course of this study, but I think one in particular is worth noting. This is the question of whether the tax reduction should be made through the municipality, in relation to the assessment or taxes on each property; or whether it should be made in the form of a direct payment to each individual owner and in the case of rented properties, each tenant.

The committee on taxation recommended that the reduction be handled through municipalities, and be applied on specific properties. The committee objected to the principle of direct payments by government, and felt at any rate that this system would operate more effectively if it were done through municipalities. The committee recommended that the person who pays the taxes should get the direct benefit; in the case of tenants, there would be no direct payment.

There are three main reasons for a system of credits through municipalities, rather than by direct payments:

First, the most practical basis for the system is the municipal records that are maintained for the purpose of taxation on real property.

Second, our population is highly mobile. There is an annual turnover of 25 per cent in occupancy on the average, in homes in urban areas; and municipal taxation records are not designed to reflect current occupancy. It would take a comprehensive new system of yearly door-to-door enumeration to identify who should be entitled to direct payments, and where they are. Such a system in 1968 would cost at least \$5 million to establish, would almost double the total staff of my department, and would require several thousand part-time staff in addition.

Third, it should be remembered that the purpose of this programme is to ease the burden of the tax on residential property. Since the municipality collects the property taxes, it makes sense that a reduction on those same taxes should be applied through the municipality.

We have to face the realities that a system of direct payments to tenants will not work, not unless it is accompanied by a nightmare of bureaucracy and red tape; and that it departs from the central problem from which this legislation arises—the property tax.

These realities, however, do not alter the basic intent of easing the burden of the residential property tax on the persons who bear that burden. When the owner of a house lives in it, the person who pays the taxes and the person who bears them are one and the same. In the case of rented properties the situation is different—the landlord pays the taxes but it is the tenant who bears them. The taxes are one of the cost factors that determines the rent.

The committee on taxation felt that the pressures of the marketplace would ensure that tax benefits granted the landlord would accrue to the tenant. The government exam-

ined that theory with great care. We had to consider whether such a theory was adequate to serve the interests of some 800,000 families in this province who are tenants. We had to consider whether we could support a system that guaranteed owners a tax reduction but made no guarantee to our tenants. Our conclusion—with all respect to the theory—was that we were not prepared to rely on a probability, nor were we prepared to ask the tenants of Ontario to rely on a probability. Therefore, we devised a guarantee that tenants would benefit. This provision assures that every household in Ontario, whether owned or rented, will get the benefit of this property tax reduction.

With that background on a few of the factors involved, let me outline the highlights of the bill I have just introduced: section 2 of the bill states, and I quote:

Every local municipality shall allow a credit on municipal taxes equivalent to the amount that is produced by the application of the equalized mill rate to \$2,000 of the assessment of any residential property or equivalent to the total amount of the municipal taxes on such residential property, whichever is the lesser.

In other words, the bill provides for a tax credit that amounts to the taxes on the first \$2,000 of assessment at an equalized mill rate. The municipality will allow this tax credit on the tax bills of residential taxpayers. The municipality will be reimbursed by the province for the total amount of these credits.

To ensure that the benefit of the tax reduction accrues to the person bearing the tax burden—for rented households as well as owned households—the bill requires landlords to pass on to tenants the full amount of the tax credit. The system of tax credits authorized in the bill will become effective with 1968 realty taxes.

The concept of equalization is designed to assure fairness and equity from one municipality to another in the application of these tax credits, and to ensure that the amount of the tax credit with regard to any particular residential property reflects a uniform assessment and the level of taxation in the municipality. Equalization is achieved by the calculation of an "equalized mill rate."

It is essential to "equalize" the local mill rates because the local mill rates reflect the wide divergence in the relationship between real property assessment and market value in the different municipalities of Ontario. In many cases the assessment of the municipalities is about one-third of market value. The



concept of the "equalized mill rate" was devised to convert the local mill rates to what would have been the local mill rates if all property in the municipalities were assessed at market value. The tax credit will amount to between \$45 and \$65 for the vast majority of the residential properties in the province.

Referring to the principle of graduation which I mentioned earlier, it will be noted that the owner of a humble residence with a very low assessment may have to pay almost no taxes—the residence tax credit will cover most of the amount. On the other hand, the owner of a very large and expensive house, even though he gets the same dollar credit, will be paying a much larger percentage of his taxes himself. The tax credit system of this bill has the same effect as the exemption that the committee envisaged. Our studies found that the exemptions on assessment would not be possible in 1968; and in any event, the tax credit method is more practical.

In summary, Mr. Speaker, this bill will provide about \$150 million in 1968 in the form of tax credits to those who bear the taxes on residential property. The amount authorized for payment in this bill constitutes the most massive transfer of funds to municipal taxpayers, under a new programme in Ontario's history. The system embodies characteristics that are unique in the field of realty taxation in North America. The system will reduce the regressiveness of realty taxes on residential properties, will pass on direct benefits to tenants in residential properties and will recognize the differing burdens of realty taxes in the various municipalities of Ontario.

The result will be to reduce, by an average of about 15 per cent, the taxes on each individual residential property in the province, and for most properties, this will be between \$45 and \$65. In the case of rented properties, the full amount of such reductions will be passed on by the owner to the tenant. These residence tax credits will extend the policy long followed by this government, to draw on the broader tax sources of the province to give assistance to municipalities and to municipal taxpayers.

The adoption of this bill by the Legislature will bring the total amount of provincial payments made to municipalities, including the school board, to \$1.2 billion. The total of the municipal and education expenditures in 1968 is projected at \$2.5 billion. This bill increases the province's share of municipal

costs, including education, this fiscal year to nearly half—48 cents—of every dollar of local expenditure.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, I wonder if the hon. Minister will permit a question? How can he ensure that the credit will be passed on to tenants who have something less than a yearly tenancy, a monthly tenancy, unless he brings in rent control?

## THE PUBLIC HOSPITALS ACT

**Hon. Mr. B. Dymond (Minister of Health)** moves first reading of bill intituled, An Act to amend The Public Hospitals Act.

Motion agreed to: first reading of the bill.

**Hon. Mr. Dymond:** Mr. Speaker, the purpose of this amendment is to require by regulation that hospitals receiving provincial aid will make provision for all those who are in training to have the same necessities as are presently required in respect to medical students and dental students.

It is also to provide time limits within which the administrator of the hospital must notify the clerk of the municipality that there is an indigent patient in the hospital in respect of whom the municipality is liable for charges.

And further to alter the terminology in keeping with modern trends, changing the words "training school for nurses" to "school of nursing or training centre."

## THE PRIVATE HOSPITALS ACT

**Hon. Mr. Dymond** moves first reading of bill intituled, An Act to amend The Private Hospitals Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Dymond:** Mr. Speaker, this also is a piece of housekeeping legislation to give private hospitals the same right of recourse against the municipality to recover on behalf of a patient for whom the medical attendant has stated that skilled hospital care is no longer necessary.

## THE MEDICAL SERVICES INSURANCE ACT, 1965

**Hon. Mr. Dymond** moves first reading of bill intituled, An Act to amend The Medical Services Insurance Act, 1965.

Motion agreed to; first reading of the bill.

**Hon. Mr. Dymond:** Mr. Speaker, the purpose of this amendment is to extend the benefits provided under The Ontario Medical Services Insurance Act to include certain optometrical services.

**Mr. M. Shulman (High Park):** Mr. Speaker, would the hon. Minister give us some further details?

**Mr. Speaker:** The Minister has stated that this is not the time for him to answer questions.

The Minister of Reform Institutions has the floor.

**Hon. A. Grossman (Minister of Reform Institutions):** Mr. Speaker, on April 2, 1968, in answer to a question from the hon. member for High Park, question number 248, regarding the length of time two named inmates were held in the cell for the mentally ill, as he called them, at Don jail, I stated on the information provided by the governor, with regard to one of them, that he was at no time suspected of being mentally ill. I stated he was in the observation ward for about three months in order that he could be kept under constant supervision for his own protection.

I am now advised by the governor of the Metropolitan Toronto jail that although this man was, at the recommendation of the jail physician, under supervision for his own protection, the court had actually asked for a mental examination. He was subsequently examined and found not to be mentally ill. Due to a clerical error, the original request for a mental examination was overlooked. The governor has expressed his regret at this mistake in the information he provided. I regret that, however inadvertently, and however minor its importance to the major question, the information which I received and subsequently gave to this House was not strictly and absolutely correct to the smallest detail.

No one knows, Mr. Speaker, better than I, the problems we are going to encounter in taking over these jails. No one worries about them as much as I. Our problems are not going to be solved overnight. Our jails are not going to be transformed overnight into rehabilitation centres. The public speeches which I have made across this province, over the last three or four years, indicate quite clearly that I appreciate the deficiencies of the jails and the need for

improvement. This is the reason we started our regional detention centre plan. This is one of the reasons why we took over the operation of the jails as of January 1 of this year. There is much hard work to be done. There are many millions of dollars to be spent before this government will be satisfied with conditions in the former county and city jails.

Metropolitan Toronto jail is the largest. It has most of the problems. This is not news to me. There are problems to be dealt with and we will deal with them just as we will deal with the problems of the other jails in the province, so that we, as a province, can continue to be justifiably proud of our system of correction.

**Mr. Speaker:** The member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker—  
Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. J. H. White (London South):** I have reason to believe that the hon. member, who is a private member, is rising to make a statement before the orders of the day and I respectfully draw your attention, Mr. Speaker, to certain precedents and to rule 38 in this chamber and with your permission I will read this into the record. Page 144 of precedents as recorded in the journals, quotes the hon. Wallace Downer, Speaker, as to statements before the orders of the day:

By the customs of the House, Ministers of the Crown are not only permitted but indeed are expected to report to the House from time to time on matters within their purview, which they deem to be of particular interest and concern to the House. A reasonable number of questions and classifications of statements are customarily permitted. However, should a private member wish to direct the attention of the House to some matter which he considers to be a definite matter of urgent public importance, he may only do so by complying with rule 38 which provides that the motion before the orders of the day may be moved if it has previously been submitted to and approved by the Speaker.

Rule 38, sir, clause (a) reads as follows:

A motion to adjourn the House or the debate shall always be in order, except that no such motion for the adjournment of the House shall be made until the orders of the day or notices of motion

have been entered upon, without the leave of the House, unless a member rising in his place shall propose to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, which matter has previously been submitted to, and approved by, the Speaker.

I do not suppose it is necessary, Mr. Speaker, but I do now refer you to page 358, 17th edition of May's *Parliamentary Practice*, under clause 4 subsection 1, Ministerial statements:

Explanations are made in the House by Ministers on behalf of the government regarding their domestic and foreign policy, stating the advice they have tendered to the Sovereign regarding their retention of office or the dissolution of Parliament; announcing the legislative proposals they intend to submit to Parliament or the course they intend to adopt in the transaction and arrangement of public business.

On page 374 of the same edition, it provides only one instance in which a private member may make a statement before the orders of the day and that is:

An explanation by a member of the circumstances which have caused his resignation of an office in the government is usually made immediately before the commencement of public business.

Now we have an inkling, Mr. Speaker, of what the hon. member proposes to discuss and I certainly have no objection to that. But I do think, sir, that we jeopardize the orderly conduct of business in this chamber every time we permit rules to be broken. During the past nine years, I have seen other instances where private members, for what they thought good and sufficient reasons, attempt to make statements before the orders of the day. The Speakers of that time have refused permission in accordance with the rules. I suggest to you most seriously now, Mr. Speaker, that this would be a precedent which is unnecessary and which would be undesirable.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I rise on a point of information. I object to the member for London South anticipating what may possibly happen in this House, and I wonder if you could inform the House how he could possibly know what is going to happen in the future.

Mr. S. Lewis (Scarborough West): On a point of order.

Interjections by hon. members.

Mr. Speaker: Order! The member for Scarborough West.

Mr. Lewis: On a further point of order, Mr. Speaker, not only is it presumptuous to anticipate what members in this House may say, but it is highly irregular to pre-empt the rights of the Speaker to make a ruling subsequent to what a member may or may not say.

Mr. Singer: Mr. Speaker, on the same point of order, surely it is not part of the order of this House that I can stand in my place any day and because I have certain suspicions of what might happen, read a long lecture to the Speaker about what the rules are. I think that the hon. member for London South is as out of order as anyone could be. His point of order would only have arisen if an hon. member spoke and attempted to do certain things that might or might not be within the rules.

Mr. Speaker: I am most pleased that the members of the House are now paying attention to the rules of the House and I would hope that we can follow them in the sittings to follow. I will be most pleased to take under advisement the point which has been raised by the member for London South. I agree that it was anticipatory and perhaps in that regard he was in advance of his proper time, but he has made a good point. Under the circumstances I will bring in a ruling with respect to the matter at an early date, and I will now give the floor to the member for Windsor West.

Mr. H. Peacock (Windsor West): Mr. Speaker, I have a question of privilege. A story printed in today's edition of the *Toronto Globe and Mail* headed, "Legislation Lacking on Fire Fighting Facts," contains the following paragraphs:

Hugh Peacock, NDP, Windsor West, asked if plans had been made for helping the Windsor fire department if trouble should develop there during annual Emancipation Day celebrations planned by Windsor's negro population. He said the local police commission had advised against holding the celebration this year because of racial problems in the United States, and the chairman had warned of a possible conflagration if fires were set as a form of protest.

Mr. Speaker, I did not say that the chairman of the Windsor police commission, Judge Bruce J. S. McDonald, had warned of a possible conflagration if fires were set as a



form of protest. The words in the phrase in question—a possible conflagration if fires were set as a form of protest—were my own, which were not attributed to the chairman of the commission. They were used in a manner intended to convey that I did not share the apprehension of the police commission about the holding of this summer's Emancipation Day celebration.

**Mr. Shulman:** Mr. Speaker, I rise on a point of personal privilege. Last week I was accused of misleading the House in relation to certain information about the Don jail. Now that my facts have been proven correct I would ask the responsible Minister to withdraw his earlier remarks.

**Hon. Mr. Grossman:** Mr. Speaker, the hon. member, of course, is doing what he is accustomed to do—take one word out of 5,000 and attempt to make that one word justify everything else he has said. This was not particularly germane to the discussion—that is all, Mr. Speaker. I do not know why the hon. member bothered getting up here and making a point of it anyway, because his usual method is to go to the press and tell them I lied.

**Mr. Speaker:** Order! Order! The Minister, I am sure, will be glad to correct any statement he has made with respect to the small, as he says, but important item on which information incorrectly had been furnished to the Minister, and apparently upon which the member for High Park had other information. I am sure the Minister has no objection to that and that will close this matter.

**Mr. Shulman:** Mr. Speaker, before the orders of the day I would like once again to draw the attention of the House to the plight of those British citizens—

**Mr. Speaker:** Order! Order! In view of the point of order raised by the member for London South, I would ask the member for High Park to hold his statement until I have had the opportunity of considering the matter. I will advise the House of my ruling with respect to statements before the orders of the day by other than Ministers, which is the point in question and, I think, one that deserves consideration and a review of the precedents of the House.

**Mr. Shulman:** Sir, will you advise us before the recess?

**Mr. Speaker:** I will do my best to advise you as soon as possible. I will ensure that

anyone who has a statement now, if the ruling should be that it can and should be made before the orders of the day, will be given ample opportunity to make that statement.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I asked a question of the Minister of Agriculture and Food one week ago. I was just wondering, does he have the answer to my question?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** What question was that, sir? It slipped my memory.

**Mr. Gaunt:** Mr. Speaker, my hon. friend said he would take it as notice. It was in relation to the Balderson cheese factory.

**Hon. Mr. Stewart:** Oh, yes. That, I believe, was on the order paper. It was on the notice paper and we will have the answer as soon as we can get it researched out. As a matter of fact I think the answers are ready.

**Mr. Speaker:** The member for Dovercourt has a question?

**Mr. D. M. De Monte (Dovercourt):** Yes, Mr. Speaker, I have a question of the hon. Minister of Education. Has the Minister considered grants for special English-language instruction for the children of immigrants who are entering our primary school system for the first time?

**Hon. W. G. Davis (Minister of Education):** Yes, Mr. Speaker. Not only has it been considered, but in 1967 the grant regulations were amended to provide for grants to all elementary school boards or pupils in the amount of \$3,400 per annum per classroom, together with an amount of \$1,700 per teacher for those who were doing it on an itinerant basis. The regulations have been altered again this year and the first amount I mentioned of \$3,400 per classroom has been raised to \$5,000 per classroom.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I have a question for the hon. Minister of Lands and Forests, notice of which has been given. What was the total amount of money paid as wolf bounty in each of the last two years for which the figures are available, and what percentage of that amount was paid to citizens of the United States of America?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. member for Rainy River, for the year which ended March 31, 1966, \$59,947 was paid in

bounty and of this amount 8.9 per cent was paid to American citizens. For the year which ended March 31, 1967, \$59,084 was paid in bounty and of this amount 4.7 per cent was paid to American citizens.

**Mr. Speaker:** The member for Parkdale has a question?

**Mr. J. B. Trotter (Parkdale):** It is for the hon. Minister of Labour—

**Mr. Speaker:** Is out. I am sorry, the Minister of Labour is not present.

**Mr. Trotter:** He just arrived.

**Mr. Speaker,** I have a question for the hon. Minister of Labour. When the provincial licensing commission took over the licensing of Metro Toronto electricians, what notice was given to the Metro Toronto licence holders? Secondly, in view of the fact that licence holders were not notified individually of the change, will the Minister permit licence holders to transfer to provincial licences without an examination, if the transfer is made before the due date on the Metro licence?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question from the hon. member for Parkdale, I have prepared fairly complete answers so that he and other members could have the full information. There have been several questions on this this year.

In 1964, acting on the basis of policy that had been suggested by a select committee of this House and of recommendations by both employers and employee representatives in the trade, we introduced compulsory certification for electricians.

This meant that a person had to have a certificate attesting to his competency if he wished to practice as an electrician. This programme provided that any person who could show proof of experience as a journeyman electrician for a period longer than a period of apprenticeship—in this case approximately five years—could obtain his certificate without examination. Others who could not show such proof would write an examination.

The regulation gave persons a two-year period, expiring November 1, 1966, in which to obtain their certificates. This was subsequently extended by six months.

This programme was fully publicized across Ontario, not only through the mass media, but also by way of employer and employee groups in the trade. It is most unlikely that electricians were unaware that it was being brought into effect. Moreover, the programme

had, and still has, the strong support of the electrical contractor organizations and of the trade unions which represent electricians.

Last year The Municipal Act was amended to eliminate municipal licensing of electricians and this step was supported by all parties in the House. It was felt that with a province-wide system of certification there was no need for duplicate licensing.

Since the certification programme has been widely publicized over a period of two-and-a-half years, and since electricians holding municipal licences also required provincial certificates in any case, it was apparent that there was no real need to notify them individually of the elimination of the municipal licence. It is our policy, in spite of the fact that almost a year has gone by since compulsory certification took full effect, to issue certificates without examination to holders of Metro master licences and to make it as easy as possible for all others to accommodate themselves to the new system, where they are genuinely qualified as electricians. Of course, the vast majority of Metro electricians did secure their certificates prior to November 1, 1966, and while there have been some late applicants, over the past few months matters have been worked out with them on a mutually satisfactory basis.

**Mr. Trotter:** Mr. Speaker, I would just like to ask a supplementary question, more or less to clarify what the Minister has said.

Did I understand the Minister to say that, despite the fact that time had gone by, if it was shown in Metro if an electrician had the experience he would still be allowed a licence without writing the exam?

**Hon. Mr. Bales:** If they have a master's certificate here, yes. If they have not, we require proof of satisfactory experience. We deal with each case individually. I think we have not had too much difficulty.

**Mr. Trotter:** Is it still possible that if an individual electrician who has had a number of years of experience has not applied, he still can apply without writing the exam? I am still not quite clear on that.

**Hon. Mr. Bales:** He can apply and we will deal with each case individually.

**Mr. Speaker:** The member for Thunder Bay has a question?

**Mr. J. E. Stokes (Thunder Bay):** Yes, Mr. Speaker, I have a question for the hon. Minister of Highways.

Is the Minister aware that Highway 584 between Nakina and Geraldton is in such a deplorable condition that the bus which transports high school children between these two northern Ontario towns has not been able to operate? Will the Minister take immediate action to see that this condition is rectified?

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, the condition to which the member refers is caused by frost coming out of the ground. I am advised that the school principal contacted our district engineer in Fort William this morning and an engineer was sent immediately to look over the situation so that corrective measures can be taken immediately.

**Mr. Pilkey:** Mr. Speaker, to the Minister of Reform Institutions: Are any jail guards having to use sick benefit credits to receive their normal three weeks' vacation pay?

**Hon. Mr. Grossman:** Mr. Speaker, in view of the fact that this comes within the jurisdiction of the civil service commission and the hon. Provincial Treasurer answers to this Legislature for that commission, this question will be answered by the hon. Provincial Treasurer.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Speaker, this question was referred to my office and the answer is that all vacation credits earned by jail staff as at December 31, 1967, will be honoured. As of January 1, 1968, these employees will receive the same vacation entitlement as all other civil servants. In this connection, prior service with the municipality is being honoured to determine vacation credits. Civil servants with less than three years' service are entitled to two weeks' vacation but such employees may take an extra week's vacation if they so desire and charge it to their accumulated attendance credits. This same privilege will of course be extended to the former municipal employees who became civil servants on January 1, 1968, and any attendance credits previously accumulated with the municipality may be used for this purpose.

**Mr. Pilkey:** May I ask a supplementary question? I am not really asking a question, I wonder if it is possible to have that green booklet that was put out by, I think, the Minister of Reform Institutions—or whoever sent it out to the jail guards. I wonder if it is possible to get a copy of that?

**Hon. Mr. MacNaughton:** Mr. Speaker, I am not aware of any green booklet.

**Mr. Speaker:** Perhaps the member might either take it up with the Minister of this department or of The Department of Reform Institutions privately. I am sure, if there is such a publication, it will be made available.

**Mr. E. W. Martel** (Sudbury East): This is to the Treasurer of Ontario; it is a five-part question.

1. How many gallons of gas were sold in Ontario in 1964?

2. Would this have netted the government approximately \$230 million for taxes for 1964 if all the money had reached the Treasury?

3. What, in fact, did the Treasury receive from gas taxes in 1964?

4. If there is a difference in what should have been collected and what was actually collected, why?

5. Where did this money go?

**Hon. Mr. MacNaughton:** Mr. Speaker, I was at first prompted to take the question as notice. I think I will submit to you, sir, that it should appropriately be placed on the order paper. It may well require some extensive research. We can answer the question in full detail in that manner.

**Mr. Speaker:** I would point out to the members that normally in past circumstances the Speaker would have directed this to the order paper but I think I made it clear here some weeks ago that questions like this would be referred to the Minister, who could then use his own discretion as to whether he can have the material in time for an oral answer or whether it should go on the order paper, and hence this was referred to the Minister's office.

**Hon. Mr. MacNaughton:** The question did not reach me prior to assuming my seat this afternoon. I had not seen the question before.

**Mr. D. C. MacDonald** (York South): The Provincial Treasurer was asked yesterday, five times, during the debate.

**Mr. Speaker:** Order!

**Mr. Nixon:** Mr. Speaker, on a point of order before we go into the orders of the day, a few moments ago a point of order was raised before any infraction or possible infraction of the rules had taken place here. You have undertaken to give your ruling on a point of order raised under those circumstances. With this in mind, I would like to tell you, sir, that when you are making a



ruling on the infraction that might have occurred, I hope that this House is not going to get into a position whereby in working to rule we lose the effectiveness of the debate here.

This was raised last night in such a way that a useful exchange of information was precluded by the objection of the member for York South and it seems to me that the objection raised by the member for London South is going to accomplish the same negative end. We know that working by rule might provide an efficient ordering of our business but is not necessarily in the best interests of the democratic traditions that have developed here.

Speaking specifically to the objection raised by the member for London South, it has been customary on all sides that a comment before the orders of the day, often without notice having been given to yourself, is in order, if there is a ping-pong champion in the gallery or something of this nature. And it may be that the—

**Mr. Speaker:** Order. I think the leader of the Opposition might well leave this with the Speaker because as I have pointed out on many occasions it has been my feeling that there must be a very broad limit to the discussions and the debates. The point which has been raised by the member for London South is a valid point, a point which brings into conflict, so far as the ruling of the Speaker is concerned, what the actual practice has been in many instances in the House and what the rules and the precedents say. It is for that reason that I would like to study it.

I thank the leader of the Opposition for his views, and assure him that I am well acquainted with them and I have expressed myself on several occasions since the House opened, as being of the opinion that we must not curtail a reasonable and proper debate, but it must be in accordance with the rules and the traditions and usages of the House. I trust the leader of the Opposition will leave it with the Speaker on that basis and I will endeavour shortly to bring in a ruling with my reasons.

**Mr. Shulman:** May I speak to this point of order?

**Mr. Speaker:** I do not think that anything useful can be gained by speaking to that particular point of order until Mr. Speaker has ruled on it, and at that point it will be up to the House to decide whether

the ruling by the Speaker is one which commends itself to the House or not.

**Mr. Shulman:** May I not say something before you make your ruling, which may guide you in your ruling?

**Hon. J. P. Roberts (Prime Minister):** Mr. Speaker, before the orders of the day, I would like to table answers to questions Nos. 13, 27, 29, 36, 41, 44 and 46, which are on the order paper.

The hon. Prime Minister tabled answers to questions as follows:

13. *Mr. E. Sargent* (Grey Bruce)—Enquiry of the Ministry—Would the Minister of Economics and Development advise:

(a) How many loans were made by the Ontario development corporation last year?

(b) How much money was loaned?

(c) How many people on the staff of The Department of Economics and Development to the Ontario development corporation?

(d) To the Ontario housing corporation?

(e) How much money was spent on travel and promotion last year?

Answer by the hon. Minister of Economics and Development (Mr. Randall):

(a) Number of loans by Ontario development corporation—1967-68—answered March 7, 1968 before orders of the day—No. 27.

(b) Amount of loans by Ontario development corporation—answered March 7, 1968 before orders of the day—No. 27.

(c) and (d) Personnel:

(1) Department of Economics and Development—209.

(2) Ontario development corporation—49.

(3) Ontario housing corporation (including Ontario student housing corporation)—293.

(e) Travel:

(1) Department of Economics and Development—\$147,350.74.

(2) Ontario development corporation—\$34,936.54.

(3) Ontario housing corporation (including Ontario student housing corporation)—\$141,481.08.

Promotion: (1) Department of Economics and Development—The promotional activities of The Department of Economics and Development—soon to be renamed The Department of Trade and Development—are concentrated primarily in the special projects branch and in the information services branch. The purpose of these promotional activities:

To publicize the development activities of the department so the business community and general public are aware of the services offered by the department; to persuade and encourage industry to improve their competitive position by manufacturing better products and opening new export markets; and to keep potential investors informed of the condition of the Ontario and Canadian economies.

The budget for special projects branch including international and domestic advertising and certain Expo promotion was \$999,000.

The budget for information services including publications, film production and news media relations was \$120,000.

Ontario House, providing information in support of our export and immigration programmes in the United Kingdom spent \$23,000.

(2) Ontario development corporation—The Ontario development corporation does not budget for promotion; it uses the facilities of the information services branch to prepare any brochures or films it requires. The corporation conducts regular seminars for small business across the province, but these meetings cannot be considered promotional in the strictest sense of the word.

(3) Ontario housing corporation—The corporation is producing a 16-mm colour film to depict the activities of Ontario housing corporation and Ontario student housing corporation which will be completed in the fiscal year 1968-69. The total cost of the film will be \$30,000. Of this amount about one third was paid out in the fiscal year 1967-68.

Other promotional activities include the trailer which is used as a mobile sales office in the province; ceremonies at official opening of projects; printing of the Ontario housing magazine; exhibits at the Canadian national exhibition and the home show; employee familiarization courses; photography and miscellaneous pamphlets for a total of \$45,750 including the film.

27. *Mr. M. Gaunt* (Huron-Bruce)—Enquiry of the Ministry—(a) Would the Minister inform the House how much money was paid out by the department in fox bounties for the years 1966-67; and (b) why is the department discontinuing this policy?

Answer by the hon. Minister of Municipal Affairs (Mr. McKeough):

Payments made by the province for fox bounties to all municipalities in the calendar years 1966 and 1967 amounted to \$11,329 and

\$12,332, respectively. These figures indicate that the impact of the grant to any municipality is very small and the value of the programme in reducing the incidence of rabies is questionable. It is not proposed therefore to seek funds in 1968-69 to continue the programme. The municipalities, of course, may continue to pay bounties.

29. *Mr. Sargent*—Enquiry of the Ministry—(a) How many suites were reserved for the Ontario government in Habitat at Expo? (b) For how long were they reserved? (c) How much did they cost? (d) To whom were they available?

Answer by the Minister of Economics and Development:

(a) Eleven suites—Nos. 222, 223, 224, 225, 226, 231, 509, 512, 514, 519, 520.

(b) May 1 to October 31, 1967.

(c) \$35,700.00 (\$5,950.00 per month).

(d) Suites were available as follows: Seven for staff and management including provincial police; four for government visitors and guests. (Rental \$35 per day).

36. *Mr. J. L. Brown* (Beaches-Woodbine)—Enquiry of the Ministry—(a) What is the status of the persons housed in the grounds of the Ontario Hospital at Whitby in the barracks buildings? (b) How long will they be housed under these conditions? (c) Why are they housed in this fashion? (d) How is the programme funded? (e) Do these persons represent a special category of problem? (f) Are they receiving medical and psychiatric treatment services? (g) Would you please specify these services? (h) What is the intent of the department toward these people?

Answer by the Minister of Health (Mr. Dymond):

There are no buildings identified as "barracks" at Ontario Hospital, Whitby. Therefore, it is impossible to answer the remainder of the question. So far as we can tell, no buildings have been so identified, at any time, on the property of the Ontario Hospital, Whitby.

41. *Mr. D. M. DeMonte* (Dovercourt)—Enquiry of the Ministry—1. (a) How many people are involved in the appeal procedures of the workmen's compensation board? (b) What are their salaries? (c) What are their expenses? 2. (a) How many people are involved in the investigatory procedures of the workmen's compensation board? (d) What are their salaries? (c) What are their expenses?



Answer by the Minister of Labour (Mr. Bales):

1. (a) Staff—1967:

Appeal tribunal	6
Review committee	8
	—
	14

(b) Salaries—1967:

Appeal tribunal	\$ 86,004.80
Review committee	96,426.15
	\$182,430.95

(c) Expenses—1967:

Appeal tribunal only	\$ 12,782.73
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Note: The members of the review committee are not required to travel in connection with appeals, and therefore, do not incur expenses.

2. (a) Investigators	21
(b) Salaries	\$160,672.74 (1967)
(c) Expenses	\$ 40,975.35

44. *Mr. M. Shulman* (High Park)—Enquiry of the Ministry—1. Is the price of milk higher in Newmarket than in Richmond Hill, Toronto, Hamilton and Oshawa? 2. Has the Becker Milk Company been refused permission to sell milk in Newmarket? 3. (a) Is the Becker Milk Company allowed to sell milk outside area 4? (b) If not, why not? (4) (a) Have any of the producers supplying milk to the Becker Milk Company had their quotas cut? (b) Have any other producers simultaneously had their quotas raised? 5. Is the purpose of regulation 70/68, section 4, subsection 3, of The Milk Act, 1965, "No processor shall sell the milk produced by a producer—", to raise the price of milk to the consumer? 6. In the Minister's opinion, is regulation 68/68, section 3, subsection 4, of The Milk Act, 1965, dealing with the milk marketing board's power to refuse to issue a licence, in conflict with the principles stated in the McRuer report?

Answer by the Minister of Agriculture and Food (Mr. Stewart):

1. In respect to the price of milk in Newmarket, as of March 26, 1968 the out-of-store price of a 3-quart jug of milk is approximately 3 cents per jug above that which prevails in Richmond Hill, Toronto, Hamilton and Oshawa. The price of milk delivered to the homes is the same in all areas.

2. No. The Becker Milk Company has not made formal application to the commission for permission to open a store in that town.

3. (a) The Becker Milk Company is allowed to sell milk outside distribution area 4, provided they had established operating outlets in that area prior to January 16, 1967. Becker's is already operating outside area 4, in that they had established an outlet in Brampton prior to that date, and they continue to sell in that market.

The moratorium on expansion of distribution areas dates back to regulation 76/67, which had the effect of reducing the number of distribution areas in Ontario from 175 to 10. This move was taken to rationalize the distribution areas and bring about some uniformity in the marketing system for milk. The Ontario milk distributors' association recommended this programme to the Ontario milk commission, which was accepted.

(b) Not applicable because of answer to 3 (a).

4. Yes.

5. No.

6. Absolutely not. The consumer of dairy products has a right to expect the Ontario milk marketing board to protect him from inferior products. In order to protect that right of the consuming public, the board has established certain qualifications for a fluid milk producer and he must meet these qualifications before he can be granted a licence. These are based on the equipment, the cleanliness and general condition of his premises, his financial responsibility, and his experience in producing dairy products in a sanitary manner.

46. *Mr. R. Haggerty* (Welland South): Enquiry of the Ministry—In view of the statement in the Welland *Tribune* of March 26 that drivers and children are suffering from poor visibility and are gagging in Port Colborne because of the fumes from the Welland Chemical plant: (a) Has the advisory board of air pollution control of Ontario established a policy programme of inspection? (b) When will the board implement its programme? (c) Would the fumes, inhaled over a five-year period or more, cause fibrosis of the lungs? (d) What other effect does the inhalation of high-concentration fumes have on men employed in the plant area? (e) What effect have the chemical fumes on the health of residents in this contaminated air-shed? (f) What effect have the chemical fumes on real property?

Answer by the Minister of Health:

The Welland Chemical Company of Canada Limited, at Port Colborne, manufactures aluminum chloride. On the morning of Satur-



day, March 23, an equipment failure occurred, resulting in the release to the atmosphere of aluminum chloride fume and probably some chlorine gas. In contact with air, aluminum chloride hydrolyzes to form hydrochloric acid mist and aluminum hydroxide.

The accident was not reported to The Department of Health nor to the Welland county health unit. It was investigated by officers of our environmental health branch on March 29, following a report in the *Welland Tribune* on March 26.

Over the past few years this plant has apparently been the source of repeated local complaints of respiratory discomfort, eye irritation and poor visibility on the adjoining highway. However, there is no record of complaints since September 1966 in the health unit file, nor have any complaints been received by my department since that date. Most of the complaints have been associated with equipment failures in the plant.

As the result of our investigation, immediate action is being taken under section 8 of The Air Pollution Control Act, 1967, to require control of emissions from the plant forthwith.

In reply to the questions asked by the member for Welland South:

(a) The function of the air pollution control advisory board is to review the recommendations by provincial officers for the control of air pollution, upon the request of an owner or operator of a source of pollution, and to report its recommendations to the Minister so that he may issue the necessary orders.

The correction of sources of air pollution is the responsibility of our air pollution control service. A programme of inspection will be an integral part of our control function and will become operational with the establishment of regional and district offices. The frequency of inspection will be dependent upon the severity of the problem, the size of the industrial operation, and the frequency of violations.

(b) The department plans to establish a district office in Welland during September 1968.

(c) The answer to the third question is No.

(d) Chlorine gas and hydrochloric acid mist are irritating to the eyes and upper respiratory system. Because of their irritant properties, persons exposed in industry leave the exposure before harmful amounts are inhaled. Persons in high concentrations who cannot escape may develop pulmonary

oedema, a condition in which fluid accumulates in the air spaces of the lungs.

Men employed in the Welland Chemical Limited plant are each supplied with a respirator approved for the protection against acid gases and fumes.

(e) Low concentrations of chlorine and hydrochloric acid mist, such as might normally be encountered in the neighbourhood of the plant, could be irritating. Such concentrations have not been reported to cause chronic or permanent injury to health, even after many years of exposure. The action being taken by our air pollution control service will require the company to eliminate all possibility of the accidental release of large volumes of chlorine and aluminum chloride, and to reduce daily emissions to the standards set out in section 10 of O.Reg. 449/67.

(f) Acid fumes are corrosive to unprotected metal, and can cause deterioration of non-resistant paint.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 3rd order; committee of the whole House; Mr. A. E. Reuter in the chair.

The Honourable, the Lieutenant-Governor recommends the following:

*That,*

Every purchaser of gasoline shall pay to the Treasurer of Ontario for the use of the Crown in right of Ontario a charge or tax at the rate of 18 cents per imperial gallon on all gasoline purchased or delivery of which is received by him and that every purchaser of aviation fuel shall pay to the Treasurer of Ontario for the use of the Crown in right of Ontario a charge or tax at the rate of 3 cents per imperial gallon on all aviation fuel purchased or the delivery of which is received by him,

as provided in Bill 37, An Act to amend The Gasoline Tax Act.

Resolution concurred in.

## THE GASOLINE TAX ACT

House in committee on Bill 37, An Act to amend The Gasoline Tax Act.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, by way of information, I wonder if the Provincial Treasurer can give us some background on the change in the aviation fuel tax. At 3 cents per gallon it is

very difficult to relate it to the 18 cents for the use of a similar fuel for automobiles.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Chairman, the tax previously was 2 cents per gallon. It is a tax charged, of course, on gasoline for aircraft that fuel or refuel in Ontario, or private aircraft that buy gasoline for their own purposes. The difference in the rate is recognized, of course, by the fact, I think, that the only attributable cost as far as the aircraft fuel is concerned is related to the provision of road facilities to serve international or—shall we say—larger airports. It is not designed to sustain a programme of highway building, highway subsidy, highway traffic enforcement—the whole broad programme associated with the necessity for increasing the gasoline tax.

**Mr. Nixon:** Is there any thought of relating it to the costs of the legislation the Minister of Transport (Mr. Haskett) is bringing in, with regard to the building of airports, in which we are going to take some responsibility?

**Hon. Mr. MacNaughton:** Yes, Mr. Chairman, this was considered at the time. Also considered at the time was the fact that if the disparity between the tax in the adjoining provinces and that of Ontario is too wide, it could occasion refuelling in airports in provinces on both sides of this province. Certainly the jet-type aircraft can fly long distances and this was checked out. It is a matter of interest to note that the province of Quebec, in their budget, raised their aviation gas tax by an equivalent amount.

**Mr. Nixon:** I was going to ask you about that.

**Hon. Mr. MacNaughton:** So we are both on the same wavelength there, fortunately, otherwise there would have been a bit of disparity. I do not know whether Manitoba has increased theirs to 2 cents or 3 cents or not. I have not examined their budget. If not, we are at a 1 cent disadvantage, shall we say to Stevenson field in Winnipeg, versus the international airport at Malton. But taking that into consideration we felt that the 1 cent disparity would not be too serious—probably not enough to affect the revenue that hopefully will accrue.

**Mr. Nixon:** I was going to ask you about that interesting coincidence that the Treasurer of Quebec made the same decision that you had made. His was two weeks later. Is there any communication between you ahead of time, so that you can relate this sort of—

**Hon. Mr. MacNaughton:** I would say to you, Mr. Chairman, I did the hon. Mr. Dozois the same courtesy as I extend to all Ministers of Finance across Canada—I sent him a copy of our Budget. I think it is even more singular to note that I said yesterday in this House that all provinces have found it necessary to rely on the same revenue sources, without exception.

**Mr. Nixon:** Except the Treasurer of Manitoba who did not raise taxes.

**Hon. Mr. MacNaughton:** We do not know about him yet. I have not read his budget.

**Mr. V. M. Singer** (Downsview): Mr. Chairman, could the Minister tell us what the aviation fuel tax is in the other eight provinces?

**Hon. Mr. MacNaughton:** Yes, I can. I think by sheer coincidence, Mr. Chairman, I happen to have that information with me.

**Mr. Singer:** I would hope some of your colleagues will take your example.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** As a matter of interest, Mr. Chairman, I would say to the committee the provinces of Newfoundland, Prince Edward Island, Nova Scotia, New Brunswick, as of March 22, had no tax of this sort. At that date, March 22, the tax in the province of Quebec was 2 cents and it has been subsequently raised to 3 cents. Ontario's was 2 cents and is now 3, as you will have noted. Manitoba is 2 cents. Saskatchewan and Alberta have none. British Columbia has 1 cent. We are now one of the two highest provinces in Canada.

**Mr. Singer:** Of the revenue that you received last year from all gasoline tax, whether aviation fuel or otherwise, how many dollars did you get from the aviation fuel as compared to your total receipts?

**Hon. Mr. MacNaughton:** It is in the Budget. It is here, everybody has it.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): The member for Downsview nods his head that he does not have it.

**Hon. Mr. MacNaughton:** Do you have it?

**Mr. Singer:** No, I have not got it.

**Hon. Mr. MacNaughton:** You have the Budget.

**Hon. Mr. Rowntree:** You have not read it yet.

**Mr. Singer:** Not in the great detail that you have.

**Hon. Mr. MacNaughton:** Just give me a moment, if you want the information. It might take me a moment or two to find it. Mr. Chairman, it runs through my mind that 1 cent per gallon is \$1 million.

**Mr. Singer:** One cent per gallon?

**Hon. Mr. MacNaughton:** Or approximately enough for all practical purposes.

**Mr. Singer:** Then you got roughly \$2 million. I only want an approximate figure in any event. What would happen if you brought it up to 18 cents a gallon, because we have been talking about the regressive effect of gas taxes and this one would not be nearly as regressive? The airplane fuel tax would not be a regressive tax at all, in my mind, because the people who use planes are far better able to afford it than the people who drive cars. Have you done any studies? Have you got any projections on what the effect would be if you put it up to 18 cents a gallon?

**Hon. Mr. MacNaughton:** Yes, Mr. Chairman, we have. I can say to the hon. member—and certainly to the committee—that a very recent communication from the president of Air Canada, following the imposition of this tax, indicates that any greater increase would have the effect of substantial increase in the cost of operations and, of course, an attendant increase in our transportation fares. I think there is little question that that would follow.

Now the other point, of course, is simply this, that in my opinion, Mr. Chairman, it should be obvious that these things cannot be done in isolation. If the province of Ontario were to contemplate this, then I suggest to you that there would be very few aircraft landing at our major terminals, other than to discharge and take on board passengers. But to the greatest extent possible the trans-Canada flights might find it easy to circumvent the use of certain of our international airports for fuelling or refuelling. It is quite possible.

**Mr. Nixon:** Your provincial colleagues, who are looking for revenue might levy the same tax.

**Hon. Mr. MacNaughton:** If they did, they would simply do their refuelling in the prov-

inces where the tax is lower. For the difference of 1 cent, I do not think they will do that, but beyond that, I am confident for instance, that regular refuelling operations which might take place at Malton, could easily take place at Dorval, or Stevenson field in Winnipeg. I suggest if that took place too extensively, the revenue source would be impaired.

**Mr. Singer:** The situation you have today is that Saskatchewan—if I heard you correctly—has no tax. Ontario has now 3 cents a gallon. So, conceivably, if the plane could load up sufficiently in Saskatchewan, it would be a substantial saving. But they are not doing that, are they?

**Hon. Mr. MacNaughton:** No.

**Mr. Singer:** Well, it would seem to me that the Minister has before him a source of non-regressive taxation which could add a few million dollars to his budget, and I am a little disappointed that he did not capitalize on it a bit more.

**Mr. T. Reid (Scarborough East):** The Provincial Treasurer mentioned that he had exchanged information with the Treasurers of the other provinces in Canada, and this is to be commended. I was wondering if the Provincial Treasurer had some sort of consultation in mind, prior to tax changes, so that it might be possible for the provinces to act together in areas where there is competition?

I appreciate the Provincial Treasurer's remarks that the users of aviation fuel could be quite sensitive to provincial differences in taxes. It would seem to me, taking into consideration the remarks of my colleague from Downsview, that this form of tax on aviation gas is much less regressive, if it is regressive at all. In fact, it might even be progressive, conceivably, compared to other such taxes. This should be an area where the Provincial Treasurers and financial officers could very fruitfully get together to have discussions, and perhaps come out with an interprovincial approach to this type of thing. If the Minister had not done this, I would commend it to him.

**Hon. Mr. MacNaughton:** Mr. Chairman, I do not know how many of the hon. members of the House would recall reading the press comments after the last meeting of finance Ministers in January. Those who did, I think, would have observed the comments of myself. For the first time in my experience, the provincial Ministers and the



federal Ministers had a much more frank disclosure of budgetary matters than ever before. As a matter of fact, I cannot remember it taking place before.

An element of budgetary secrecy is always required, but nevertheless there was a frank disclosure among Ministers of their anticipated budgetary position, so we have broken new ground and made some headway. I am hopeful that future meetings will bring us to an even closer relationship on these matters as the hon. member has proposed.

I think it is fair to say on general terms—yes, discussion is taking place, although I would not go as far as to say that I would call the Minister of Finance in Quebec and go over our proposed Budget with him to see if it suits him, and whether his might fall in line with ours. We do exchange budgets. I send him a copy of mine, of course. But as I say, in the federal-provincial conference of finance Ministers, this trend has developed and I believe it is a good one.

**Mr. T. Reid:** I find this a very interesting point. My reference to the Provincial Treasurer was, granted, a general question about co-operation among Provincial Treasurers. But with particular regard, I am interested in those taxes which are competitive. Let me give an example, the sales tax—

**Hon. Mr. MacNaughton:** Mr. Chairman, I have to say that this is interesting and I am enjoying it immensely. We resolved the principle of all these bills yesterday; we are in House in committee, I would remind you.

**Mr. Chairman:** On section 1:

**Mr. T. Reid:** I would just say that this particular point has not been brought out, to my knowledge, in this committee, sir, I think that it is a relevant point, and I think that it needs a policy on it as opposed to an *ad hoc* approach. The hon. member for Downsview made the very simple point that one of the reasons that the Minister might not have increased the tax more on an item which is of a non-regressive nature was that he was fearful of competition from other provinces. I feel that this is a particular area that the Treasurer of this province could go into further, and not just talk about it greatly but put forward plans and research it.

**Mr. D. C. MacDonald (York South):** I have no further questions to ask at this committee stage. On the second reading of the bill we expressed our view that this tax is adding to

the regressivity of the tax structure. It is a further load on the little man of the province and therefore we are opposed to it, and shall so vote.

**Mr. Chairman:** The member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Chairman, I do not want to belabour this point at all; I spoke about it at length for the last two days. I just want to say to the Provincial Treasurer that the worst fears I had are being realized. The companies are not only increasing the cost of gasoline by 2 cents, as is allowed for here, it has been increased by an additional cent. I am sorry that the Minister cannot hear me, but it would not really matter anyway. I doubt that it would change your mind. But what has happened really is that the cost is padded. Some companies have padded the increases in the last weeks.

**Hon. Mr. MacNaughton:** Mr. Chairman, this is totally out of order. We are not talking about costs, we are talking about taxes.

**Mr. Deans:** Mr. Chairman, we ought really to consider the overall effect of tax increases.

**Hon. Mr. MacNaughton:** Totally out of order.

**Mr. Chairman:** Order please! I think that we have dealt quite thoroughly with the principle of this bill, and I would ask the hon. member to confine any remarks that he might have to make to the mechanics of section 1 of the bill, which we are now debating.

**Mr. Deans:** All right, I will state my remarks very simply and very plainly: I oppose this increase; it is immoral.

**Mr. E. W. Martel (Sudbury East):** I would like to ask the Provincial Treasurer one thing. Would he, and I am talking to the principle of the bill, look into the—

**Hon. Mr. MacNaughton:** He is out of order.

**Mr. Chairman:** I would ask that the members refrain from speaking on the principle of the bill any further. Does the member have any comments regarding section 1 of the bill?

**Mr. Martel:** Sixteen to 18 cents, that is what I am talking about, Mr. Chairman.

**Mr. Chairman:** We have dealt with the principle of the bill.

**Mr. Martel:** Yes, section 1, that is the part I would like to talk about. I would like to

ask the Provincial Treasurer to look into the whole pricing scheme of gas, because I think—

**Mr. Chairman:** This is the principle of the bill!

**Mr. Martel:** Mr. Chairman, I am trying to make my point.

**Hon. Mr. MacNaughton:** On a point of order, Mr. Chairman, this was dealt with several times yesterday. First of all, may I point out to you, sir, that the principle of this bill has been concurred in by the House. Second, the bill has nothing to do with pricing or costs, it is associated with taxes only.

**Mr. Singer:** Concurred in by a majority of the House.

**Hon. Mr. MacNaughton:** Yes, that is right, that is the House.

**Mr. Martel:** If the hon. Provincial Treasurer will let me finish, I am talking about tax.

**Mr. Chairman:** Order, please! The Chairman is in charge of proceedings, not the Provincial Treasurer, and I would ask the member for Sudbury East to confine his remarks to section 1 of the bill, not the principle.

**Mr. Martel:** I am talking, Mr. Chairman, to the 2 cents that are in question here. And if the pricing were not regulated but discussed, we could raise the 2 cents tax without an increase to the people of Ontario. This is the point that I—

**Mr. Chairman:** Order, please! This point has already been completely discussed.

**Mr. Martel:** No, Mr. Chairman, I was ruled out of order the other night on this point.

**Hon. Mr. MacNaughton:** You are still out of order. You were out of order then, and you are out of order now.

**Mr. Martel:** I do not think that I was out of order then.

**Mr. Chairman:** Shall section 1 stand as part of the bill?

Section 1 agreed to.

Sections 2 and 3 agreed to.

Some hon. members: No, no!

**Mr. Chairman:** Shall the bill be reported?

Some hon. members: No!

**An. hon. member:** The “nays” have it, do they not?

**Mr. M. Shulman (High Park):** Mr. Chairman, how can the “ayes” have it when we outnumber them?

Interjections by hon. members.

**Mr. S. Lewis (Scarborough West):** On a point of order, Mr. Chairman, surely the voice vote indicated that this side of the House carried it?

**Mr. Chairman:** There is no motion before the House. We were dealing with the sections of the bill. But no member stood in his place to further debate the bill.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

The House divided on the motion, which was carried by the following vote:

**Clerk of the House:** Mr. Chairman, the “ayes” are 58; the “nays” 39.

Bill 37 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

*That,*

Every purchaser shall pay to the Treasurer of Ontario a tax at the rate of 24 cents per imperial gallon on all fuel received by him and that every holder of a registration certificate under The Motor Vehicle Fuel Tax Act, shall pay to the Treasurer of Ontario a tax at the rate of 24 cents per imperial gallon on all fuel used by him to generate power for the propulsion of a motor vehicle,

as provided in Bill 38, An Act to amend The Motor Vehicle Fuel Tax Act.

Resolution concurred in.

## THE MOTOR VEHICLE FUEL TAX ACT

House in committee on Bill 38, An Act to amend The Motor Vehicle Fuel Tax Act.

On section 1:

**Mr. T. Reid:** Mr. Chairman, the rate increase is from 22 cents to 24 cents which comes to a 9 per cent increase between 1966 and the present time. My question to the Provincial Treasurer is, why is it 9 per cent, why is it not a 5 per cent or a 20 per cent

increase? That is, what rationale did he have to choose 9 per cent? Was it simply that it was previously the two two's in 22 and you just decided to add another two to get 24?

**Hon. Mr. MacNaughton:** Mr. Chairman, there is no relationship to the percentage figures referred to by the hon. member. It is to preserve the relationship between motor vehicle fuel tax and gasoline tax. I think, to speak somewhat technically, it is based on the consumption value of a gallon of motor vehicle fuel versus a gallon of gasoline. Motor vehicle fuel is more economical for use if the proper motor vehicle is used; diesel fuel, in other words, is cheaper in itself—more miles per gallon in a diesel motor than gasoline in a combustion motor. Do not ask me to pursue this too far because I am not a mechanic but there is a relationship that has to be preserved there or you get switching from one to the other, to the disadvantage of one or the other. This is the information given to me by people who, I am prepared to admit, know more about it than I do.

**Mr. Nixon:** Mr. Chairman, a question on this: The tax is not payable by those who purchase the fuel for purposes other than a motor vehicle; I am thinking of farm tractors. Why can you not have a uniform approach to the tax situation in the gasoline tax? It is payable by farmers, but then they have to apply for a rebate. Why do you have such a simple procedure under this Act while it is so complex under The Gasoline Tax Act?

**Hon. Mr. MacNaughton:** I would have to say to the hon. member that that is a good question. The limited use of diesel fuel does not require the same rebate procedures as gasoline. I would say the use of diesel equipment by the farmer is very limited in character, but by comparison the same type of fuel can be used for heating purposes. This is a very good time to say to the House that this matter has been under consideration and we are now investigating the possibility of having to colour diesel fuel to protect this situation.

**Mr. Nixon:** You are not implying that anyone would use it for purposes other—

**Hon. Mr. MacNaughton:** Oh yes. I would imply that. Yes I would indeed. I would imply that it is very much to be underscored. I am not suggesting to you, Mr. Chairman, or to the committee, that it is going to be done but we are looking into the possible necessity of doing it. It is done in many jurisdictions.

**Mr. Nixon:** What you are going to do—

**Hon. Mr. MacNaughton:** There may be a considerable loss of revenue and we want to find out.

**Mr. Nixon:** If you are going to do that, why do you not apply the same technique to the gasoline tax so that the farmers are not put to the trouble of keeping such careful books, saving all the receipts, dated and numbered, and going through the procedures of applying for a rebate? If you are going to protect yourself under The Motor Vehicle Fuel Tax Act that way you could do the same thing for The Gasoline Tax and save the farmers all this difficulty. They are certainly not going to give you trouble.

**Hon. Mr. MacNaughton:** Good question, Mr. Chairman; it is worth looking into.

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid:** I was wondering if I could follow up on the previous question I asked. If I understand the Minister correctly, he said that when the gasoline tax is increased by "x" per cent, the diesel fuel tax must be increased by some fraction of that in order to maintain a stable position so you do not get switching presumably from diesel to gasoline. My question is this: The argument he has made rests on the premise that switching should not take place, and I am wondering what his arguments are for maintaining this ratio between the gasoline tax and diesel fuel tax. In other words, why do you think switching should not take place? I could see reasons why we might want to encourage, as a matter of public policy, the switching from the use of diesel fuel to the consumption of gasoline. I have in mind the disadvantages of say, air pollution from diesels. Could the Provincial Treasurer in a very brief answer, give me some idea of why he feels switching should not take place?

**Hon. Mr. MacNaughton:** It could be an impairment to the revenues. More basically this tax difference between the tax on gasoline and the tax on diesel fuel bears a relationship to the value of a gallon of gasoline for combustible purposes, if you like, versus diesel fuel. A gallon of diesel fuel itself without tax is of less cost and yet in a diesel motor it has more combustible value. Again, technically, I am not too well equipped to explain this. I am sure the hon. member knows what I am trying to say, so that if you raise the tax on one and you do



not raise the tax on the other you create a disparate situation that can work disadvantageously both ways. Mr. Chairman, you will have to accept my word for that. I was convinced of it when it was explained to me.

**Mr. T. Reid:** Mr. Chairman, my point was that the Provincial Treasurer's premise was simply that switching should not take place. Perhaps later on I might have an opportunity of discussing with him why he feels switching should not take place.

**Hon. Mr. MacNaughton:** I think we have discussed this as far as I want to push it.

**Mr. Chairman:** Shall section 1 stand as part of the bill?

Section 1 agreed to.

On section 2:

**Mr. Deans:** Mr. Chairman, I wonder if the Minister would be kind enough to inform me just exactly what section 2 means? It is a conundrum, if you understand the meaning of the word.

**Hon. Mr. MacNaughton:** Section 2?

**Mr. Deans:** Yes, sir.

**Hon. Mr. MacNaughton:** Section 2 is very simple. This concerns aviation gas, and the Act presently has the—pardon? Oh I am sorry, excuse me, I am sorry, I am on the wrong page, very sorry, very sorry. Are you talking about—

**Mr. Deans:** It states that "this Act shall be deemed to have come into force on the 13th day of March"; this I can understand. What is meant by "and is repealed on the day on which The Motor Vehicles Fuel Tax Act, 1965, is proclaimed in force"? What does that mean?

**Hon. Mr. MacNaughton:** This replaces it. The one replaces the other.

**Mr. Deans:** Is that what that says?

**Hon. Mr. MacNaughton:** That is the way I understand it.

**Mr. Shulman:** It repeals itself.

**Mr. Deans:** Yes, but I doubt if that is what that says.

**Mr. D. Jackson (Timiskaming):** You are throwing out your own bill.

**Mr. Deans:** At least not as I understand it. I would have let it go through, sir, and allow it to be repealed but I hesitate to—

**Mr. Shulman:** Do not be that unkind to them.

**Mr. Deans:** Your Act is already repealed, sir.

**Hon. Mr. MacNaughton:** It may be a good time to amend that section.

**Mr. Deans:** I would prefer if you just left it.

**Hon. Mr. MacNaughton:** Mr. Chairman, I thank the hon. member for drawing it to my attention. I had not noticed it. It means the reverse of what it actually says in that section.

**Mr. Deans:** Then we are all in favour of it, sir.

**Mr. Shulman:** Mr. Chairman, on a point of order, may I suggest in future it would be best if the Ministers read the Acts before they presented them.

Interjections by hon. members.

**Hon. Mr. MacNaughton:** Mr. Chairman, may I suggest we seek the advice of legislative counsel and proceed with the next bill and come back to this one?

**Mr. Deans:** Thank you, Mr. Chairman.

**Hon. Mr. MacNaughton:** Do me the credit of admitting there is a probable mistake. I am not sure, mind you. I could not tell you. I am not a legislative draughtsman.

**Mr. MacDonald:** Give us the credit of drawing it to your attention and we will admit that both sides are now even.

**Hon. Mr. MacNaughton:** Sure, thank you. I have already thanked the hon. member.

**Mr. Shulman:** Mr. Chairman, before we go on with that point there is another matter in relation to this bill. Would the Chairman give consideration to an explanation of the date, March 13, 1968? I have raised this point a number of times as to why they cannot wait until the time that this bill is passed before putting these various taxes into effect.

**Mr. Chairman:** The member for High Park, I think, has put the question which was intended as part of the question of the member for Wentworth and I am sure the Provincial Treasurer will provide the information when he has had an opportunity to consult with the legislative counsel a little later in this present sitting.

**Hon. Mr. MacNaughton:** The answer to this question, sir, is more obvious, I might

say. It was, of course, to provide for the implementation of the tax at 12:01 a.m. on March 13. This is retroactive legislation at this point, of course.

**Mr. Shulman:** But the question I am asking is, why?

**Hon. Mr. MacNaughton:** It is quite customary. For one thing, the revenues accrue immediately. It minimizes, if it does not eliminate, the quick storing up of gas before the tax is imposed. If it is left too long it can happen—I mean the storage tanks in the hands of retailers filled, and so on and so forth. You see the tax is collected by the oil companies and if it is not made effective here there is no reason why a great deal of gas could not be distributed without the benefit of the increased tax.

**Mr. Shulman:** Mr. Chairman, I must explain to the hon. Provincial Treasurer the method by which gasoline is sold. The tanks are kept filled constantly and there is a truck going around at all times up to the total—

Interjections by hon. members.

**Mr. Shulman:** —may I finish please?—up to the total capacity of the oil companies so they try to keep these oil storage tanks kept as full as possible. So you are not going to lose anything. You have given one day's notice in any case. In a type of tax where there is no possibility of retail storage you should really bring it into effect—and I am suggesting that in future, perhaps, this might be the way that you could handle this type of tax—after the Legislature has had a chance to consider it and pass it.

**Hon. Mr. MacNaughton:** I will give this consideration.

**Mr. Shulman:** Thank you.

**Mr. Chairman:** We will deal with section 2 after the Provincial Treasurer has time to look into it further, later this afternoon.

**Mr. Lewis:** He has repealed it.

**Mr. Chairman:** No, he is waiting for information from the legislative counsel.

**Mr. Lewis:** The force of Opposition arguments then has repealed the Act as it is presented, is that it?

**Mr. Chairman:** Not as yet.

**Mr. Lewis:** Not as yet, but he is considering it. That is why we are withdrawing the Act?

**Mr. Chairman:** He is considering an amendment to the wording of section 2 of the Act.

**Mr. Lewis:** I see. So the Act is suspended, it is in abeyance.

**Mr. Chairman:** It is in abeyance temporarily at the moment.

**Mr. Lewis:** While he is talking will he stop collecting the tax under the circumstances?

**Mr. Chairman:** Oh no. Oh no. No no.

**Mr. Lewis:** It is a matter of some consequence, Mr. Chairman, as I understand it. The section repeals the Act in the process of its being proclaimed. You cannot have retroactivity without proclamation. The Provincial Treasurer may well be contravening all the laws of the legislative process.

**Mr. Chairman:** No, I would say the Act has not been proclaimed, the Act has not been completed in committee stage and we are simply asking it be held out for a few minutes until the Provincial Treasurer is able to answer and clarify section 2. We are just holding it temporarily in abeyance.

**Mr. Shulman:** On this point, it will not be possible to print new laws in time to present them today.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

*That,*

Every consumer shall pay to Her Majesty in right of Ontario a tax computed at the rate of,

(a) three-tenths of 1 cent on every cigarette purchased by him;

(b) one-half of 1 cent for every 5 cents or part thereof of the price at retail of every cigar purchased by him;

(c) 2.5 cents per ounce or part thereof of any tobacco, other than cigarettes or cigars, purchased by him,

as provided in Bill 39, An Act to amend The Tobacco Tax Act, 1965.

Resolution concurred in.

#### THE TOBACCO TAX ACT, 1965

House in committee on Bill 39, An Act to amend The Tobacco Tax Act, 1965.

On section 1:

**Mr. Nixon:** Mr. Chairman, in raising this tax from 2 cents to 6 cents per package, the Provincial Treasurer must surely have assessed the possibility that this fairly large increase in tax would attract contraband cigarettes into the province from the United States. I understand that Quebec and Manitoba have somewhat similar taxes; Manitoba may be equal to ours, and the one in Quebec may be equal now that the Quebec budget has come down. What about the situation in the American jurisdictions? You no doubt recall—I am not sure of the date—but I think it was a large increase in federal excise tax, that prompted widespread smuggling of American cigarettes into Ontario and into Canada. There would be a tendency with this larger imposition for the same thing to occur if a fairly large difference in price resulted. No doubt his experts have looked into this. I wonder if he could give us some information on it?

**Hon. Mr. MacNaughton:** Mr. Chairman, we not only looked into it as far as the jurisdiction of Ontario was concerned, we consulted with the neighbouring provinces. We learned that when the province of Quebec raised their tax to 4.8 cents—which was prior to the recent budget; it has now risen to 8 cents—they did experience some smuggling of contraband cigarettes. I am reliably informed that it is easier to smuggle cigarettes into Quebec and particularly into Manitoba than it is into the province of Ontario, because the border crossing points in the heavily populated areas are bridges or tunnels and it is much easier to enforce the customs regulations than in some of the neighbouring provinces. It was not regarded as a serious factor. I could not honestly say to the House that it would not encourage some, but not sufficient to make any material difference in the revenue which the tax proposes.

**Mr. B. Newman (Windsor-Walkerville):** It does encourage dishonesty.

**Hon. Mr. MacNaughton:** Well, yes, I suppose. We were not really legislating morals or honesty when we were drafting this legislation, quite frankly.

**Mr. T. Reid:** I have two short questions.

In Bill 39, subsection 1, it refers to the "consumer;" in Bills 38 and 37, it refers to the "purchaser." Just as a matter of curiosity really, I realize you do not consume gasoline in a physical sense, but surely one can purchase cigarettes. I am just wondering what the thinking is. Why is there disparity

between using the word "consumer" in this bill and then in the other ones talking about "purchaser"?

**Hon. Mr. MacNaughton:** Mr. Chairman, I would have to say I think maybe that is just a simple matter of semantics, or antics with semantics, or whatever you like. As far as the legislation is concerned, I think one word is the counterpart of the other as far as the two bills are concerned. I do not think it makes any material difference.

**Mr. T. Reid:** To follow up the question, it just does not seem these three tax bills were thought through in a consistent way, just sort of one after the other.

A related question, Mr. Chairman, and I know the Minister can outline this very briefly: Why, instead of using the word "consumer" or "purchaser"—in this bill it is "consumer"—do you not use the word "seller"?

**Hon. Mr. MacNaughton:** Because it is the purchaser or consumer who pays the tax.

**Mr. T. Reid:** Would it not be better to have the seller pay?

**Mr. R. M. Johnston (St. Catharines):** A constitutional problem.

**Hon. Mr. MacNaughton:** Obviously it has been deemed expedient to do it this way. I would say, Mr. Chairman, it is the way it has been done for many, many years, it is satisfactory and in the end result it is the consumer who pays the tax.

**Mr. T. Reid:** My understanding is Mr. Chairman, just for information, that under the constitution of this country we cannot use the word "seller." Perhaps I can be corrected on this.

Another question, Mr. Chairman, is: What is the definition of "cigarette"? Do you include a marijuana cigarette?

**Mr. R. M. Johnston:** Not under a tobacco tax Act, no.

**Mr. Deans:** Mr. Chairman, I wonder if the Provincial Treasurer would be kind enough to inform us what is the rationale behind the 200 per cent increase. How was this arrived at?

**Hon. Mr. MacNaughton:** Some of the rationale of course was to catch up with what we felt was a disproportionate situation in the other provinces. We had lagged rather substantially far behind in this field, and as I pointed out to the House yesterday, with



that 6 cents per package of 20 we are still not the highest taxing jurisdiction in Canada.

The two border provinces, Manitoba and Quebec are 8 cents. Manitoba has been 8 cents for quite some time. Quebec is 8 cents as a result of the last budget. In Newfoundland—they know how to tax down there on everything, you better believe it; gas tax, everything—they have 10 cents tax per pack; they make us look like pikers, really. So, it was to recognize that and bring us into line with what we felt was too low a position *vis-à-vis* the other taxing jurisdictions.

**Mr. Deans:** I understood the Minister to say, then, the rationale is that we lag behind the other provinces in this field? Does he think this same principle might also apply in the field of medicare, we might catch up with Saskatchewan?

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, I am much taken by the remarks of my colleague from Scarborough East. I do not think this is just a question of semantics. From my point of view, it is not. I am just wondering if the hon. Provincial Treasurer would advise the House, or the committee, rather, if he discussed this question of the use of the word "consumer" rather than "purchaser" with his law officers, because, Mr. Chairman, just for a moment anticipate, if you would, a prosecution for non-payment of this tax.

I take it the obligation is that the purchaser should pay the tax—I infer, perhaps incorrectly, that this is the obligation—but now anybody prosecuting under this legislation is going to have an obligation to show that the purchaser, sir, who should have paid the tax because the tax will be collected at the time of the sale and purchase, must be the consumer of the cigarettes. And contrariwise, the purchaser himself might not be the consumer of the tobacco involved. I am just wondering from the point of view of enforcement, if the Provincial Treasurer does not consider this of some concern and perhaps worthy of amendment?

**An hon. member:** Just sloppiness.

**Mr. Bullbrook:** I do not know whether it is sloppy; it might be intentional, I do not know.

**Mr. Chairman:** If the Provincial Treasurer would permit I should like to point out that in the explanatory note it does say a tax on each cigarette purchased by a consumer.

**Mr. Bullbrook:** Yes, I recognize that. But I think it is a matter of law that these explanatory notes are not taken into consideration in assessing and interpreting statutes of this Parliament—the statute is.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, I think we should have an explanation as to exactly what it means because it will be very confusing. What is the position in the case of buying these goods to give away as a gift; you are not the consumer and you should be exempt from the tax and the explanation note uses the same terminology "consumer".

**Hon. Mr. MacNaughton:** Mr. Chairman, I am getting some advice on these very legal matters and—

**Mr. Bullbrook:** I can now assist you if you would permit.

**Hon. Mr. MacNaughton:** I would be delighted if you would. If you have got the original bill there it might help us out.

**Mr. Bullbrook:** This, I think, answers our problem. I am just looking at the statute, the page just brought it to me, and if you would, sir, section 1(b) says:

Consumer means any person who in Ontario, purchases or receives delivery of tobacco, or in the case of a person ordinarily resident—

I think that that answers our problem, sir.

**Mr. Nixon:** I think that that was a very useful exercise in examining into the statute. I was wondering, Mr. Chairman, if the actual rebate on the tobacco sales begins at the purchaser or is the money rebated from the wholesaler under these circumstances? I can remember one of the arguments given by the former Treasurer, when he took the sales tax off tobacco and imposed The Tobacco Tax Act, was that it would be convenient for the small confectioner, who would not then have to be registered under any specific Act and that really it is imposed at the wholesale level.

**Hon. Mr. MacNaughton:** Yes, this is true, Mr. Chairman. The collection is made by the wholesalers as agents under agreement. We negotiate agreements with these people to be our agents in the collection of this tax, for the purpose that you just expressed a moment ago.

**Mr. Nixon:** Yes. I can see the usefulness of that, but in fact this make it an indirect tax, does it not?

**Hon. Mr. MacNaughton:** Rather than a direct tax? I think not. There have been doubts expressed about that. I think the fact that it is done under agreement by these people as agents for us makes it, for all practical purposes, a direct tax.

**Mr. Nixon:** We seem to be interested in legal points. Since the consumer or the purchaser does not, in fact, pay the tax, which is then rebated as in the case of the sales tax, but it is charged at some level of business before it gets to the consumer, there would be a good case to say that it is an indirect form of taxation, therefore not available to us.

**Hon. Mr. MacNaughton:** Mr. Chairman, that may well be. I think possibly if you wish to pursue this point you—

**Mr. Nixon:** No, it is just a point.

**Hon. Mr. MacNaughton:** You could make a case for it, but obviously the government was satisfied some years ago when the method of collection was proposed to the House. As the hon. leader of the Opposition has pointed out, it was done for convenience sake and efficiency at that time. It has not been challenged since. I think, by and large, we regard it as being *ultra vires* or what do you call it.

**Mr. Nixon:** I think it really leads to the point that was raised last night, when someone asked the Provincial Treasurer what taxes did he consider were not within the ability of the province to levy. There are none, except the excise taxes and import duties that are obviously collected by the government of the nation. You have access to all of the tax fields that are available at the federal level. Your basic argument that only the regressive sources are available to you and the progressive sources for the federal government just falls apart.

**Mr. Chairman:** The member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, I wonder if the Minister is now satisfied that the word consumer is in its proper connotation in regards to the Act. The hon. member for Sarnia made an explanation that seemed to satisfy the Minister, but does not the first paragraph of the amending section repeal

any reference to the other bill—the other Act?

**Mr. Bullbrook:** It repeals section 2 of section 1 of the parent Act. It does not repeal the definition section in the 1965 statute.

**Mr. T. Reid:** Mr. Chairman, I would like to ask the hon. Provincial Treasurer a type of question that was already asked him with regards to another bill.

I would appreciate the Treasurer's views on the relationship between the relative tax increases for cigarettes, cigars and tobacco other than cigarettes and cigars. They have increased at different rates. You have used a different definition on which to base your tax. I do not want a technical argument, Mr. Chairman, I would like to know whether the Minister considers the tax increases relative to each other to have a neutral effect. In other words, they are not designed to promote switching? Is this the case?

**Hon. Mr. MacNaughton:** Not altogether, although that would be taken into consideration. The tax on cigars is usually fractional, and unless it is a fraction that rounds itself out to a round selling price, you get into a difficulty, if you follow me.

For instance, it is increased from one-fifth to one-half cent for every 5 cents at the retail price. Prior to that, it would be 1 cent for five cigars. Now it is 1 cent for two cigars. If you get away from that sort of fractional relationship you get a difficult situation at the selling level. These things are all taken into account too, I might say.

**Mr. T. Reid:** Just a brief comment on this type of question, Mr. Chairman.

The Provincial Treasurer noted that the logic behind the tax increases and the difficulties of lumpiness of certain tax increases. I am just wondering, sir, whether the Provincial Treasurer takes into consideration social criteria, as well as tax criteria?

For example, apparently some studies show that the incidence of cancer from the consumption of tobacco is less in cigars than cigarettes. Did the Provincial Treasurer consider, at all, the possibility of increasing the taxes on cigarettes to encourage switching—some studies show that switching does take place—from cigarettes to cigars and pipe tobacco?

**An hon. member:** He would rather fight than switch.

**Mr. T. Reid:** Would you just forget about the switch for a minute and look at it as a maximizing revenue?

**An hon. member:** He would rather fight than switch.

**Hon. Mr. MacNaughton:** I have to say to say to you, Mr. Chairman, it is my considered opinion that we are getting very, very far out of order. I am sure that this all should have been discussed on second reading. This is a matter more related to the principle of the bill than the detail of the section we are looking into.

**Mr. Lewis:** Whenever we discussed the detail of the section—

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, I wonder if I might ask a question of the hon. Provincial Treasurer: Who is responsible for collecting the tax? I understand that it is the retailer—and I was talking to one here, not long ago, and he intimated that the amount that they get for bookkeeping and collecting the tax has been reduced. I wonder if the hon. Provincial Treasurer would impose the tax, say, at the manufacturing level, rather than at the retail level, where the small outlets find it very difficult with bookkeeping?

**Hon. Mr. MacNaughton:** Mr. Chairman, I have just explained the tax is collected by the wholesalers. It is passed along by the retailer, of course, in the rounded price but it is not collected by the retailer, held in account by the retailer and remitted by the retailer. That—

**Mr. P. D. Lawlor (Lakeshore):** On a point of order. If I may, Mr. Chairman—

**Hon. Mr. MacNaughton:** I wonder if the Chairman would permit me to finish?

**Mr. Lawlor:** Point of order.

**Mr. Chairman:** Is the member for Lakeshore rising on a point of order?

**Mr. Lawlor:** Yes. Subsection 2 of section 2, Mr. Chairman, through you to the Provincial Treasurer, states the tax imposed by this section be collected from the consumer by the retail dealer as agent of the Provincial Treasurer at the time of the sale, and so on. It is not the wholesaler, sir.

**Hon. Mr. MacNaughton:** Mr. Chairman, call it what you will, it is the distributor, retail dealer—it is not the little cigar store on the corner. Maybe I have made it clear.

Now the hon. member for Thunder Bay made some references to a commission, I believe, for collection, did he not?

**Mr. Stokes:** Yes.

**Hon. Mr. MacNaughton:** Our agreements presently call for a commission, which amounts to 1 per cent of the tax collected. We have not reduced the total amount. It was previously 2.5 per cent. We have reduced it to 1 per cent, but the amount that 1 per cent produces is now more than it formally was if totalled up. It used to yield to the collector something of the order of \$500,000 per year at 2.5 per cent.

Because the tax is substantially higher, 1 per cent will, I believe, yield about \$600,000, so we have proposed a reduction in the percentage but not a reduction in the total commission paid.

**Mr. Gisborn:** Mr. Chairman, on this question of collection I understand that many of the supermarkets go direct to the manufacturer to get their supplies in the tobacco field. Does the manufacturer then submit the money to the treasury?

**Hon. Mr. MacNaughton:** In that instance, the manufacturer would be the collector. Some manufacturers do it themselves, some do it through their agent distributors. It is a matter of policy at the level of the tobacco companies, and it does vary. I might say that while this commission arrangement has been proposed, it is still under review. We have been approached by the tobacco dealers association to review the matter, and while we have proposed this new commission arrangement it is still being reviewed.

Sections 1 to 3, inclusive, agreed to.

Bill 39 reported.

**Mr. Chairman:** Reverting to Bill 38, An Act to amend The Motor Vehicle Fuel Tax Act, section 2:

**Hon. Mr. MacNaughton:** Mr. Chairman, I am advised by the legal advisers who drafted the Act in the first place that the language is quite correct. Mr. Chairman, I am frank to say that it does not make my understanding of it any better, but I shall attempt to explain it to the House. Maybe we should send for the hon. member for Sarnia again; I see that he is out of his seat.

**Mr. Nixon:** Well, you explain it first, and—

**Hon. Mr. MacNaughton:** Shall I try it first? All right, I shall try it on you. The point



is that when the parent Act is in force, an amending statute is required in the annual statutes. However, in this case the parent Act is being amended before being brought into force, and the amendment will therefore be included when the Act is proclaimed and no amending statute will be needed. The same procedure was followed in the 1966 amendment.

**Mr. MacDonald:** It sounds like the family situation which became so mixed up that the son found he was his mother's uncle.

**Mr. Nixon:** Perhaps it could be explained by a similar procedure. Is it necessary in Bill 37; really, the two are quite parallel?

**Mr. Singer:** Mr. Chairman, I am more confused by the explanation than I was before. This Act shall be deemed to come into force on March 13, 1968, and is repealed on the day in which the parent Act is proclaimed in force. Now, we are amending the parent Act, which is not yet proclaimed in force, and I suppose that we can amend an Act that has not been proclaimed. But if the parent Act is not proclaimed, and this is the Act that gives you power to increase your tax, what have you got in the parent Act about taxes if you tax by regulation there? Is that the point?

**Mr. MacDonald:** That is a statutory nightmare!

**Mr. Singer:** You tax in the parent Act, by regulation, or by statute. When you tax by statute, you have nothing left, but if you tax by regulation maybe it would make some sense.

**Mr. Lewis:** How can they have a regulation in a bill that has not been proclaimed? How has the Provincial Treasurer taxed in 1965?

**Hon. Mr. MacNaughton:** May I read the section again? I think that it is fair to assure the House that we have not been taxing without authority.

An hon. member: Well, it looks that way.

**Hon. Mr. MacNaughton:** It may, but I think that you can rest assured that the authority for the taxation—

**Mr. Lewis:** On a point of order, there may have to be a public restitution covering three years of taxation.

**Mr. Chairman:** Order, please.

**Mr. Lewis:** I am quite serious, Mr. Chairman.

**Hon. Mr. MacNaughton:** I am well assured that this is not true. Again the point is that when the parent Act is in force and I hope that the hon. member for Downsview attends me here, because—

**Mr. Singer:** Though not proclaimed?

**Hon. Mr. MacNaughton:** Just a moment. The point is that when the parent Act is in force, an amending statute is required in the annual statute. However, in this case the parent Act is being amended before being brought into force, and the amendment will therefore be included when the Act is proclaimed, and no amending statute will be needed. The same procedure was followed in the 1966 amendment.

**Mr. Singer:** Well, are we taxed by statute or regulation then? You must be taxing the parent Act by regulation.

**Hon. M. B. Dymond (Minister of Health):** No, no, your parent Act is not—

**Mr. Lewis:** Now the entire legal counsel of the government is under the gallery with red books and black books and huddled in discussion, and nothing has yet resolved. What we ask the Provincial Treasurer, Mr. Chairman, is how do you tax, either by Act or by regulation for three years with an unproclaimed Act?

**Hon. Mr. MacNaughton:** Mr. Chairman, let us see if we can simplify it. We are presently taxing and will be taxing under the 1960 statute until the 1965 Act is proclaimed.

**Mr. Singer:** All right, we go that far. Then when you proclaim the 1965 statute, this is repealed, and what is there in the 1965 statute that enables you to collect 24 cents? Probably in the 1960 statute; you tax by regulation.

**Hon. Mr. MacNaughton:** Mr. Chairman, I must say that I find this a diverting exercise.

**Mr. MacDonald:** Yes, it is diverting everybody!

**Hon. Mr. MacNaughton:** No, I am reassured that this is not the case, and I am sure that my friend will be comforted that the government has not been doing that. Now, we will try this out. The tax is under the 1960 RSO—the revised statutes of Ontario 1960. In 1965, a new Act was enacted, but not proclaimed. The bill amends that RSO

Act, that is the 1960 Act. When the 1965 Act is proclaimed it will replace, as I say, the RSO 1960, and all its amendments. Now, I hope that that is clear to somebody.

**Mr. Lawlor:** Mr. Chairman, it seems to me that this would cause enormous difficulties with respect to March 13, 1968. Is the Provincial Treasurer saying, in effect, that once it is embodied in the 1968 statute, in effect the tax at the additional rate runs from the 1965 date?

**Hon. Mr. Rowntree:** I will speak to that. The point that has not been stated yet is that the 1965 Act, which has not been proclaimed, has yet to be amended in this current session of the House and that is why it will bring the matter into line.

**Mr. Singer:** Now we are getting at it.

**Hon. Mr. Rowntree:** There is a gap there that was not covered, obviously because whatever exists in the 1965 Act is at the old rate. There will be a further amendment to the 1965 Act in this session which will bring it up.

**Mr. Lawlor:** Does the amended bill say that this tax runs from March 13, 1968?

**Hon. Mr. Rowntree:** No, it will be at the higher rate and will replace this present legislation.

**Mr. Lawlor:** No, with all due respect, Mr. Chairman, you have already amended subsection 1 of section 3, and when it is proclaimed that is embodied and picked up immediately. What bothers me is the second section here about March 13. If you are repealing the Act, if this is being repealed in the process of embodiment, then I think you have left out the point of time at which the whole thing becomes operative. I suspect that you are going to have to make your amendments accordingly.

**Mr. Lewis:** Mr. Chairman, surely the Minister has only two honourable courses, either to resign or withdraw the tax. There are no alternatives. We have apparently been taxing retroactively by regulation from a statute dated in 1960. That is precisely what has emerged this afternoon. Nothing has been proclaimed subsequent to that relevant to this tax, and I suggest, Mr. Chairman, that the House is in a very critical legal dilemma.

**Mr. Chairman:** It would appear to the Chairman that the member is out of order.

**Mr. E. P. Morningstar (Welland):** Mr. Chairman, I would suggest that you pay no

attention to this recommendation. We want this man on the job for many years to come.

**Mr. Chairman:** Order!

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Lewis:** Mr. Chairman, I am pleased to have been taken seriously, even by one member of the government.

**Mr. Chairman:** Shall section 2 stand as part of the bill?

Sections 2 and 3 agreed to.

Bill 38 reported.

**Mr. Lewis:** Mr. Chairman, clearly the "nays" have it. They have it by number, they have it by voice.

**Mr. Chairman:** In my opinion the "ayes" have it.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

*That,*

Every holder of a winning ticket issued under the pari-mutuel system upon a race run at a race meeting shall pay a tax at the rate of 7 per cent upon the amount that would be payable to him if no percentage were deducted or retained by the person holding the race meeting in respect of such race, and the tax shall be collected by the person holding the race meeting as the agent of the Treasurer of Ontario by deducting from the total amount bet or wagered upon such race a sum equal to 7 per cent of the amount so bet or wagered, and such sum shall be paid over to the Treasurer of Ontario at the close of each day's racing,

as provided in Bill 40, An Act to amend The Race Tracks Tax Act.

Resolution concurred in.

#### THE RACE TRACKS TAX ACT

House in committee on Bill 40, An Act to amend The Race Tracks Tax Act.

Section 1 agreed to.

On section 2:

**Mr. T. Reid:** Mr. Chairman, again I would like to know why 7 per cent and not 10 per cent or 20 per cent.

**Hon. S. J. Randall** (Minister of Economics and Development): Were you here last night?

Sections 2 to 4, inclusive, agreed to.

Bill 40 reported.

**Hon. Mr. Rowntree** moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain resolutions and certain bills without amendment and asks for leave to sit again.

Report agreed to.

The 13th order:

#### THE MUNICIPAL CORPORATIONS QUIETING ORDERS ACT

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves second reading of Bill 54, An Act to amend The Municipal Corporations Quieting Orders Act.

Motion agreed to; second reading of the bill.

#### THE STATUTE LABOUR ACT

**Hon. Mr. McKeough** moves second reading of Bill 55, An Act to amend The Statute Labour Act.

**Mr. P. D. Lawlor** (Lakeshore): Mr. Speaker, I would like to say a few words about the poll tax. At long last the government is beginning to clean away some of the medieval swamps, some of the cobwebs. Though they do not progress very greatly with respect to contemporary times, at least the beginning of the 18th century is gradually being eliminated. You would think that this province resembled Missouri, Mississippi, or some of the states to the south where the poll tax has been a chief instrument of keeping people down. In any event, the thing has been fairly inoperative.

I would refer the members of this House, Mr. Speaker, to chapter 16 of the Smith report, a full chapter on this particular Act. It has many rather fetching things to say about the Act remaining on the books this long and as to its effects. The Act is still in effect, or at least in 1963 it was still in effect in 69 municipalities throughout this province,

although the amount of revenue on a percentage basis against the whole had been declining in recent years.

If I may advert, on page 320 of volume 2 of the report, it makes mention that it is still retained in some of the provinces of this country, particularly in Nova Scotia, where it nevertheless provides a considerable source of its revenues, believe it or not. I would like to make reference to some of the terms of the Act. On page 322, Smith says:

There is also the fact that a significant proportion of municipal revenues in the form of grants from senior levels of government, these are the reasons why this Act should be eliminated or this statute labour poll tax. The source of these funds, largely income and sales tax, serves to broaden the group of taxpayers who are contributing directly or indirectly to the support of local government.

**Mr. V. M. Singer** (Downsview): But they have done it.

**Mr. Lawlor:** Over on page 324—

**Mr. Singer:** What is the point in whipping a dead horse?

**Mr. Lawlor:** Nevertheless there are some lessons to be learned from the repeal of this Act, I would suggest to the hon. member for Downsview.

The poll tax is plainly regressive. Its flat rate means that all people subject to the tax pay the same amount regardless of income. The exclusion of property owners from the base will accentuate the regressive nature of the tax to the extent that home ownership is more common among higher income groups. While in some jurisdictions individuals with incomes below a fixed level are exempt from the tax, the income levels which are set for this purpose are normally so low that many welfare recipients are still subject to the tax. If the latter were exempt, the poll tax revenues would shrink still further.

The city of Hamilton, under its board of control, notes that the collections in 1957 amounted to only 60 per cent of the levy. The estimated cost of collecting the tax of \$31,300 was \$9,500. As you can see in the circumstances, we are thoroughly in agreement with the government in bringing in this source of legislation and cleaning away the cobwebs. But I say, by analogy, other forms of regressive tax, probably having much more deep-rooted



effects than this particular legislation, could suffer from the same stipulations and the same concepts that are set forth here in Smith *vis-à-vis* this regressive form of taxation.

They say, finally:

We ourselves concluded the poll tax has no place in the sound system. It is unfair, regressive, costly to administer—

Apply this to a number of other Acts we have been dealing with.

And widely evaded and in brief anachronism in modern society. We believe the province should abolish the tax as a local revenue source, and in accordance with the particular recommendation, the province has finally seen fit so to do and we congratulate them.

Mr. Speaker: Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

### THE RAILWAYS ACT

Hon. Mr. McKeough moves second reading of Bill 68, An Act to amend The Railways Act.

Motion agreed to; second reading of the bill.

### THE PLANNING ACT

Hon. Mr. McKeough moves second reading of Bill 89, An Act to amend The Planning Act.

Motion agreed to; second reading of the bill.

Mr. Singer: Mr. Speaker, that bill is quite a new one and it has not been on the order paper very long. I would ask the Minister if he would like to defer this for a few days so that we could examine it further. It is a rather long bill and there is some further consideration we would like to give to it.

Hon. Mr. McKeough: I wonder, Mr. Speaker, if the hon. member could see the need for getting this through as quickly as possible. I have no objections—getting through subsection 2.

Mr. Singer: This is second reading, is it not?

Hon. Mr. McKeough: Yes, I agree, but I think you would realize why we would want to press on with getting this bill through the House, particularly subsection 2.

Mr. Singer: It is the last bill in the book, and—

Hon. Mr. McKeough: It has been in the book for—

Mr. Singer: On behalf of the official Opposition I would like a little more time to consider this. We have not had ample time.

Mr. Lawlor: Mr. Speaker, I am in support of that. It is a very long bill and we have not really had an opportunity to peruse it, considering the volume of other Acts that have had to be attended to.

Hon. Mr. McKeough: Very well, the acting leader of the official Opposition, having successfully drawn to our attention an amendment which was necessary for a private bill the other day, for which I am eternally grateful, I am glad to accede to his request at this time.

### THIRD READING

Bill 35, An Act respecting the marketing of cattle for the production of beef.

Mr. M. Makarchuk (Brantford): I have an amendment to the reading of the bill and that is to delete the word "now" and insert "upon this date six months" so the motion for the reading would read:

That Bill 35 read upon this date six months

The purpose behind the motion, Mr. Speaker, it seems to me, is that an unrepresentative group of beef producers which has got the ear of the government is trying to ram a piece of legislation down the throats of the farmers who really have very little to say about the bill and who are not sure—

Mr. Speaker: Order! The member, I presume, wishes to speak to the motion. When it is received by the Speaker it will be put and then it will be in order to debate.

Moved by Mr. Makarchuk, seconded by Mr. Jackson, that the motion for the third reading now of Bill 35 be amended by deleting the word "now" and inserting the words "upon this day six months," so that the bill now reads "that Bill 35 be read upon this day six months."

The member now has the floor.

Mr. Makarchuk: As I was saying, Mr. Speaker, it is very doubtful if this piece of legislation is something that the farmers want. A great deal of discontent about this legisla-

tion has been demonstrated in committee hearings. We have one large—and, I might say, very representative—farm organization that is totally opposed to this particular legislation. The farmers themselves are confused. They do not know really what the legislation will do—just what effect it will have on their particular operations and how the marketing will be adjusted.

I may add, Mr. Speaker, that alternative legislation to regulate the beef marketing industry has been proposed by farm organizations, particularly the farm union. Therefore, Mr. Speaker, I feel that it should be up to the farmers to decide on the merits of this legislation—whether they want this particular legislation, or whether they want some alternative method of beef marketing, as proposed by the farmers' union.

We tried to introduce a plebiscite on this particular bill that would let the farmers decide, and the fact that the bill does not permit the farmers an opportunity or a voice on this particular matter is the reason for this motion. I think it is certainly in keeping with the concept of the just society that the man who is going to be affected by legislation should have a right to say something about it.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, if I may I would just like to make a comment in reference to the amendment as proposed by the hon. member.

It seems to me that the purpose of the amendment would in effect kill the bill. I hesitate to support that amendment because I do realize that there are many good sections in the bill. I think there are a number of good things being accomplished by this bill. It may very well be, as was suggested in committee, that the good sections are just a little sugar on top of the vinegar. Nevertheless, I would not want to see the entire bill thrown out, Mr. Speaker. For that reason we will oppose the amendment as proposed by the hon. member.

Actually as far as the contentious part of the bill is concerned, that is to say, the check-off, I think the point has been made on a number of occasions that, in effect, the attitude of the farmers and the number of farmers coming in and asking for their rebate is, in actual fact, a continuing plebiscite on the bill—on the check-off. If, in fact, a goodly number of farmers ask for the rebate, then it is rather obvious that that particular part of the bill, the rebate, does not have the support of the beef farmers. That being so, then I think that we have got to reassess our

position on that aspect of it and if need be, then we come in and change that legislation. Presumably we will put it to a vote of the beef farmers.

If the vast majority of beef farmers do not wish to have the check-off—and there is some question here as to whether the Ontario beef improvement association represents the majority of beef farmers. If it does, and if that attitude is properly taken then, of course, the bill as drafted represents the feeling of the majority of beef farmers in the province of Ontario.

If, in fact, the beef improvement association does not represent the majority of beef producers in the province then I think that will become pretty obvious, because they will be asking for their rebate, or at least a goodly percentage of them will be asking for their rebate. So, I think that in that way, if the time comes when we have to reassess our position on that point then we can do it.

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, this bill, in my opinion, and in the opinion of many of the farmers, makes a mockery of the democratic process. Over the last week-end, when we had a long week-end, I made a point of visiting—

**Mr. Speaker:** May I just point out to the member who has the floor at the moment and those who will wish to speak, that this bill has been debated on second reading and in committee. The only matters which will be relevant to this debate would be the reasons for the amendment and not the principle of the bill, which has already been accepted by the House. So if the member will confine himself to that, as the two previous speakers have done, he is quite in order; otherwise, he is out of order.

**Mr. Jackson:** Mr. Speaker, I believe the reason for me seconding this amendment is the fact that I spoke to the farmers in my own area, and although we are known as a mining community we have many farmers and most of them beef farmers. And I found that not one farmer knew what was in this bill or agreed with anything they did know about it. I am quite sure that if we are going to claim to be part of a democracy we have to give the farmers a chance to vote on it and a chance for them to agree to something that they know is there. My colleague has suggested a plebiscite and I think that we must have a plebiscite before this bill goes through.

**Mr. J. W. Snow (Halton East):** Mr. Speaker, I have a few remarks to make in opposition to the amendment which has been presented here today. I have also made it a point to discuss this bill with the beef producers in my area. As a matter of fact, I have sent copies of the bill to all the beef producers in the area who, to my knowledge, would be interested. And in discussions with them I have found that they are all in accord with the bill.

I have not had one person say to me that they are not in accord with it. The bill, I believe, has received the backing of the majority of the beef producers in the province of Ontario, due to the fact that the federation of agriculture and Canadian cattlemen's association, as well as the Ontario beef improvement association, have spoken in favour of this legislation. I also go along with the hon. member for Huron-Bruce on the fact that the clauses within the bill that allow for the farmer to ask for a rebate of his contribution give us a continuing vote on the legislation. And if it proves, over a period of time, that the farmers are unhappy with the progress being made through this legislation, and a major portion of them ask for their refund, then this will automatically vote down the bill. It is now up to the farmers to show whether or not they are in support of this bill.

**Mr. Speaker:** Is there any other member who wishes to speak to this bill before the Minister?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, I am somewhat surprised that the hon. member for Brantford has chosen to introduce such an amendment as is proposed and is now before the House for consideration. He has, in effect, said that we deny the right of the beef producers of this province to support themselves through their own organization.

He has said that we should continue the grant that has been made available through the public treasury of this province to the beef producers to organize themselves into a commodity group that speaks for themselves and in their own interests. This is what he has done. He has suggested that this bill does not have the support of the farm people of this province.

I would remind him that in the agriculture committee, the president of the federation of agriculture said the federation of agriculture was supporting this bill. The Ontario beef improvement association, with directors

representing every county and district in the province, were at the committee meeting with few districts or counties not represented and they supported it wholeheartedly.

At the annual meeting of the beef improvement association held in January or February of this year, there were between 500 and 600 beef producers of this province assembled in annual meeting and they voted unanimously to have this bill introduced and passed. What it provides is a means whereby the beef producers of this province may support themselves in their own organization and not have to depend on the government for hand-outs. And the very farm organization, Mr. Speaker, that my hon. friend suggests he represents in this House, and obviously does, is the organization that has said that the Ontario government is supporting the beef improvement association through public money to oppose a compulsory marketing plan.

I do not deny that at all, but why deny these beef people the right to collect this money on a voluntary basis because every dollar is refundable to them? Why deny it to them?

Interjections by an hon. member.

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** Voluntarily—

**Mr. Speaker:** Order!

**Hon. Mr. Stewart:** When the OFU were asked how many members has your organization got, as was asked the other day, your president replied that the OFU does not reveal their membership numbers.

**Mr. Speaker:** Order, order! The Minister and the members will conduct their debate through the chair, I would hope, rather than cross fire as they have been doing.

**Hon. Mr. Stewart:** My apologies, Mr. Speaker, you are quite right. May I suggest, Mr. Speaker, that when the president of the organization, which my hon. friend from Brantford says he represents in this House, was asked how many members he had, he said he did not reveal the membership of the organization.

I have no idea how many farmers they represent. It may be quite a substantial number, I expect it is. I simply point out this, that the beef producers themselves have an organization in every county and district of this province, and in every county and district of this province where this bill was discussed



two years ago, it was passed with two exceptions and one of those counties was Middlesex and the other was Huron.

Now, Mr. Speaker, the president of the Middlesex beef producers' association, who lives in the riding of my friend, the hon. member for Middlesex South (Mr. Olde), came to me and personally advised me that his organization had changed their mind and were supporting this bill completely. I have no knowledge as to what the Huron county delegation said, but I do know that Huron county was represented at the committee on agriculture and food recently, and in support of the bill. So it would seem to me that this bill has reasonably wide support.

The hon. member for Huron-Bruce, I am pleased to note, says that he will oppose the amendment and that his party will oppose this amendment. He noted that the success or acceptance of the plan will be indicated by the number of rebates that are requested on the check-off and I would suggest that this is indeed a way that a vote can be held almost annually on this matter.

But I would point out as well, Mr. Speaker, for the purposes of putting it on the record, that it may not be possible to judge by the number of rebates. Because I would assume that with all of the dairy farmers in this province selling the refuse from the dairy industry—that is, the cows that go through for beef purposes; the veal calves and what have you—that these people market but who are not really beef producers in the sense that we understand beef cattle producers to be.

There is a difference in the definition and I would assume that these people are those who have not as great a stake as the real beef producers, whose sole income or a large part of their income comes from beef production. How can we separate these? And as I undertook to do in committee, Mr. Speaker, we will have a look at how this matter of the rebate can be handled. Frankly, I think there must be an easier way of handling it than that which has been proposed in previous debates. I would ask, Mr. Speaker, that the members of the House support the bill, that they oppose the amendment and give the beef producers what they want.

Mr. Speaker: The members will remember that on second and third readings, when an amendment such as the one now before the House is proposed, the first vote is on whether the word "sought to be struck out" that is the word "now", shall stand as part of the motion. And, therefore, the vote which

will now be taken is whether or not the word "sought to be struck out" shall stand as part of the motion.

All those in favour will please say "aye". All those opposed, will please say "nay."

In my opinion, the "ayes" have it.

Call in the members.

The amendment to the motion made by the Minister of Agriculture and Food by the hon. member for Brantford was that the word "now" be stricken out of the motion and certain other words inserted. The vote now is on whether the word "now" shall stand in the original motion.

The House divided on the question; which was decided in the affirmative by the following vote:

AYES	NAYS
Allan	Brown
Apps	Burr
Auld	Davison
Bales	Deans
Belanger	Ferrier
Bernier	Gisborn
Boyer	Jackson
Breithaupt	Lawlor
Brunelle	Lewis
Bukator	MacDonald
Bullbrook	Makarchuk
Carton	Martel
Davis	Pilkey
Demers	Renwick
Downer	(Riverdale)
Dunlop	Stokes—15.
Dymond	
Edighoffer	
Evans	
Farquhar	
Gaunt	
Gilbertson	
Gomme	
Good	
Grossman	
Guindon	
Haggerty	
Haskett	
Henderson	
Hodgson	
(Victoria-Haliburton)	
Hodgson	
(York North)	
Innes	
Johnston	
(Parry Sound)	
Johnston	
(St. Catharines)	
Kennedy	

## AYES

## NAYS

Motion agreed to; third reading of the bill.

Kerr  
 Knight  
 Lawrence  
 (Carleton East)  
 MacKenzie  
 Meen  
 Morin  
 Morningstar  
 Morrow  
 McKeough  
 McNeil  
 Newman  
 (Windsor-Walkerville)  
 Newman  
 (Ontario South)  
 Nixon  
 Olde  
 Paterson  
 Potter  
 Price  
 Pritchard (Mrs.)  
 Randall  
 Reid  
 (Rainy River)  
 Reid  
 (Scarborough East)  
 Reilly  
 Reuter  
 Robarts  
 Rollins  
 Root  
 Rowe  
 Rowntree  
 Simonett  
 Singer  
 Smith  
 (Simcoe East)  
 Smith  
 (Hamilton Mountain)  
 Smith  
 (Nipissing)  
 Snow  
 Stewart  
 Villeneuve  
 Welch  
 Wells  
 White  
 Whitney  
 Wishart  
 Worton  
 Yakabuski—78.

Clerk of the House: Mr. Speaker, the "ayes" are 78; the "nays" 15.

Mr. Speaker: I declare the motion carried.

# THE ONTARIO PRODUCERS, PROCESSORS, DISTRIBUTORS AND CONSUMERS FOOD COUNCIL ACT

Hon. Mr. Stewart moves second reading of Bill 86, An Act to amend The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-1963.

Motion agreed to; second reading of the bill.

## ESTABLISHMENT, EXTENSION, IMPROVEMENT AND MAINTENANCE OF AIRPORTS

Hon. I. Haskett (Minister of Transport) moves second reading of Bill 52, An Act respecting the establishment, extension, improvement and maintenance of airports.

Motion agreed to; second reading of the bill.

Clerk of the House: The 56th order; committee of the whole House; Mr. A. E. Reuter in the chair.

## CITY OF SAULT STE. MARIE

House in committee on Bill Pr5, An Act respecting the city of Sault Ste. Marie.

Sections 1 to 7, inclusive, agreed to.

Schedule agreed to.

Preamble agreed to.

Bill Pr5 reported.

## CITY OF NIAGARA FALLS

House in committee on Bill Pr29, An Act respecting the city of Niagara Falls.

Sections 1 to 16, inclusive, agreed to.

Preamble agreed to.

Bill Pr29 reported.

## TORONTO CITY MISSION

House in committee on Bill Pr44, An Act respecting the Toronto city mission.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr44 reported.

#### JANBI HOLDINGS LIMITED

House in committee on Bill Pr51, An Act respecting Janbi Holdings Limited.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr51 reported.

#### WALBI HOLDINGS LIMITED

House in committee on Bill Pr52, An Act respecting Walbi Holdings Limited.

Sections 1 to 4, inclusive, agreed to.

Preamble agreed to.

Bill Pr52 reported.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, I am sorry—if I may, I notice in the amendment in Pr51—as it came through the private bills committee, the amendment is fine, but why is not that amendment in—oh, I see. I beg your pardon, Mr. Chairman, it is there.

**Mr. Chairman:** Has the member got the answer to his question?

**Mr. Lawlor:** Yes, I have the answer to my question.

#### THE DIVISION COURTS ACT

House in committee on Bill 6, An Act to amend The Division Courts Act.

Sections 1 to 3, inclusive, agreed to.

Bill 6 reported.

#### THE INJURED ANIMALS ACT

House in committee on Bill 20, An Act to amend The Injured Animals Act.

Section 1 to 3, inclusive, agreed to.

Bill 20 reported.

#### THE CONSOLIDATED CHEESE FACTORIES ACT

House in committee on Bill 27, An Act to repeal The Consolidated Cheese Factories Act.

Sections 1 to 3, inclusive, agreed to.

Bill 27 reported.

#### THE SEED GRAIN SUBSIDY ACT

House in committee on Bill 28, An Act to repeal The Seed Grain Subsidy Act.

Sections 1 to 4, inclusive, agreed to.

Bill 28 reported.

#### THE FRUIT PACKING ACT

House in committee on Bill 29, An Act to repeal The Fruit Packing Act.

Sections 1 to 3, inclusive, agreed to.

Bill 29 reported.

#### THE BRUCELLOSIS ACT, 1965

House in committee on Bill 34, An Act to amend The Brucellosis Act, 1965.

Section 1 agreed to.

Sections 2 to 6, inclusive, agreed to.

Bill 34 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

*That,*

Every judge of the Supreme Court shall be paid out of the consolidated revenue fund, the annual sum of \$6,000, payable quarterly as compensation for the services that he is called on to render by any Act of the Legislature in addition to his ordinary duties,

as provided in Bill 3, An Act to amend The Extrajudicial Services Act.

Resolution concurred in.

#### THE EXTRAJUDICIAL SERVICES ACT

House in committee on Bill 3, An Act to amend The Extrajudicial Services Act.

Sections 1 to 3, inclusive, agreed to.

**Mr. Chairman:** Shall the bill be reported?

Some hon. members: No.

**Mr. Chairman:** In my opinion, the "ayes" have it.

Call in the members.

All those in favour will please rise.

All those opposed will please rise.



Clerk of the House: Mr. Chairman, the "ayes" are 77, and the "nays" 16.

Bill 3 reported.

Hon. Mr. Rowntree moves that the committee of the whole House rise and report progress.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one resolution, certain bills without amendment, and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will go back to second readings, and the House in committee. In other words, we will work on the order paper, and will not be into the estimates unless we complete what is presently on the order paper.

Mr. D. C. MacDonald: (York South): Mr. Speaker, I wonder if I might ask the Prime Minister if he could indicate tomorrow what is the likely line-up of estimates after the recess?

Hon. Mr. Robarts: Yes, I will give you a list before we adjourn tomorrow evening.

Mr. V. M. Singer (Downsview): Mr. Speaker, I wonder if the Prime Minister could indicate if he means all second readings on the order paper?

Hon. Mr. Robarts: Well—

Mr. Singer: The Attorney General's bills, for instance?

Hon. Mr. Robarts: No, I do not think that we will begin to—well, there is one bill there we will carry—and probably Bills 10 or 12 with it, as supplementary to the one bill—but I think I can assure the member we will not deal with that bill tomorrow—

Mr. Singer: The provincial courts one? Next session?

Hon. Mr. Robarts: That is the one, yes.

Mr. B. Newman (Windsor-Walkerville): Provincial courts tomorrow?

Hon. Mr. Robarts: No, that is the one we will not deal with. I think we had better be prepared to deal with any of the second readings on the order paper.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The house adjourned at 6 o'clock, p.m.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, April 11, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 11, 1968

The House met today at 2:30 o'clock p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature, and today we welcome as guests in the east gallery students from Lambton-Kent composite school, Dresden.

During the past nine weeks, the hon. members of this House have had the pleasure and responsibility of being served by 14 young men who have acted as pages for the House. I think they have done an exceedingly good piece of work for the House as a whole and each member. I think it is one of the best groups of page boys that we have had here in my time in this House.

Over the years I have had other page boys come back to see me as I am sure each of the members has, and there has never been anything in the records of the House to indicate that a young man has served his time as a page boy. It is my hope that in the days to come, one or more of these young men who join us from year to year will find a seat in the House to serve his community and his province. So I would like to read so that it may be recorded in *Hansard* the names of these young men who have been with us for these past nine weeks:

Lorne D. Derragh; W. Blair Gohl; David Marr; Ian T. Duncan; Steven Johnston; E. Lawrence Malloy; Paul Gilmour; Teddy Kogler; Gregory O'Neill; David McClurg; Anthony Roy; Douglas D. Thiers; David West; David R. Wheeler.

Petitions.

Presenting reports.

Motions.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I move that when this House adjourns today it do stand adjourned until Monday, April 22, at 2:30 o'clock p.m.

Motion agreed to.

Motions.

Introduction of bills.

## CONTROL OF FOREST TREE PESTS

**Hon. R. Brunelle (Minister of Lands and Forests)** moves first reading of bill intituled, An Act to provide for the control of forest tree pests.

Motion agreed to; first reading of the bill.

**Hon. Mr. Brunelle:** This bill, Mr. Speaker, provides for the control of forest tree pests.

## TOWNSHIP OF TAY

**Hon. Mr. Brunelle** moves first reading of bill intituled, An Act respecting the northerly boundary of lot 19, concession 14, in the township of Tay.

Motion agreed to; first reading of the bill.

**Hon. Mr. Brunelle:** Mr. Speaker, the purpose of this bill is to confirm the northerly boundary of lot 19 in concession 14 in the township of Tay, and the non-existence of lot 20 in concession 14 in the said township.

## FOREST FIRES PREVENTION

**Hon. Mr. Brunelle** moves first reading of bill intituled, An Act respecting the forest fires prevention.

Motion agreed to; first reading of the bill.

**Hon. Mr. Brunelle:** Mr. Speaker, the purpose of this bill is to consolidate, revise and update The Forest Fires Prevention Act.

## THE PROVINCIAL PARKS ACT

**Hon. Mr. Brunelle** moves first reading of bill intituled, An Act to amend The Provincial Parks Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Brunelle:** The purpose of this bill, Mr. Speaker, in section 1, the new section authorizes the Lieutenant-Governor in council to classify provincial parks. Section 2, a new subsection provides for the preparation of management plans for provincial parks, including zoning of individual parks.

Section 3, subsection 1, the authority to make regulations is extended to include a requirement of the use of guides, and subsection 2 of section 15 of the Act is extended to permit the application of regulations of classes for zones of provincial parks.

#### ONTARIO GEOGRAPHIC NAMES BOARD

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to provide for the establishment and functions of the Ontario geographic names board.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: The Ontario geographic names board is established to perform the functions set out. In section 4, provision is made for the approval by the Minister of names recommended by the board for geographical features.

#### THE CROWN TIMBER ACT

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to amend The Crown Timber Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, sections 1, 5 and 6 of this bill, the terms—fire protection charges and ground rents are changed to forest protection charge and management charge respectively.

Section 2, the amendment will permit terms and conditions to be imposed where the operation of subsection 1 of section 14 of the Act is extended and section 3 is a typographical error and section 22 of the Act is amended.

#### THE RAILWAY FIRE CHARGE ACT

Hon. Mr. Brunelle moves first reading of bill intituled, An Act to amend The Railway Fire Charge Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Brunelle: Mr. Speaker, the purpose of this bill is to provide that the maximum charges for fire protection under the Act may be increased from \$15 to \$30.

Mr. Speaker: Introduction of bills.

Before the orders of the day, I would like to give to the House the ruling which yesterday I promised would be made by me at an

early date. The members will recall that yesterday, before the orders of the day I had agreed that certain private members should be allowed to rise for the purpose of making a statement. This decision had been taken by me so that when the member first so to rise had begun his statement I could then rule as to whether or not it fell within the rules and practices of the House.

In this manner, it was my opinion each member of the House would then have full and fresh knowledge of what was and what was not permitted by the rules and usages of the House. Before this procedure had been followed the member for London South (Mr. White) rose in his place and stated a point of order with respect to statements before the orders of the day. While the member was strictly out of order in anticipating what might happen, I was pleased to take his point of order under consideration and requested the private members concerned to withhold their proposed statements until I had considered the matter and formulated a ruling.

This I have now done and state as follows:

The authorities and precedents make it absolutely clear that Ministers having the responsibility of administering departments, are charged with the obligation of making statements to inform the House of actions to be taken by their departments and other matters of public interest, on which they deem the House should be advised. This has always been regarded as both the duty and the privilege of the Ministry.

Neither in this House, nor in any other jurisdiction, so far as I can ascertain, has this duty and privilege been extended to private members. As a matter of courtesy the House has, from time to time, permitted private members to bring what might be termed social or sporting events within their riding to the attention of the House, such as championship teams, important anniversaries, such events as the Stratford festival and similar matters.

If it is the wish of the House that this be continued, I am happy to acquiesce, provided that such matters are brought to the attention of Mr. Speaker prior to being mentioned in the House. However, this privilege does not, and never has, extended to statements on matters of policy, public business or anything other than the courtesy matters referred to.

To sum up, statements before the orders of the day are inextricably bound up with the onus of departmental administration.

Perhaps it would be of assistance to the House to remind it of the reason why there is no debate on such statements. Before there can be a debate, there must be either a motion or an order of the day before the House. In the case of the Ministerial statement before the orders of the day, there is neither.

And now, having been informed by the members, who wished to rise yesterday, of the subject of their proposed statements, I must rule that they are not in order and cannot be accepted by Mr. Speaker and cannot be made.

**Hon. Mr. Robarts:** Before the orders of the day, I believe last evening I undertook to give the Opposition the order of business and I did not get it straightened out myself in time. Therefore, at this time I would say that when we reach the orders of the day, we will deal with these bills in committee and then we will go to the second readings.

If we call an order for second reading and you are not prepared—I am sure there are enough there that you are prepared to talk on and we will have a full and active afternoon. If I call an order that you are not prepared to deal with, please let me know and we will put it over until after the Easter break.

I would, Mr. Speaker, while I am on my feet, like to refer to the Oscar awards last night. I mentioned this film in the House in connection with another award it won in Chicago, and at that time Mr. Chris Chapman and Mrs. Chapman were here. I think we can all be very proud of the film "A Place to Stand", which was developed in connection with our Centennial celebrations.

As far as I am concerned, it will always be inextricably bound up with Expo, every time I hear the music I think of that magnificent Canadian exhibition, which I personally enjoyed so very much, and which so many of our people and other people in the world did enjoy. When I hear the music or see that film it takes me back to those beautiful sun-soaked days on that island in the St. Lawrence.

You might be interested to know that this was the only film of all the *avant garde* or new film techniques developed and shown at Expo—this was the only one of all the Expo films that won an award. The award was in the category of a live-action short subject and it was, of course, the only award given to a Canadian film. Its ultimate impact on this province is yet to be fully assessed.

It is being shown presently in about 100 theatres in the United States. There are 50,000 people seeing it every day. It will be released in Europe. One of its great advantages, of course, is that there is no narration. There is no language problem; it is purely visual and an audio sensation, so that it can be shown very freely any place in the world. What its ultimate impact on this province will be only time will tell.

About two million people saw it in our pavilion at Expo last year. It will be shown at the Canadian national exhibition this fall in its original form—in 70 millimetre film. It was made originally in 70 millimetre, that was cut down to 35 and subsequently cut down to 16 millimetre, but the original film, in its original form, will be shown at the Canadian national exhibition this fall.

I am happy to tell you that Mr. Chris Chapman who created it, has not immediately left Ontario as a result of his success, but is continuing here and has been commissioned to create another film for Ontario which he will show at Expo 70, in Osaka, Japan.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, this may not call for any great participation from this side, but I think it would be fitting for us to add our congratulations to Mr. Chapman on receipt of this award, and to the government for commissioning the film in the first place. The Premier has indicated that it won in the category of live-action short films. I suppose, in many ways, it reflects the attitudes of the province, but if you think about those adjectives I doubt if it reflects the attitude of the government.

**Mr. Speaker:** The Minister of Transport.

**Hon. A. Grossman (Minister of Reform Institutions):** You are beginning to sound like the NDP.

**Mr. Nixon:** I still think it a bit short.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I table the statistics that have been compiled by The Department of Transport on motor vehicle collisions in Ontario during the calendar year 1967.

This annual compilation of information places the pertinent facts on the public record, thereby serving two important purposes. (1) It calls public attention to the magnitude of the challenge that these figures describe. And (2) it provides details that are



extremely useful to all the groups and individuals who are spearheading the drive for traffic safety in this province.

The statistics show that the number of vehicles registered in Ontario in 1967 was 2,729,984—an increase of more than 92,000, or 3.5 per cent, in the year. The estimate of total miles travelled was 25 billion miles, an increase of 1.3 billion, or 5.6 per cent, over the year before.

It is of interest to note that, while the number of accidents was 145,008, or more than 5,000 above the 1966 total, the percentage increase was 3.7, compared with the 5.6 per cent increase in the mileage travelled.

The number of persons injured was 67,280, an increase of about 2,000; and the number of persons killed was 1,719, an increase of 123. The total number of deaths was enlarged by the fact that there were more accidents resulting in multiple fatalities than in the previous year.

The rate of accidents per miles driven was slightly lower than the year before, and the rate of fatal accidents also was slightly lower. The rate of fatalities was slightly higher. The latter two rates continue to be about half what they were 20 years ago.

The statistics for 1967 give a familiar picture of why and how collisions occurred. Nearly two-thirds of them were in daylight hours; most of the drivers were in apparently normal condition; most of the vehicles were in apparently good condition.

For every 172,700 miles of driving during 1967, there was a collision. Usually it was minor, involving a dented fender or something of that nature. In a very small proportion of cases the results were serious. But because there are so many persons driving so many vehicles so many miles, that "small proportion" of serious collisions adds up to a substantial number.

The preliminary figures for the first two months of 1968 add an interesting postscript to this report. Traffic fatalities in Ontario for January and February of this year were 22.9 per cent fewer than in the corresponding period in 1967. Fatal accidents were 26.2 per cent fewer. This is the kind of reduction we would all like to see continue throughout the year.

The toll of traffic collisions is a continuing challenge to this government and to all our municipalities, sir, but government measures alone cannot solve the problem. What is needed is deliberate care and common sense by every individual driver and every indi-

vidual pedestrian—and an alert avoidance of all unnecessary risks. I ask the full interest and co-operation of all citizens of the province in meeting this challenge.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I have two matters about which I would like to report to the House.

Effective May 1, 1968, Mr. Gordon E. Grundy, FCA, will be appointed superintendent of insurance and registrar of loan and trust corporations, to succeed Cecil Richards, FCA.

Mr. Grundy joined the government service on March 15, 1967, as the first full-time vice-chairman of the Ontario securities commission. He had resigned a short time previously as president and director of Studebaker Corporation, international automotive division, and Studebaker of Canada, Limited.

Mr. Richards has served the Ontario government for 30 years. He was employed first as the chief examiner in the office of the superintendent of insurance and in 1957 became deputy superintendent. He has been superintendent of insurance and registrar of loan and trust corporations since 1961. Though Mr. Richards will retire as superintendent, he will continue in The Department of Financial and Commercial Affairs as an advisor and consultant.

Mr. Grundy will retire as vice-chairman of the Ontario securities commission, but will continue as a member of the commission.

The second item, Mr. Speaker, has to do with the advisory committee to the department. I wish to inform the House of the appointment of Donald A. McIntosh, QC, as chairman of the Financial and Commercial Affairs advisory committee. Mr. McIntosh, a partner in the legal firm of Fraser, Beatty, Tucker, McIntosh and Stewart, succeeds the hon. Donald M. Fleming, PC, QC, who submitted his resignation after accepting a business appointment out of country.

Charles L. Gundy, chairman of Wood Gundy Securities Limited, has been appointed to serve on the committee. Mr. Gundy is a well known Toronto investment dealer. He is chairman of the board of trustees of the Toronto hospital for sick children.

The advisory committee was established in January of 1967 to give advice and act on a consultative basis to the Minister of Financial and Commercial Affairs in dealing with financial, commercial and related matters.

Mr. McIntosh has been a member of the committee since its inception.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, the hon. member for Scarborough Centre (Mrs. M. Renwick) asked a question back on February 23, I believe. The question was: What was the total cost of the Royal commission into the Timbrell case?

At that time I did not have the information and I said I would make it available. It was made available to me today. The answer is: \$23,015.58.

**Mr. Nixon:** Mr. Speaker, I wonder if the Premier will consider the establishment of a suitable and perpetual memorial to the late Dr. Martin Luther King in the form of university scholarships available to students of the world for study in the humanities at an Ontario university?

**Hon. Mr. Robarts:** Mr. Speaker, this matter has been given no consideration. It is not an idea that has occurred to me prior to the time that I have seen this question. I would really have to go into it in some detail before I would be prepared to say whether the government would take this course of action.

**Mr. Nixon:** I should say, Mr. Speaker, that it had been commented on by others previously, and I thought it would be worthwhile asking the administration if they were considering it.

I would further like to ask the Premier, in the light of impending strike action against Massey-Ferguson, and the threat of the removal of Massey-Ferguson manufacturing plants from Canada, as reported in the *Globe and Mail* of April 10, has the government any statistics that would assist a rational decision on the wage parity argument in this industry?

**Hon. Mr. Robarts:** Well, Mr. Speaker, we have been in touch with the company in regard to this matter and it is a very serious question indeed. In the area of information that is available, I have been sent a publication which I have here, prepared by Hedland, Menzies and Associates, Limited, of Winnipeg. This was prepared at the request of the company.

No doubt the union would have some comments about this and might not agree with what is in here. On the other hand, it is a pretty full exposition of the total problem.

So in answer to the question, we have this. We know the position of the company as far as its relationship to our balance of payments is concerned, and we know statistically for instance, that this company exports to the United States 80 per cent of its production, its Canadian production. We also are aware that wage parity in this industry is somewhat different from wage parity in the automobile industry.

For instance, I believe the Oshawa plant of General Motors is perhaps 5 per cent of the total production of General Motors Corporation, and thus wage parity there in the total picture is not as important as it is in this particular industry.

The company has indicated, without asking any assistance, without requesting any action on the part of government, it has indicated purely as a matter of fact that they are very seriously considering, if this matter continues and is forced to its ultimate, they are considering closing the plant and moving the entire operation to the United States.

They could, of course, because the competitive position of this particular segment of the industry is based on the wage differential between United States and Canada. If this wage differential disappears without a corresponding productivity shift, then it may be in the best interests of the company that they do move their operation out of Ontario.

I do not think we should be under any illusion that this course of action is one that might not occur because from the information I have it is a very distinct possibility and it must be borne in mind when you are examining this proposition.

We have various studies going on in order that we may be in a position to assess the situation quite objectively, and no doubt in the days that lie ahead there will be information forthcoming from both sides to the dispute.

**Mr. Nixon:** Mr. Speaker, if I might just make a supplementary comment and ask a supplementary question.

**Mr. Speaker:** A supplementary question will be quite in order, not a supplementary comment.

**Mr. Nixon:** I would ask the Premier if he is aware that the UAW have announced their position is based on the assumption that Massey-Ferguson is simply bluffing in this, and that it is simply not the ordinary kind of labour-management negotiation over which the hon. Minister of Labour would normally

preside and that this may very well end up with the loss of a major industry.

This is something which I think could hardly be contemplated if the people are going to be represented, as they must be, by the government. I ask the Premier if he is aware that we seem to be getting into a position of an irresistible force facing an immovable object, and somebody is going to have to step into it to save an industry for Canada?

Hon. Mr. Robarts: Well, Mr. Speaker, I think the leader of the Opposition has simply repeated what I have said. Of course we are aware of it, completely aware of it, and we are aware of the seriousness of it. I do not care who accuses whom of bluffing. I do not think anybody is bluffing.

I think that these things are here and they are very real and we are examining the situation at the present moment. It is a matter that is being bargained between the parties, and we have no course of action, of intervention in this, other than the courses we would normally follow at this stage of the procedure.

On the other hand, I think my answer must indicate to the member that we are completely aware of the situation, Mr. Speaker. We are completely aware of its seriousness, we are completely aware of all the implications.

Mr. Nixon: Well, I would merely say, Mr. Speaker, that the normal procedures are apparently not going to be sufficient—

Mr. Speaker: Order, order!

Mr. Nixon: I have a question for the Minister of Labour.

In view of the fact that two two-and-a-half-ton concrete slabs fell from the same building at the intersection of Bay and Bloor Streets in Toronto, will the Minister immediately introduce stronger provincial regulations governing the use of cranes, as recommended by Frank Wellwood, building commissioner of the city of Toronto, following the investigation into this matter?

Hon. D. A. Bales (Minister of Labour): Mr. member, in reply to the question from the hon. leader of the Opposition, Mr. Wellwood has made certain suggestions concerning the operation of cranes to my officials, who have been engaged in the redrafting of the construction safety regulations. His suggestions are receiving full consideration and will assist my officials in preparing the new regulations.

Mr. D. C. MacDonald (York South): Mr. Speaker, I have raised privately with the hon. Attorney General (Mr. Wishart) some questions in relation to rather an interesting situation that arose in a standing committee of the Legislature, and the Attorney General has indicated his willingness to put his answer on record for our guidance, for which I thank him.

The situation can be put this way. The president of the Channel Island milk producers has written to the standing committee on agriculture and food, seeking an opportunity to present the current problem of his members for the committee's consideration. At the moment, the Channel Island producers have taken action in the courts against the Ontario milk marketing board, challenging the board's exercise of its powers under the existing statutes and regulations with regard to the marketing of milk of Channel Island producers.

I have two questions for the hon. Attorney General which I put to him, not in reference to the case itself, but in the hope of clarifying the rights of this Legislature and its standing committees, when such cases are before the courts.

First, does the existence of such a court action preclude any public discussion of the basic statute and regulations upon which the court action has been taken?

Or, stating the problem another way, does the existence of such court action, which could go on for years, in effect block legislative discussion and if deemed advisable, legislative action to change the law, even though such a change might be considered in the public interest and might render pursuit of the court action unnecessary?

Hon. A. A. Wishart (Attorney General): Mr. Speaker, the question that has been submitted by the hon. member for York South is, as he will understand, rather difficult to answer in a general way. However, I do understand his concern, and in order that he may have some expression of opinion, I have reviewed the matter in considerable detail.

In answer to the first part of the hon. member's question, I would say that generally the existence of a court action does preclude discussion in this Legislature of matters relating to a particular issue before the court.

In cases under the criminal law, it is my view that there should be no questions, speeches, motions or references to the cir-



cumstances of the charge, including the law, until the trial and the appeals have been disposed of by the courts.

In civil cases, the same rule would, in my view, hold true where further action has been set down for trial.

This is subject to the overriding principle that a bill may be introduced relating to the subject matter of the court proceedings and discussion respecting that bill might very well be in order.

However, in the absence of such a bill, I would respectfully suggest that a fair trial of the accused and a fair disposition of the civil issue should take precedence, and that the earlier principle to which I referred should apply, that is, no discussion.

There is, as the hon. member is no doubt already aware, a broad discretion in the Speaker of the Legislature relating to discussions of this nature. Such a discretion is recognized in order that the fair trial of a person and issues may be disposed of in the proper courts.

In dealing with the second phase of the hon. member's question, Mr. Speaker, I would suggest that the existence of the court action itself might not effectively prevent all legislative discussion, particularly where legislation is introduced relative to the same area of law that might be before the courts.

In criminal matters, I think we must all agree that the fair trial of the accused is paramount and that none of us would wish to enter into any discussion that might be prejudicial to that trial.

However, in civil matters, I would suggest that, subject to the Speaker's ruling of course, discussion might be reasonable respecting civil proceedings until the matter has been set down for trial.

I believe that this rule has grown up recognizing that the issuance of the writ should not, of itself, stop discussion in the Legislature. I am distinguishing there between the issue of the writ and the setting of the action down for trial. The issuance of the writ should not, of itself, stop discussion in the Legislature, but in that the matter has been committed to the courts for trial, there is an indication of the seriousness of the charges and that this warrants the restriction of public discussion in this form.

As I have already indicated, Mr. Speaker, I am of the view that a bill might be introduced in this Legislature at any time, but

even in that case, I am sure that all hon. members would recognize the principle with which we are dealing and accept that responsibility for temperate conduct and fair comment, so that no person might inadvertently be prejudiced, even though this Legislature might have every right to consider its legislative proposals.

Perhaps the essence of the whole principle is that the fair trial in our courts must be assured, even if it may be at times limiting on our own discussions.

**Mr. Speaker:** The member for Peel South.

**Mr. R. D. Kennedy (Peel South):** I have a question, Mr. Speaker, for the Prime Minister.

Would the Prime Minister look into the question of the discontinuance of the Lorne Park GO station, with a view not only to maintaining, but expanding the service at this location, as well as giving the full service now planned at Clarkson on behalf of the people of these two communities?

**Hon. Mr. Robarts:** Mr. Speaker, I read the reports in the morning paper and I have been aware of the discussion over the last few weeks, so I have asked The Department of Highways for a complete report so that we can look at the reasons why the proposed action has been proposed, and we will see if there is something we might be able to do about it.

I might point out that this is an undertaking that is expected to pay its way, and there are certain aspects to it that we must take into consideration in running the entire system. However, I would be very happy to look at it.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have a question for the Minister of Municipal Affairs.

Would the Minister inform the House what action, if any, is being contemplated to ensure that the municipal tax rebate to apartment owners will not be offset by unwarranted rent increases during the current year and years to follow?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, in reply to the hon. member's question, I would like to point out that the only way to ensure that unwarranted rent increases do not take place, is to have rent control. The Residential Property Tax Reduction Act, 1968, that I had the privilege of introducing in the House yesterday, is intended to alleviate the burden of property taxes borne by home owners and

tenants, and is not related to rent levels, which are determined in the market place. The matter of rent control is not under consideration by the government at this time.

**Mr. Speaker:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question for the hon. Prime Minister of Ontario, notice of which has been given. In view of the importance to the Lakehead area of the Eric Hardy regional government survey, and in view of the fact that the report was to have been announced on April 8, as stated by the hon. member for Fort William, will the Premier indicate to the House when he expects to make the report available to the Legislature?

**Hon. Mr. Robarts:** Well, Mr. Speaker, there are not sufficient copies of this report on hand to make it available at the moment. However it will be released in the Lakehead on Tuesday next. The Legislature will not be sitting, but no doubt the hon. member who asked the question will be in the Lakehead for the Easter recess, and he will receive a copy. I presume that he is perhaps more interested than some of the other members of the House. There will be copies available here in Toronto on Tuesday next for any member of the House, or indeed, any other person who might be interested in this particular report.

**Mr. Knight:** Mr. Speaker, I wonder if the hon. Premier would accept a supplementary question on this matter?

**Hon. Mr. Robarts:** I accept all supplementary questions.

**Mr. Knight:** Mr. Speaker, I wonder if the hon. Premier could tell the House why the release of this report has been delayed for such a long period of time, and just how binding its recommendations will be?

**Hon. Mr. Robarts:** Well, Mr. Speaker, it has not really been delayed for a long time. The usual course of events when reports of this nature are given to the government is that we get perhaps two, three or four manuscript copies, and then it is necessary, if we are to have any general distribution, that it be sent to a printer and produced. After all, there is no point in releasing two or three copies, when we have various news media that are interested in the report. In other words, you do a complete release or you do not do any release at all.

I might say in addition that the government reserves the right to examine these reports

that it commissions in some detail itself before it makes them public. In other words, we do not necessarily immediately pass them out to all and sundry the second it is received.

We like to have a look at it to put ourselves in a position, of course, to answer the inevitable questions that will be asked. So I just point out to the hon. member that it is not common practice that these reports be released the moment they happen to be received by the government.

**Mr. Knight:** Mr. Speaker, I had also asked just how binding the recommendations of the report are?

**Mr. Speaker:** The Prime Minister has answered the question of the member as he wishes to answer it. If the member has another question will he place it?

**Mr. Knight:** I take it then that the hon. Premier—

**Mr. Speaker:** Order! Order! The Speaker has said that the Prime Minister has answered the question.

**Mr. Knight:** I have a second question for the hon. Premier of Ontario, Mr. Speaker.

In view of the establishment of a committee in the legislative assembly of the province of Nova Scotia which will devote itself to constitutional problems, will the Premier establish a similar committee here? Would such a committee be a part of the permanent machinery for constitutional discussion which was agreed to by the Premiers at the Ottawa constitutional conference?

**Hon. Mr. Robarts:** Mr. Speaker, I have no knowledge of the terms of reference or the composition or the function of the committee to which this question refers which has been established by the Legislature in Nova Scotia. We have rather elaborate continuing machinery that is working on various constitutional matters here. We have debated many of them in this House. At the moment the government has no plans to establish a committee, but as I say I am not really aware of all the terms of reference of this particular committee.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I have a question for the hon. Minister of Economics and Development. In view of the closing—phasing out might be a better word—of two Windsor industrial con-

cerns—American Standard Products Limited and Burroughs Business Machines Limited—reported in the *Windsor Star* of April 9, will the Minister look into the causes and consider possible ways of keeping these plants in operation?

**Hon. S. J. Randall** (Minister of Economics and Development): Mr. Speaker, I did not get that question before noon. I will take notice of it and get the information for the hon. member.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Speaker, my friend the Minister of Public Works has given me the answer to the question privately, but perhaps in the interest of clearing the decks I will ask it anyway. Can the Minister give the House any explanation of the delay in the printing of the 1968 Ontario government telephone directory?

**Hon. T. R. Connell** (Minister of Public Works): Mr. Speaker, the answer is that the delay in printing the 1968 Ontario government telephone directory is due to the recent reorganization and changes in location of some departments, postponing the final compilation of the listings. The directory is now being printed and will be distributed within a few days of the House resuming after the Easter recess.

**Mr. H. MacKenzie** (Ottawa Centre): Mr. Speaker, I have a question for the hon. Attorney General, a three-part question.

Whereas Mr. McRuer in his report no. 1, volume 3, page 1211, item 28, relating to self-governing bodies, has recommended as follows:

A model Act should be drawn which would form the basis of all self-governing Acts so that there might be some uniformity in the delegation of the relevant and judicial powers.

(1) Would the Minister inform us if he now has his department working on a model Act for self-governing bodies?

(2) When does the Minister expect the model Act may be available for use?

(3) Does the Minister intend to proceed with the passage of any Acts relating to self-governing bodies where such Acts are not in keeping with those McRuer recommendations that are considered valid?

**Hon. Mr. Wishart:** Mr. Speaker, in answer to the first part of the question, I would advise the hon. member that the question of

a model Act is under consideration by my department and will also, we understand, very shortly be under consideration by the association of self-governing bodies which, of course, have a most significant interest in the recommendations of the McRuer report.

It is not my personal intention to proceed unilaterally in this area, but rather to permit the association, that is the association of self-governing bodies, to study the recommendations and then perhaps the government and the Legislature may benefit from this co-operative action.

We have already taken steps within the department to provide for the review of these provisions by the various statutes of self-governing bodies, and officials of the department will be considering all the recommendations in this area at the same time as the self-governing bodies may also be considering other statutes.

Ultimately, I am sure, we will bring forward proposals which will be subjected to the scrutiny of this Legislature. I would advise the hon. member, Mr. Speaker, that with respect to the second part of his question it is not my intention to introduce any further Acts relating to self-governing bodies as far as The Department of the Attorney General is concerned, for, of course, I can only speak on its behalf.

Indeed, I am at the present time considering the question of Bill 42 and whether or not it should be held for consideration at the next session of the Legislature when all of us, including the members of the engineering profession itself, may have had an opportunity of reviewing it in the light of the recommendations of the McRuer report.

**Mr. M. Shulman** (High Park): Mr. Speaker, I rise on a point of personal privilege. The headlines in tonight's *Toronto Telegram* read "Shulman Blasted, Viola had Heart Relapse". I would like to point out to the House that the member for Grey-Bruce had earlier asked the responsible Minister the reason for this particular person's parole, and in the answer given there was nothing said about the condition of this woman's heart.

I wish to point out that either this newspaper is incorrect, or else the Minister has no doubt inadvertently misled the House.

I have a question for this particular Minister. In the light of the several attempts Mr. Richard Hardy, a prisoner at the Don jail has made to commit suicide, will the Minister arrange for a psychiatrist to examine



this man to confirm the jail doctor's opinion that he is not mentally ill?

**Hon. Mr. Crossman:** Mr. Speaker, in respect to the hon. member's previous statement, it makes no sense because there is nothing in the statement which I read in the *Toronto Telegram*, having any bearing at all upon what the hon. member says. In respect to the question he has just asked I will take it as notice.

**Mr. P. J. Yakabuski** (Renfrew South): He is playing a losing game.

**Mr. Nixon:** Mr. Speaker, just before the orders of the day; yesterday I asked the Minister of Labour about the strike situation at the University of Guelph and indicated that the government of Ontario might have some continuing responsibility from the days in which it was operated—the university was operated by the Minister of Agriculture and Food. He indicated that he might inquire to see if there was any continuing responsibility. I wonder if he has found out anything more about that.

**Hon. Mr. Bales:** I made enquiries in reference to that matter and I have no further information at the present time. I am sure the hon. member appreciates that there are many matters going on in reference to that situation at the moment and it is under careful consideration.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** House in committee of the whole; Mr. A. E. Reuter in the chair.

#### THE HUNTER DAMAGE COMPENSATION ACT, 1962-1963

House in committee on Bill 26, An Act to amend The Hunter Damage Compensation Act, 1962-1963.

Section 1 agreed to.

On section 2:

**Mr. M. Gaunt** (Huron-Bruce): Mr. Chairman, on section 2, I want to ask if the hon. Minister has given any more consideration to raising the maximum payment for cattle above the \$500 limit. We had a discussion about this in committee, and I think the point was well made that in many cases some purebred cattlemen, who have cattle ranging in value from perhaps \$500, up to \$2,000 or \$3,000, would not have those animals covered by

insurance. Other breeders who have extremely valuable animals in the neighbourhood of \$10,000, \$15,000, \$20,000, \$30,000, will obviously have them insured, but I just wanted to ask the Minister if he has given any more consideration to that point?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Chairman, no, we have not. We explained in the committee on agriculture and food the other day that this was merely a grant towards the loss of an animal, or towards the damage to equipment. We felt that this was a reasonable figure, based generally, to cover the value of commercial livestock. I would not feel that we could possibly go to the area of paying it on the value of all livestock that might be considered under that Act, because it is virtually unlimited.

Sections 2 to 4, inclusive, agreed to.

Bill 26 reported.

#### THE SANDWICH, WINDSOR AND AMHERSTBERG RAILWAY ACT, 1930

House in committee on Bill 31, An Act to amend The Sandwich, Windsor and Amherstberg Railway Act, 1930.

On section 1:

**Mr. J. Renwick** (Riverdale): Mr. Chairman, the hon. member for Windsor West (Mr. Peacock) is unavoidably out of the House today. I appreciate, and I know he does, the amendment which the Attorney General accepted in section 1 of the bill.

The member for Windsor West, however, was concerned that the retrospective operation of that clause be extended somewhat further, to cover any case more than one year old, where the writ of summons had, in fact, been issued within the one-year period. The member for Windsor West is aware, and I think he has made the Attorney General aware, that there are three or four cases which originated in 1966, which will not have the benefit of this statute—where, I suppose one could say, through inadvertence the solicitors for the particular persons, being unaware of this three-month limitation period did not, in fact, issue the writs until after that time. My understanding from speaking with the member for Windsor West is that it could be solved, so far as those cases are concerned, if the Attorney General would consider changing the one-year to a two-year period.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, if I may speak on the same clause—I have communication from one of the people that are involved in my own community and they would like the amendment to be: “so long as a writ was issued within one year after the cause of action had arose.”

Apparently they have instituted cause of action, but not within that three-month period and, as a result, the action is null and void.

Would the Minister consider the comments of the hon. member for Riverdale, who is speaking for the member for Windsor West?

**Hon. A. A. Wishart (Attorney General):** Mr. Chairman, we had the amendment. We had, I think, two amendments actually proposed on second reading. At least, one was suggested and one was actually proposed. We took those under consideration. We came back to committee and had quite a full discussion on the matter and I had the benefit of discussion with the member for Windsor West and he was most helpful in putting forward his point of view, then there was discussion in committee yesterday. I do not feel that we can be so indefinite as suggested by the member who last spoke. Perhaps there is some merit to the suggestion that one year be replaced by two years. It would certainly have the effect of extending the time another year. But I think that in our discussion in committee we felt that if we put in the one-year limitation and put that backwards a year—left it open for a year prior to the passage of this Act—that we were going a reasonable distance.

As you know, the Act, in its original drafting, was to change this limitation and make it hereafter the same as other corporations, other railway companies. I think, perhaps, that we have done all that should be asked of us. I think we cannot be forever looking backwards to see people who did not meet the requirements of the law as it stood at the time. Putting the opening back one year, I feel, is a reasonable approach to the matter. I do not like to be adamant and obdurate about these things, but I do not think I could accept the suggestion which comes from this hon. member, and I would hope the hon. member for Riverdale would not press his suggestion too strongly.

**Mr. J. Renwick:** Mr. Chairman, I would like to press it, because the Attorney General, Mr. Chairman, is well aware that as my colleague from Windsor West pointed out, Mr. Justice McRuer, as he then was, as far

back I believe as 1952, drew the attention of the government to the anomaly of this section in this particular and of the hardship which it wrought. It is only because when the government is passing an ameliorating statute we should not penalize persons who, in the year 1966 sustained injury. As I say, through inadvertence, the writ was not issued. Now this statute will not assist those persons. It will assist the persons within the one-year period; I do not have it in writing, but I think, Mr. Chairman, that it is such a simple amendment I would like to move that clause 1 be amended by inserting in subsection 3 of section 28 of The Sandwich, Windsor and Amherstberg Railway Act, 1930, the word “two” for the word “one,” where it appears in that subsection, so that the subsection would read: “subsection 2 applies to actions for damage or injury sustained after a date two years before the date on which The Sandwich, Windsor and Amherstberg Railway amendment Act, 1968, comes into force.” And I would so move.

**Mr. Chairman:** Would the member please submit the motion in writing?

**Mr. B. Newman:** Mr. Chairman, while we are waiting for the amendment to be written out, may I ask a question of the hon. Minister? Mr. Minister, through you Mr. Chairman, supposing section 3 were left out completely. Would that then mean that as long as a writ was issued within one year of when the cause of action arose, that the individual, the lawyer for the client, would still be able to institute action?

**Hon. Mr. Wishart:** No, I think not, as the Act as originally drafted would have made the change applicable to the date the Act came into force. By amending it as we have done, we, I think, place this company, this corporation, in the same position as any other railway corporation. That is, we give the one-year limitation.

I would point out in connection with the motion which has been put forward by the hon. member for Riverdale, that, really, what he is asking, if he would stop to think of this, is that we are now going to place this company in a different position—in a less fair position, I think is the word. We are opening up a two-year limitation now for particular situations. I think that we must give some thought to the fact that this corporation is carrying on and it could be asked now, if we accepted the amendment, to look

back two years and see what obligations and commitments and so on it might now be liable for.

I believe that when we go back the year, and make the situation even across the board, there is no good argument to say that in this particular corporation we will look back another year, and the company must be at the peril or the hazard of actions which may now be commenced two years prior to the passing of this Act.

I do not believe that is really, when you consider it thoroughly, very equitable. I believe if we go back a year, which is the standard limitation for railway company action or actions for damages, claims for injury against railway companies, that we have brought a parity to this corporation as to others.

To look back another year *ex post facto* and say, now you are at the hazard of those old actions which may have occurred, it seems to me is departing really from what I consider to be an equitable disposition. I believe we have done a good piece of legislation in saying henceforth: You are subject to the same rules, and by the amendment we entered we take you back a year so that anyone that falls within that year has the same rights. I believe we have done all that we should reasonably be asked to do.

**Mr. Chairman:** The member for Riverdale moves that subsection 3 of section 28 of clause 1 be amended by deleting the words: "one year" and substituting therefor, "two years".

Those in favour of the motion, will please say "aye".

Those opposed will please say "nay".

In my opinion, the "nays" have it. I declare the motion lost and section 1 carried.

Sections 2 and 3 agreed to.

Bill 31 reported.

**Mr. M. Shulman (High Park):** Mr. Chairman, on a point of order, there are 19 government members in the House who spoke against this motion; we have 25 members on this side. I cannot understand how you do not hear the "ayes".

**Mr. Chairman:** Order, please! Order, please! It is not the responsibility of the Chairman to count the numbers. In my opinion, the "nays" had it. No members rose in their seats. The bill has been reported.

## THE EVIDENCE ACT

House in committee on Bill 43, An Act to amend The Evidence Act.

**Mr. P. D. Lawlor (Lakeshore):** Sir, I may say that I support the hon. Attorney General's position right down the line in the legal bills committee and elsewhere. I think it is excellent legislation.

But I wonder what the Attorney General is doing, or has done, about regulation 523 under The Public Hospitals Act. That is a regulation—

**Hon. H. L. Rowntree (Minister of Commercial and Financial Affairs):** It is not before the House.

**Mr. Lawlor:** Well, sir, I would suggest they are in conflict, and that the legal profession would have grave difficulties establishing what governs the obtaining of hospital reports under the circumstances. It is the regulation, Mr. Chairman, where you have to produce certain evidence to the hospital authorities in order to obtain their reports.

**Hon. Mr. Wishart:** Mr. Chairman, I do not have the section before me, but I think this legislation would govern whatever question is in the mind of the hon. member. I must take the opportunity, while I am speaking to this matter, to say that he has been most helpful in his discussions in the House and in committee on this bill.

But I would think that in answer to the question he directs to me that since the Act says these reports are admissible, and the definition of report I believe covers the type of report to which he refers, although I have not the regulation before me, that they would be admissible and could be brought forth under the procedures outlined here, and made admissible in actions before the court.

**Mr. Lawlor:** Perhaps the Attorney General would be kind enough to look into it and let me know what happens on that.

**Hon. Mr. Wishart:** I would be glad to do that.

**Mr. Lawlor:** The second thing, Mr. Chairman, about which I am concerned, is psychiatric reports.

**Hon. Mr. Wishart:** I was going to say offhand, I think they would not be the type of thing that could be ordered and brought in.



**Mr. Lawlor:** Well, I dare say then that the section does not protect them. I consider the section fairly blankets; an omnibus section which permits the introduction of all business records. I see no exclusion of psychiatric records from this section of the report.

The Common-McRuer report, as I recall, did say that these reports, in their opinion, were of such an intimate and personal nature as not to be properly brought before the courts. Maybe the Attorney General would give some consideration to excluding them from the section, but then again, having given consideration, he may not. I just bring it to your attention, sir.

**Mr. Chairman:** Shall section 1 stand as part of the bill?

**Mr. V. M. Singer (Downsview):** No, Mr. Chairman, I would like to hear the Attorney General's answer. The Attorney General has given the opinion that psychiatric reports are excluded. On what does he base that opinion?

**Hon. Mr. Wishart:** Dealing with section 1 which we are talking about now, it speaks of business records; that is the section we are dealing with. When we come to section 2, we talk about medical reports, and my thinking was directed immediately to the thought that a medical report, I do not believe, includes a psychiatric report. That is, not necessarily a medical report.

**Mr. Singer:** Sorry, we will get at it on section 2. Maybe we are out of order there.

Section 1 agreed to.

On section 2:

**Mr. Singer:** Now, Mr. Chairman, let us get at the psychiatric report. Surely any psychiatrist is a medical doctor and, much more—

**Hon. Mr. Rowntree:** Not all.

**Mr. Singer:** A psychiatrist, yes. Oh yes, indeed. Psychologists, no, but psychiatrists are all medical doctors.

If the report is written by a medical doctor, it must be a medical report. He may have a specialty, he may have a specialty in pediatrics or obstetrics or psychiatry or any one of the many fields that doctors have. I know I am correct in saying that any psychiatrist has to be a doctor of medicine before he can be a psychiatrist, and we are talking about any medical report.

Now I would like to hear the Attorney General's authority for what he suggests.

**Hon. Mr. Wishart:** I am not sure whether there is a requirement, but certainly practically every psychiatrist should be a medical doctor. I do not feel that the ordinary interpretation or understanding of a medical report is a report of a psychiatrist. If it is, then it is covered, that is all I would say, and would be produced.

**Mr. Singer:** Well, let me tell you about a case I had just a few months ago. We had a case where the plaintiff suddenly decided that she was a person of unsound mind not so found and she sued by her next friend with the obvious objective of shielding herself from discovery. I found to my great chagrin, several motions and appeals later, that she could take that refuge. I had no right to demand from anyone, either a psychiatric examination of the plaintiff or the production of any psychiatric records, which placed the defendant, whom she was suing, in a very difficult, if not impossible, position. The thing is still wending its way through the courts.

**Hon. Mr. Wishart:** Mr. Chairman, could I just ask, did the hon. member get an interpretation from the court that the medical report did not include a psychiatric report?

**Mr. Singer:** We were informed by the learned master and subsequently confirmed on appeal that "too bad".

**Hon. Mr. Wishart:** Well, then we have the answer.

**Mr. Singer:** Well, I am just wondering. We had to go into this litigation really with one hand tied behind our back, because all we have is the assertion in the style of cause that the plaintiff is a person of unsound mind not so found. Maybe she is, maybe she is not. We are not entitled to examine her psychiatrically, nor were we entitled to have the production to us of her own psychiatrist's reports. And we got caught in between the rule changes, too.

But I was particularly interested—the reason I caught this—in the hon. Attorney General's opinion, that medical reports would not include psychiatric reports, and if you intend to exclude it, I do not think you have done so here.

**Hon. Mr. Wishart:** Did I understand from the hon. member that the particular case which he had, which I would realize was not

perhaps a substantial authority, the decision of the master—

**Mr. Singer:** On appeal to—

**Hon. Mr. Wishart:** In that case, it was held that the medical report was not—

**Mr. Singer:** Not available to us, nor could we examine the plaintiff.

**Hon. Mr. Wishart:** That is, a psychiatric report would not fall within the term of the medical examination or medical report?

**Mr. Singer:** At that point the rules committee's rules had just been thrown out—

**Hon. Mr. Wishart:** But they took the view, at least that the medical report did not encompass a psychiatric examination, and quite rightly I think.

**Mr. Singer:** No, no, that is not what I said. No, I said we got caught in the hiatus period. Last year's change in the statute, plus the actions of the rules committee, had just been thrown out by the court of appeal, and we then could find no authority to do anything and we were caught in this anomalous situation as though we had been before last year's position when we could not get a psychiatric examination of the plaintiff, nor could we require any report. I would think, contrary to my friend, the hon. member for Lakeshore, who is worried about the production of psychiatric reports, I would think if there is that kind of an allegation in litigation, that there should be compellable production of psychiatric reports.

Now, that is why I was concerned when the Attorney General said that he did not think psychiatric reports were included here.

**Hon. Mr. Wishart:** Well, Mr. Chairman, I would like to pursue this, but I do not think we can pursue it at too much length. It seems to me that in other legislation there are means, if anyone suspects someone of being psychiatric or mentally disabled or of unsound mind, there are means of having him so certified. And then, of course, the law does protect them, so that I do not think that we really get involved in that situation here. What this is intended to cover is actions between persons who are competent, *compos* and competent to carry on. I am not sure I have met the point of the hon. member for Lakeshore, but my opinion is that a medical report does not entertain the idea of a psychiatric report.

**Mr. Singer:** Mr. Chairman, I am more puzzled than I was to begin with. It may be that the Attorney General has not come in contact with this type of case, and I had not until it came upon my desk, but I assure you there is a facility within our law as it now stands for a person's solicitor to sue on behalf of an individual client, and claim they are a person of unsound mind not so found, and sue by a next friend, and so insulate that plaintiff or that party to the litigation from discovery. And there is no way of getting at it, and there will continue to be no way, if the interpretation that the Attorney General gives to the word "medical" is in fact correct. That is why I hope it is not correct. Because that insulation would be taken away at this stage, in my opinion, if the medical includes psychiatric.

**Mr. Lawlor:** In some isolated case.

**Mr. S. Lewis (Scarborough West):** As a matter of fact, do you think it should be compellable?

**Mr. Singer:** I would think if it is important to the litigation that is before the court, it should be compellable. Yes, I do.

**Mr. Lawlor:** Mr. Chairman, the Attorney General's report—I am not going to press the matter very much, let the courts determine—but I have an amendment, Mr. Chairman, to that first section on another point completely.

In the legal bills committee—

**Mr. Chairman:** Is the member speaking to the first section?

**Mr. Lawlor:** I am speaking to subsection 1 of section 2.

**Mr. Chairman:** Very good.

**Mr. Lawlor:** As you come down to the fourth line of the section, it states that with leave of the court and after at least seven days' notice has been given to all parties, the medical report is then admissible in evidence in the action.

At this stage then, the problem of ex-parte interlocutory or substantive or whatever they might be, proceedings before a judge comes into question. The tendency of the courts in the light of what has happened in labour injunctions and elsewhere is to try to avoid unnecessary ex-parte proceedings where one party has not an opportunity to make representations, and things just could tend to be

done on a purely discretionary basis—even arbitrarily—by judges, and would drive other parties back into the courts to appeal to set aside an action taken in that regard. What happens here is that a party has to move before a judge, apparently on the basis of the section all by himself. And then sometime later, as it gets closer to trial, and not too dangerous, perhaps maybe eight days ahead of trial, he gives seven days' notice to the other side that he is going to produce this medical testimony. I do not want to push it too far or exaggerate, he might wait three weeks before trial, because certainly other counsel at trial would point this kind of thing out. Still, it may be that the Attorney General would be concerned about examining at an early stage the doctor under examination, for discovery as a result of learning that the motion was being made before the court and as arising out of that motion. But I would suggest to the hon. Attorney General, Mr. Chairman, that somewhere along the road the doctor is going to be examined in any event, in my opinion, and it may as well be sooner or later, and if he examines earlier he certainly has not the right, not without leave of the court under our present rules, to come back and examine over again.

I do not think the abuse here, in permitting the examination at that stage, if that is really what counsel wants to do, is very detrimental to the interests concerned, quite the contrary. I say he is going to examine sometime, so he may as well examine earlier than later.

Then, sir, you cut out the business of ex-parte proceedings; you get the seven days' notice across; there are several steps taken. Everything can be nicely, intelligently and rationally caught up in a single motion, again saving time and expense. The other party is fully informed, which is only fair, and I would think the thing would appeal to the Attorney General, generally. The legislation is equitable and this is a step in the direction of the same equity.

In light of that, I have taken the liberty to have drafted an amendment to the section, leaving out the little word "and." What is the little word "and" between friends? If you leave out the word "and"—"with the leave of the court after seven days' notice"—then I say you have encapsulated both activities into a single action and have been fair to the other fellow in the trial. The medical report is produced, he has it in his

hand; if he wishes to examine, so be it. He may not even have to use the next clause, having to do with the five days' notice on production. He is fully informed, the action can go swimmingly ahead.

I therefore move that subsection 1 of section 2 of An Act to amend The Evidence Act be amended by deleting the word "and" from the fourth line.

This is seconded by the member for Wentworth (Mr. Deans).

Mr. Chairman: May I point out to the member that no seconder is necessary in committee.

Mr. Singer: You should point out to him too that there is no subsection 1 to section 2.

Mr. Chairman: The Chairman will check that.

Mr. Singer: Section 1 of section 50(a) has subsections to it.

Hon. Mr. Wishart: Mr. Chairman, the hon. member for Lakeshore was good enough to see me before the House opened today and discuss this matter with me and to offer me a copy of the proposed amendment. The omission of the word "and" in the subsection would certainly make clear, without doubt, that that would change what is intended to be an ex-parte application, to an application upon notice for leave to submit or to admit at the trial a medical report.

I am not going to argue the question of the validity or the virtue of ex-parte applications. There are times when they are most useful. There are times when they are, perhaps, not to be so well defended. But in this type of action they avoid expense—they provide expedition of the matter. The only matter here is the question as to whether disclosure may be made by a medical report.

In other words, the ex-parte application here is to open up, to offer something to the court, a medical report. If we remove the word "and", as this amendment proposes, we therefore require the other party to be called in that particular situation—the question of whether a medical report is to be admitted or offered at the trial as evidence. So that you have to have both parties present. It certainly makes clear the possibility and the probability of one side or the other, particularly the applicant's side, calling the doctor to justify the report, who would then be subject to cross-examination on the application.



I think the hon. member will surely agree with me that that is not the end of the matter, because if the trial is going to proceed a month later, or some weeks later, before a judge, or before a judge and jury, you are going to have to have the report. It follows automatically, I think, that the doctor will again have to come forward and be examined and cross-examined on the report. So that I think you are just doubling the expense; you are doubling the procedure; you are creating a duplication which is going to be a burden to the litigants.

The intent of the section would be that, since it is simply an application to let in a medical report, on notice—seven days' notice to the other party before trial—that it is quite properly an ex-parte application. The party who is to be notified and receive the report will have at least seven days in which to examine it, and may then decide whether it is necessary to call the doctor or not, and to have him examined at the trial.

It seems to me that we discussed this very thoroughly in committee. I agree that, perhaps, we left it without clarifying the sense of the language definitely. But on consideration—most thorough consideration—it seems to me that the language we have used is clear that this is an ex-parte application, that the leave having been granted then in subsection 3, which is clearly related to 1, because it speaks of the notice in subsection 1, the report goes forward. There is an opportunity to read it before the trial and there is an opportunity for a decision to be made as to whether the doctor should then be called before the tribunal which is to hear the case and there be cross-examined.

**Mr. Lawlor:** May I ask, first, Mr. Chairman, of the hon. Attorney General, what do you say to the case of the counsel who—pretty shrewd fellow that he is—gets the judge's leave to introduce the report, holds it back to the last discreet moment before giving it to other counsel?

**Hon. Mr. Wishart:** I do not think counsel behave that way too often, but at least I think a seven-day notice is not an unreasonable notice. On the other side of the ledger is the desire to speed up cases. You cannot extend the period of notice into great lengths of time, otherwise you delay actions for trial. Seven days should be sufficient surely for anyone to read a medical report and decide whether or not to have an interview with his client and say, "What do you think of this? Is it true? Do you think we should cross-

examine, do we need the doctor, or are you willing to accept it?"

I think we have to keep in mind both sides of the matter and strike a reasonable balance. It seems to me that a seven-day notice is a pretty common, usual notice in our procedures.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, if you might assist me, Mr. Attorney General, in my legal education; I invite the hon. member for Lakeshore to assist me also. I am going to speak in connection with subsection 4. But I want to relate your comments now in connection with subsection 1—

**Mr. Chairman:** Subsection 1 of this bill has been carried. We are dealing with section 2 of the proposed bill.

**Mr. Bullbrook:** I said subsection 1, sir, not section 1.

**Mr. Singer:** There is no subsection 1.

**Mr. Bullbrook:** But there is a subsection 1 of section 50(a), or I am blind.

**Mr. Chairman:** All right. That is different.

**Mr. Bullbrook:** The point that I thought my friend from Lakeshore was making is that if this was not an ex-parte application, Mr. Chairman, then opposing counsel had the opportunity of bringing before the court the desire to cross-examine the doctor at the time of trial. If it is ex-parte, and we come to the situation, eventually, that a copy of the report is given to opposing counsel, he must then, as the hon. Attorney General has pointed out, decide whether he wishes that doctor at trial or not. Then, sir, we get into the insidious aspects, as I said previously—the application of subsection 4.

I do see some merit, therefore, in the possibility of not having this application to be ex-parte, because, in point of fact, on the motion for leave to dispense with the necessity of the doctor at trial, opposing counsel has the opportunity of putting forward his desires to cross-examine there. We are not faced with the dilemma that I see in connection with subsection 4. I am inclined, Mr. Attorney General, to see some benefit in this amendment along that line.

**Hon. Mr. Wishart:** Mr. Chairman, to speak briefly to this.

Let us agree that if you call the doctor on the application for leave, there you have one case where you have to bring the doctor before the court. If you dispense with that

and call him only at the trial, at least you have confined the thing to one appearance of the medical man, which is one of the purposes for which this legislation is designed.

As I say, it is most likely that if you called him on the application for leave to produce the report and he was cross-examined there, my experience would lead me to believe that the counsel would certainly want to have that doctor make his appearance before the judge at the hearing so that he might make his points and have his report substantiated, or the cross-examination to break it down. So, I think you run the risk here of two appearances of a medical man which, I think, we are most anxious to avoid.

On the dilemma which the hon. member for Sarnia speaks of—of the possibility of being fixed with costs, I think it is most likely to think this way: that you get the leave of the judge to call the doctor. Once the report is in you have the leave required, and the judge granting leave to call the doctor to give evidence at the trial is not likely. I think rarely would we then say this was an entirely unnecessary thing and you were, therefore, subjected to a fixation of costs. I am quite certain he would ask why when leave is granted to bring the doctor. There are statements in the report which seem to be at variance with what we believe to be the facts. The doctor is called and his examination goes on. I think it is going to be a very rare situation when the judge is going to say that was totally unnecessary, the bringing forward of this medical man and you are therefore, going to be assessed costs. I not think that dilemma will face counsel very often.

**Mr. Singer:** Now you are addressing yourself to section 4.

**Hon. Mr. Wishart:** I thought the hon. member spoke of a dilemma in court.

**Mr. Bullbrook:** In fairness to the Attorney General, he had to somewhat address himself to that. But again to assist me, if I might, Mr. Chairman, I do not anticipate the necessity on every occasion of having the doctor before the court on the application for leave to dispense with his appearance at trial. Am I incorrect there?

**Hon. Mr. Wishart:** I did not—

**Mr. Bullbrook:** I do not anticipate the necessity at all times of having the medical practitioner before the court at the time of the ex-parte application to dispense with his necessity to be at the trial. The way the

Attorney General speaks of it, I take it you anticipate that on every occasion on the application for leave to dispense with his being at trial that the medical practitioner would be before the court. I did not anticipate this.

**Hon. Mr. Wishart:** I say that the application is not really to dispense with him being at trial. The application is for leave to admit the report which makes it unnecessary or, in fact, then calls in the operation of the subsection which says "he shall not attend and give evidence" unless there is leave.

I would think certainly that once you depart from the ex-parte application where you as counsel may go and say to the judge "this is an application to file a medical report" and he says "granted", once you give a notice to the other party and they want to know at that point what is in this report and the effect of it, they are almost invariably going to say, let me see—bring your doctor because I will be questioning that report at that stage.

Then it has to be done all over again at the trial because that cross examination on the application for leave is not going to be a total rundown of the whole story. It is going to be picking out certain features of the report, perhaps some opposition there, but not a full and complete discussion of the matter of the report. So I say you are going to be calling that medical man twice.

**Mr. Bullbrook:** Mr. Chairman, I will reserve any further comments in connection with the application for subsection 4.

**Mr. Lawlor:** May I say a few more words on this? Oh, we have not come to subsection 4 yet?

In any case, what I have to say I will say about subsection 4. To take out subsection 4 would emasculate the Act as it stands, as I see it.

The Attorney General's statements do place, as in subsection 3, an enormous weight on the trial judges. What I am standing up to say is that I feel that the Attorney General is quite right; that the ex-parte order in this case is a sensible and satisfactory procedure, and you might get duplication, not in all cases, but certainly in a sufficient number of cases where they are examining and pulling doctors before the court, and that I wish to withdraw my amendment.

**Mr. Chairman:** The member for Halton West.

**Mr. G. A. Kerr (Halton West):** I want to mention, Mr. Chairman, regarding subsection

4, this was discussed in committee naturally. This section, unknown to many of the committee members, has been in effect for at least two years. It is my information that in most cases costs have been awarded.

In other words, the court has not, or is not in the habit of penalizing the party calling the medical practitioner and I think this will probably be the case in the future.

The only other comment I have to make, Mr. Chairman, is regarding subsection 1 of 50(a) in the words "at least". In many cases the court will enlarge the period for notice, particularly if the medical report is a complex one.

**Mr. Chairman:** The member for Downsview.

**Mr. Singer:** Mr. Chairman, subsection 4 bothers me.

**Mr. Chairman:** Are we dealing with subsection 4—

**Mr. Singer:** Subsection 4 of section 50(a) of section 2 of Bill 43, sir.

**Mr. Chairman:** Correct.

**Mr. Singer:** That subsection bothers me very much. It seems to me that we are penalizing unnecessarily and frightening unduly the right to pursue in court what might be conflicting evidence, or evidence that will upset certain allegations made by one side or the other. I would think that this Evidence Amendment Act would serve the useful purpose that it is designed to do if this subsection 4 of section 50(a) were deleted.

How is anyone going to know what a cross-examination is going to produce? Surely, Mr. Chairman, if a solicitor or counsel comes to the opinion that he is going to run the risk without the penalty in cost of calling the doctor for cross-examination, or to give *caveat* evidence, he is going to have to recognize that in so doing he runs a very serious danger of causing the judge and/or the jury to question what he has done if what he does is unproductive.

That I think is enough of a risk for him to run. He has the certificate in his hand, he has read it, and then he says—and I would doubt very much if his thinking process is going to be anything different from this—the doctor says I shall call all the men who wrote the report, or shall I not call him, knowing that his certificate is here, knowing that if I call him and he confirms it absolutely and my cross-examination is going to be fruitless,

that I am then going to prejudice the judge against me, or so prejudice the judge that in his direction to the jury that he is going to perhaps make an issue of this.

In my opinion, sir, it is going to be a sufficient enough penalty if he has embarked on the wrong course—the thinking that will go on, the effect that it will have on the court.

On the other hand, if you put in this costal penalty by way of costs, I think that you are taking away a benefit that should be available to counsel on both sides in a law suit.

I do not think that you are assisting what you are trying to do in any way whatsoever by keeping subsection 4 in the statutes. Therefore, sir, I would move that subsection 4 of section 50(a), as it appears in section 2 on Bill 43 be deleted.

**Mr. Chairman:** The member for Downsview moves that subsection 4 of section 50(a) as it appears in section 2 of Bill 43 be deleted.

Those in favour of the motion will please say "aye"; those opposed will please say "nay".

In my opinion the "nays" have it.

I declare section 2 carried.

Sections 3 and 4 agreed to.

Bill 43 reported.

#### ESTABLISHMENT, EXTENSION, IMPROVEMENT AND MAINTENANCE OF AIRPORTS

House in committee on Bill 52, An Act respecting the establishment, extension, improvement and maintenance of airports.

Sections 1 and 2 agreed to.

On section 3:

**Mr. T. Reid (Scarborough East):** Mr. Chairman, on section 3 I have a question.

Is the government of Ontario, and particularly the Minister of Transport, going to make public that an airport is desired in a particular municipality and make this desire known publicly to the people in that municipality, and then be willing to accept competitive bids from that particular municipality—the government of that municipality, from private corporation or private individual? This is tied up with the administration of this section. I



find the wording of the section somewhat confusing in this respect. How are these grants to be administered?

**Hon. Mr. Rowntree:** Well this is a matter of principles, Mr. Chairman. This was already indicated on second reading and we are now down to sections of the Act.

Those principles were available—

**Mr. T. Reid:** I am not asking about principles. I am asking if you can manage this Act and put it in force?

**Mr. Chairman:** Well that is the principle, I would say to the member. This is part of the principle of the bill.

**Mr. T. Reid:** I understood, Mr. Chairman, that I could bring to the attention of this committee, the question of administration.

**Mr. Chairman:** Well we are dealing with certain sections of the bill and any specific section will be discussed, but the principle of the bill itself has already been fully discussed on second reading.

**Mr. T. Reid:** Mr. Chairman, I just simply ask I do not understand how that section can resolve an efficient administration, as they do not know how they are going to do it.

**Mr. Chairman:** That is the principle of the bill and the principle has been passed. It was fully discussed.

Section 3 agreed to.

On section 4:

**Mr. B. Newman:** Mr. Chairman, if I may ask of the Minister, do landing grounds or will landing grounds include facilities to accommodate hovercraft in the future?

**Hon. I. Haskett (Minister of Transport):** Mr. Chairman, I think I would have to say to the hon. member that we have not yet defined whether a hovercraft is to be considered an aircraft or what kind of vehicle it is. It is one of the new sophisticated animals that are coming on the market, and we just do not know yet how we are going to handle hovercraft. I do not think we would contemplate them in this Act, but if a hovercraft was an object or vehicle that was coming by air, I suppose it could be allowed to land on a landing field if that were the most suitable. Certainly you would not want them hovering over highways. I

think that is the problem we face at the moment.

Section 4 agreed to.

On section 5:

**Mr. C. G. Pilkey (Oshawa):** Mr. Chairman, I just wanted to address a question to the hon. Minister.

With regard to those municipalities where the present airports are situated; how would this section—and I am talking in terms of money—be applicable to those airports that are already established? I make reference to the one in Oshawa, where I understand that that airport is leased to the city for a dollar a year. Now, would this Act provide moneys for that municipality, or would it not?

**Hon. Mr. Haskett:** Mr. Chairman, it would be within the compass of this Act to enter into agreements with the municipalities or the like where there was an extension of the airport, whether it was an establishment of an airport to be considered and this will enable the Minister, on behalf of the government, to negotiate for the establishment or for the extension for the maintenance of airstrips.

**Mr. Pilkey:** But it would not apply to the maintenance?

**Hon. Mr. Haskett:** I would not deny that it could be made to extend that, but certainly for the immediate present, our concern is going to be the establishment of air strips and air fields in the outlying areas where the need is great at the moment and our original, our initial, plans will certainly be to establish some kind of programme for servicing the remoter areas.

**Mr. T. Reid:** Mr. Chairman, on that section—

**Mr. Chairman:** Section 5?

**Mr. T. Reid:** Section 5, would the money—could the money—be paid to the municipality and then the municipality pay it out to private individuals to perform the agreement that you had made with the municipality?

**Hon. Mr. Rowntree:** Undesirable.

**Hon. Mr. Haskett:** That policy has not yet been confirmed. We would contemplate that most of the moneys would be paid out to—as a part payment—partnership, to municipalities in the establishment or in the extension of airports, or in the purchasing of

land in the unorganized territories if it is not Crown land to begin with.

**Mr. T. Reid:** Just a point of clarification. Could, then, after you have made the agreement with the municipality, and paid moneys to the municipality under section 5, could the municipality make a separate agreement with a private individual to perform the functions that you desire?

**Hon. Mr. Haskett:** I would think, Mr. Chairman, that would not be beyond the capacity of our agreement with the municipality. If we entered into a municipality to aid with grants, with a proportionate payment for the cost of establishing the airport then the maintenance or the extension and the service of the airport would be vested, I would hope, in the municipality. Our aim is to help the municipality or organization to get the air strips established.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, I would like to ask the hon. Minister a question.

Can the Minister tell us in which municipalities he intends establishing airports within the very near future?

**Hon. Mr. Haskett:** This, Mr. Chairman, is rather beyond the scope of this section at the moment. During last summer and fall, I may say to the House, we had three teams of engineers and experts survey the western, northern and northwestern sections of this province, operating out of the Lakehead, out of Sault Ste. Marie and out of Timmins respectively. They have accumulated a good deal of information from which a list of areas in greatest need are being arranged. I would say, in priority. But they have not firmed up, and we are still looking at the situation and they are still being arranged because we have not had any authority to enter into the agreements. But this is what we are contemplating.

**Mr. T. Reid:** Mr. Chairman, once the arrangement has been made and money paid out, would the Minister then feel that he should, from his department, make sure that that money has been well and efficiently spent? In other words, I am concerned with the question in this particular respect of the accountability of the spending of the money by municipality, corporation or an individual—of money that we raise from this Ontario Legislature.

**Hon. Mr. Haskett:** Mr. Chairman, I think we would make very careful study of the

arrangement before it was entered into with the municipality and then see that there was accountability for moneys spent.

**Mr. Chairman:** Section 5, the member for Grey South.

**Mr. E. A. Winkler (Grey South):** Mr. Chairman, I would like to ask the Minister if, in his consideration of areas to be brought in under the Act, if he would consider areas designated by the Minister of Economics and Development (Mr. Randall)? It seems to me that this would be a very fair and wise decision in many of those cases in regard to development.

**Mr. Chairman:** May I point out to the member that we are dealing with section 5 of the bill pertaining to moneys.

**Mr. Winkler:** I just thought he might want to answer that one for me.

**Mr. Chairman:** We are dealing with section 5.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Chairman, I wonder if the Minister would give us some idea of what revenue is derived from airports now, and what percentage of these revenues he will be able to use for the construction of the airports.

**Hon. Mr. Haskett:** Say that again, please.

**Mr. MacKenzie:** I am wondering what revenue, roughly, we derive now from airports, and what percentage of that revenue you will be able to use for the construction of further airports.

**Mr. Chairman:** May I point out to the member that moneys required for the purpose to be paid out of moneys appropriated by the Legislature? We are not dealing with the revenue created by the airport.

**Mr. MacKenzie:** Well, I am concerned, Mr. Chairman, about the amount of money you have available to do the job.

**Hon. Mr. Rowntree:** They come under the estimates of The Department of Transport.

**Mr. MacKenzie:** And whether or not he will be able to do a proper job, Mr. Chairman, whether—

**Mr. Chairman:** Section 5 does not deal with that aspect of the—

**Hon. Mr. Haskett:** Mr. Chairman, the moneys that will be used for the establish-

ment of or the extension of airports will be such as are appropriated by the estimates of this department and passed by this House.

Sections 5 to 7, inclusive, agreed to.

Bill 52 reported.

**Hon. Mr. Rowntree:** Mr. Chairman, the Minister of Municipal Affairs (Mr. McKeough) is not in the House. With respect to Bills 54, 55, and 68, will there be a debate? Could you indicate to me whether there will be a debate or is the Opposition agreed?

**Mr. Singer:** On Bills 54, 55 and 68, as far as we are concerned, there is no particular objection.

**Hon. Mr. Rowntree:** In those circumstances, I would then call those bills.

#### THE MUNICIPAL CORPORATIONS QUIETING ORDERS ACT

House in committee on Bill 54, An Act to amend The Municipal Corporations Quieting Orders Act.

Sections 1 to 5, inclusive, agreed to.

Bill 54 reported.

#### THE STATUTE LABOUR ACT

House in committee on Bill 55, An Act to amend The Statute Labour Act.

**Mr. Singer:** Unless the member for Lakeshore wants to tell you about Bill 55, which is a great bill, as he did yesterday.

**Mr. Chairman:** Order, please!

Sections 1 to 4, inclusive, agreed to.

Bill 55 reported.

#### THE RAILWAYS ACT

House in committee on Bill 68, An Act to amend The Railways Act.

Sections 1 to 3, inclusive, agreed to.

Bill 68 reported.

#### THE ONTARIO PRODUCERS, PROCESSORS, DISTRIBUTORS AND CONSUMERS FOOD COUNCIL ACT, 1962-1963

House in committee on Bill 86, An Act to amend The Ontario Producers, Processors,

Distributors and Consumers Food Council Act, 1962-1963.

Sections 1 to 3, inclusive, agreed to.

Bill 86 reported.

**Hon. Mr. Rowntree** moves that the committee rise and report progress.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs leave to report certain bills without amendment, and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I wish to call third readings of the bills we have dealt with in the House in committee, the first being Bill 26.

#### THIRD READINGS

Bill 26, An Act to amend The Hunter Damage Compensation Act, 1962-1963.

Bill 31, An Act to amend The Sandwich, Windsor and Amherstberg Railway Act, 1930.

Bill 43, An Act to amend The Evidence Act.

Bill 52, An Act respecting the establishment, extension, improvement and maintenance of airports.

Bill 54, An Act to amend The Municipal Corporations Quieting Orders Act.

Bill 55, An Act to amend The Statute Labour Act.

Bill 68, An Act to amend The Railways Act.

Bill 86, An Act to amend The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-1963.

Bill 3, An Act to amend The Extrajudicial Services Act.

Bill 6, An Act to amend The Division Courts Act.

Bill 20, An Act to amend The Injured Animals Act.

Bill 27, An Act to repeal The Consolidated Cheese Factories Act.

Bill 28, An Act to repeal The Seed Grain Subsidy Act.

Bill 29, An Act to repeal The Fruit Packing Act.



Bill 34, An Act to amend The Brucellosis Act, 1965.

Bill 37, An Act to amend The Gasoline Tax Act.

Mr. J. Renwick (Riverside): Mr. Speaker, I simply wish to record the position of our party on this bill, that we oppose the imposition of the tax levied by this bill and I simply wish to so state—

Mr. Speaker: It is the pleasure of the House that the motion carry?

Some hon. members: No.

Other hon. members: Yes.

Mr. Speaker: In my opinion the "ayes" have it. Carried.

Bill 38, An Act to amend The Motor Vehicle Fuel Tax Act.

Mr. J. Renwick: Mr. Speaker, again I simply record our opposition to this tax.

Hon. Mr. Rowntree: Mr. Speaker, on a point of order, the only way to record your opposition is by a vote. You do not do it by standing up and then being silent when the vote is called.

Interjections by hon. members.

Mr. Speaker: Order, order, until the motion is put the members have—

Mr. S. Lewis (Scarborough West): The motion has not been put.

Mr. Speaker: May I just say this before the member speaks, that when the vote is called, the members have the opportunity of rising to signify their opposition.

Mr. Lewis: Mr. Speaker, I am rising on another point of order. I am rising on the point of order to inform the House leader that if that is his request to the Opposition, we can have a division on every third reading that is called.

Right. Then we are giving our opposition both by voice and by vote hereafter.

Hon. Mr. Rowntree: You are talking out of both sides of your mouth at once.

Mr. Speaker: Order.

Mr. J. Renwick: Mr. Speaker, on another point of order, I think if the House leader wishes to draw the attention of the Chair to points of order, he should rise in his place and make his point.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, my point of order is that even to be in keeping with the comments of my colleague for Scarborough West, I cannot understand the interjection of the House leader in objecting to one rising to speak on third reading of a bill, no matter in what manner he speaks to it, as long as he is sticking with the rules. Now is there something wrong with a member rising in the House to speak on third reading against a bill?

Mr. Speaker: Order.

Hon. Mr. Rowntree: Mr. Speaker, that is a good point, and I agree with the member for Hamilton East. I just point out the fact that these points are being made in one sentence only, and then you agree with the vote, that is all. I have a right to comment as well as any member.

Mr. Speaker: Order. There is really no problem here, because the members in each case were given the opportunity of stating their views on third reading of the bill before, and on this one, and then the question of registering by vote, opposition, is given to the members when the vote is called for by the Speaker.

Now is there any other member who wishes to speak to this before the vote is called?

This is the motion for the third reading of Bill 38. Is it the pleasure of the House that the motion carry?

Some hon. members: No.

Other hon. members: Yes.

Mr. Speaker: In my opinion the vote is carried.

Call in the members.

The House divided on the third reading of Bill 38 and the motion was carried on the following vote:

Clerk of the House: Mr. Speaker, the "ayes" are 51, the "nays" 36.

Mr. Speaker: I declare the motion carried; third reading of the bill.

Bill 39, An Act to amend The Tobacco Tax Act, 1965.

Mr. J. Renwick: Mr. Chairman, we oppose the bill, but if the House leader can restrain himself, we are prepared to accept the same vote.

Hon. Mr. Rowntree: You accept defeat?

**Mr. Speaker:** Is it the pleasure of the House that the motion carry on the same vote as the preceding one?

**Mr. V. M. Singer (Downsview):** Mr. Chairman, there are other people coming in here. Either the House is going to be divided or not. We express our disapproval in a voice vote; if someone else wants to divide the House, it is up to them.

**Mr. Speaker:** Is there any other member wishing to speak to this motion before the question is put?

Is it the pleasure of the House that the motion carry? I declare the motion carried.

Motion agreed to; third reading of the bill.

Bill 40, An Act to amend The Race Tracks Tax Act.

**Mr. J. Renwick:** Mr. Chairman, we oppose this bill for reasons which we are not permitted to state. We will accept the same vote.

**Mr. Singer:** Which nobody else understands.

**Mr. Speaker:** Is there any other member wishing to speak to this before the vote is taken?

Motion agreed to; third reading of the bill.

Bill Pr5, An Act respecting the city of Sault Ste. Marie.

Bill Pr29, An Act respecting the city of Niagara Falls.

Bill Pr44, An Act respecting the Toronto city mission.

Bill Pr51, An Act respecting Janbi Holdings Limited.

Bill Pr52, An Act respecting Walbi Holdings Limited.

The House reverted to second readings.

## THE LORD'S DAY (ONTARIO) ACT, 1960-1961

**Hon. A. A. Wishart (Attorney General)** moves second reading of Bill 41, An Act to amend The Lord's Day (Ontario) Act, 1960-1961.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I would like to make some remarks on this bill, which would be

applicable in general to Bill 53, although there may be some more specific things to say in that case.

It is our view, as representing the official Opposition in the House, that the amendments contained in this bill particularly are supportable with regard to the changes that they will make in giving the responsibility to the municipalities in controlling the activities and regulation of the Lord's Day. It is my particular view that many of the matters that come under the jurisdiction of this Act are matters of conscience, which must, of course, be decided by the individuals concerned.

For a good many years, we in this House have taken on ourselves the responsibility of ordering the affairs of the Lord's Day for all of the citizens of the province. But it is obvious to all of us, whether we come from metropolitan areas or elsewhere in the province, that the citizens have different approaches to their own personal needs and wishes. This is obviously a matter that has to be left—much more than has been in the past—to the conscience of the individual. As a matter of fact, it would be surely true to say that, while we are shucking the responsibility from ourselves, we are not putting it right back to the individual, but are leaving it to the municipalities. This may, in fact, be an intermediate step which will lead the way to the restoration of the individual's right in this matter.

Without referring specifically to the agricultural fairs which are concerned here, or to racing, which is concerned in the other bill—it may even very well follow this one in the consideration of the members—I think it is true that, as far as both of these endeavours are concerned, there will be large crowds of people who will want to take advantage of the fact that if this bill passes, it will be legal for them to attend.

There are certain differences, certainly with regard to agricultural fairs. I have heard from some of those people who have responsibility for controlling the fairs, that they may wish to keep parts of the fairs closed during the Sunday with their exhibits and certain other of their activities will take place.

But our view, and I would express it as leader of the party, is that we would support both of these bills. We have some misgivings, particularly about the one having to do with racing, but we can support them on the basis that it is an individual decision—a matter of conscience—a matter in which we

should no longer involve ourselves as a Legislature.

Mr. Speaker: Does the member for Niagara Falls wish to speak?

Mr. G. Bukator (Niagara Falls): Mr. Speaker, I would like to discuss this bill in principle.

I have found that, over the years, we have slowly opened the door to Sunday activities. I believe, Mr. Speaker, that as one of those who believes we have gone just a little too far, I have to stand alone on this, if I must. It is a matter of conscience and principle with me. I have studied history for many years and especially religious principles, and I would like to refer, if I may, to The Lord's Day Act, the Revised Statutes of Canada, and I think that is on the principle, if I am not mistaken. You will correct me if I am wrong.

I would like to read the section referred to on page 2 of this Act, section 4. I am trying to do now what a lawyer could do proficiently, but I think maybe I can make my point if I read this section to you. This is chapter 1, 71 of The Lord's Day Act and then the prohibitions:

It is not lawful for any person on the Lord's Day except as provided herein or in any province, provincial Act or law now or hereafter in force to sell or offer for sale or purchase any goods, chattels or other personal property or any real estate or to carry on or transact any business of an ordinary calling or in connection with such calling or for him to do or employ any other person to do on the day any work, business or labour.

These particular principles I believe in. I realize that when I supported the bill in 1961-1962, I sat here quietly and let that bill pass and it opened the door just a little further. I was speaking to one of my highly respected colleagues and he said, "How can you, by way of discussion, oppose this bill now when, in 1961-1962, you let a similar thing through, when they left the parks open, some activities, shows and so on?" I might say to my colleague, and I say to this House, two wrongs do not make a right. I did let that go by the board, at that time, without objecting to it. I was new in the House at the time, but I do not believe we should further relax The Lord's Day Act, as this bill will do.

I believe there are many in this House who feel as I do, and yet we vote down party lines and, sometimes, with tongue in cheek, we let

these things go by the board. I have not felt right about this bill since I saw it on the order paper.

I realize that we cannot, Mr. Speaker, legislate morality. But I heard the hon. Prime Minister (Mr. Robarts) get up and speak the other day when Martin Luther King was murdered by some assassin; he was a man who believed in these very principles that we speak of. I heard my leader, who did an excellent job. I heard the leader of the New Democratic Party who did just a little better job, talking about the fact that there are highly principled Christian people, yes, of the Jewish race also, who have the Lord's Day on the sixth day—these people have set a pattern.

I wonder how we feel about going home to our children, Mr. Speaker—taking them to church, taking them to Sunday school, teaching them the facts of life, as we know them, and then we, as members of Parliament, come into this House and further relax the things that we ought not to do.

Under these circumstances, if need be, Mr. Speaker, I will stand alone. I do not believe we should open the door further. And yet I know we did it before. But the time has come that I, if I must stand alone, I cannot vote against it—one man cannot do that—but I cannot support this bill, I say to the hon. Prime Minister and the hon. leader of the Opposition. I find a time comes in our lives when we must wrestle with our conscience. I think this is a further forgetting of the fact that we must show some respect to some authority, and, in this fashion, I make my small contribution, for what it is worth.

Mr. L. M. Reilly (Eglinton): Mr. Speaker, I am frequently quite proud of the legislation that is introduced in this House, but today I have some misgivings about this particular bill and I felt I should register them.

I have indicated to the Attorney General that it is perhaps one piece of legislation of which I am not particularly proud. I realize, as the hon. member for Niagara Falls has just said, that possibly, we cannot legislate morality. But perhaps we can vote for this bill with the understanding that this is not our responsibility—that we are placing the onus upon the municipalities generally. If the members of the councils of municipalities decide that, in their wisdom, they should permit betting and horse racing and so on on Sunday, then the onus can be placed upon their shoulders. This is the only excuse, I suppose—if it would be considered an excuse,



or a reason—why today we could support the bill that is before us.

I am concerned, and I suggested to the hon. Attorney General that the thing that causes me concern is not the fact we are permitting betting and horse racing on Sunday, because if it wrong on Sunday, perhaps it is wrong any day of the week.

**Mr. Speaker:** Order! The bill under discussion is not that particular one.

**Mr. Reilly:** Well, it leads—excuse me, Mr. Speaker.

**Mr. Speaker:** I presume, since the leader of the Opposition discussed both bills, that the House leader has no objection to the member voicing his views on both bills at the present time.

**Mr. Reilly:** Thank you, Mr. Speaker. My thought is that in connection with this that the things that are concomitant with the betting on Sunday—the things that go with it—and from there it expands. It is fact that we have seven days and not one day that we can set aside for other purposes.

The fact that concerns me, Mr. Speaker, is that we are not just permitting; actually we are attempting to promote it. This is the thing that concerns me today. I am suggesting to the hon. members of the House that, perhaps, if we cannot legislate morals, what we are doing is saying to the people who govern the councils of the various municipalities that we are leaving it in their hands. But I merely say, in a word of caution, that some members of this House should get up and say that sometimes we go too far. Everybody is getting on the bandwagon. This is an age of permissiveness—we can permit anything, anywhere, at any time, and I would like to think that sometimes—

**Mr. P. D. Lawlor (Lakeshore):** Make as much money as you like.

**Mr. Reilly:** Yes. Under the circumstances, what we should be saying to ourselves today, perhaps, is that we should take stock. Maybe we should think in terms of what happened to a decadent society, and perhaps we should not lend ourselves towards it.

Perhaps we should be holding on and lending some support—or some brakes—rather than just going along with it, just because it is something that people may want. Today, Mr. Speaker, I am suggesting to you that I would like to add a word of caution. We should not get to the point where everything goes. Most

of us who are interested in preserving a Sabbath or one day of the week should take time out to think about it now.

**Mr. Speaker:** The member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, if I have any misgivings in terms of this bill, it is in relation to the permissive measures that apply to the bill, as it applies to a municipality. It appears to me that if this government agrees in the principle, then they ought to legislate in that area. It appears to me that, by having this kind of a rule and putting the onus on the municipalities, the government really gets out of the area of politics particularly by not taking a position here—by saying that the onus is on the municipality.

It appears to me that there are too many Acts and too much legislation that is permissive, as far as the municipalities are concerned. If the government really believes that we should amend this Act in relation to agriculture, horticultural and trade exhibitions, then why do they not say that, without putting the onus on the municipalities in this province? What can happen is that we will have one municipality promoting this legislation and its neighbour opposing it. If the principle is right, let us have some uniformity across the province, and let us put the legislation in effect as it should be, and as we agree to the principle.

**Mr. Lawlor:** Mr. Speaker, I would suggest to you that Holy Thursday might be considered a rather poor day upon which to wash one's hands in public. The debate surprises me.

I can well respect the conscience of a man in this regard. I think it is a little outdated and the debate indicates that the puritan conscience is far from being dead in Ontario. On one side of that conscience there is a dark and dour side, which rather is suspicious of human joy and aspiration. On the other side there is some benefit to that conscience—it is a self-help sort of thing. It also has a certain stoical vein—it is hard against the world and it is protective of its own.

That vein has brought this continent and many people in it very far but today we live in a different kind of world with people and immigrants, Italians and others, who have more of a Mardi Gras mentality, who do not think that all pleasure is something dreadful and weakening of the moral fibre of people.

Talking about legislating morals, I suspect, Mr. Speaker, that we spend about 50 per cent

of our time doing that. I can see nothing wrong with it, it depends on the morals, of course, and the particular morals in question here are very questionable.

To be rather more concrete in my remarks, in section 5 of the Act it makes a reference to The Theatres Act as being retained and the Act being subject to bylaws passed thereunder and The Racing Commission Act also, Mr. Speaker. That is that dreadful Act that contains the censorship board and we will, in due course, Mr. Speaker, have a word to say about that. Maybe the remarks I am making offend the puritan conscience too. Nevertheless, mature, straightforward, balanced individuals do not need the compulsion of the law in which to lead the good life.

**Mr. Speaker:** Order! The member for Algoma.

**Mr. B. Gilbertson (Algoma):** Mr. Speaker, at this time I felt it necessary for me to get up, as the member for Algoma, to express my feelings towards this bill. I would like to congratulate the hon. member for Niagara Falls, also the hon member for Eglinton, in Toronto, for speaking against this bill. I would feel, having been Sunday school superintendent in my church years, that this is the time that I feel that I should let my light shine. I am certainly not in favour of this bill, Mr. Speaker, and I wanted to express my feelings at this time.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I am not one who is against certain kinds of pleasure on Sunday. I am somewhat concerned that we are living in a very permissive society and I am not altogether sure that the puritan conscience is as bad as some would make it out to be. I think there are some very good things that exist in puritanism, but the thing that disturbs me is that, by opening the door wider and wider, we are turning a day of rest into a day of work for more people.

People at exhibitions and so on, who, I think, are as entitled to their days off as anybody else, are going to be forced to work. There will be more people working on transportation, and so on. I think that this is an aspect which has to be taken into account and I think that this kind of thing makes it much more permissive to open the door wider and wider. I am somewhat unhappy with this bill. As far as the bill to make racetracks open on Sundays is concerned, well all I would like to say is that this is one industry that I would be glad to see go

from the province, because I can see no good served by the whole racing industry.

**Mr. Lawlor:** They have to get their money back.

**Mr. Ferrier:** They can get their money some other way. It would give the Minister of Economics and Development a little more incentive, I suppose, to find some other industry to take its place. But I would like to associate myself with those who have spoken as a matter of conscience on this bill, and to say that I would vote the same way that they will.

**Mr. J. R. Smith (Hamilton Mountain):** Mr. Speaker, as one having the privilege of being raised in a home where the Lord's Day was always respected, I must say that I am appreciative of my Presbyterian ancestors. I feel rather sensitive about this bill before us. Mr. Speaker, I find it something of a sad commentary that our society has reached the point that the wheels of industry are now encroaching upon the Lord's Day. We, in Hamilton, sir, do not have a racetrack, so perhaps, in that regard, this does not affect my community. Nevertheless, Mr. Speaker, we have heard a great deal lately that the racetracks of this province are a large industry, and this is just opening the door that much more to allow the wheels of commerce to turn on Sunday.

I think, also, that there is another commentation to the bill that has not been mentioned in that now, for the first time, in this province, pari-mutuel betting will be permitted on the Lord's Day. I must say, Mr. Speaker, I find it most regrettable that we have reached this stage. I appreciate the sport of racing and the—

Interjection by an hon. member.

**Mr. J. R. Smith:** I will let my conscience be my guide.

**Mr. Gisborn:** They voted it in Hamilton a couple of years ago.

**Mr. J. R. Smith:** I beg your pardon?

**Mr. S. Apps (Kingston and the Islands):** Mr. Speaker, I would also like to make a short comment on this particular bill. It concerns me as well that we are opening up still further other various recreational activities on Sunday afternoon. It appears to me that the predominant reason for this is to give the various organizations an opportunity to stay open on Sunday—not particularly to

make recreation available to a great many more people, but predominantly so that they may be able to show perhaps a better financial statement than they have shown when they are not able to stay open on Sunday. Now this, of course, means that people want to go there on a Sunday afternoon, or they would not want to open this up. Knowing that they are going to be there then they would like to have the privilege of staying open on Sunday. I do not agree with this, and I would also like to go along and register my protest to those who have already protested on it, and perhaps make a suggestion. I suggest this might be an open vote and not a vote along government lines. Let us have an open vote, and let those who wish to register their protest do so in a normal and legitimate manner.

**Mr. J. Root (Wellington-Dufferin):** Mr. Speaker, I have been very unhappy about this bill and the bill for racing on Sunday. I think most people know my personal views about these matters. I have always supported the local option principle with regard to another matter. I feel that I do not think that the Legislature should be the conscience of every individual. I think people have to take some responsibility for the decisions they make and in the final analysis, we are responsible to one higher than any authority in this Legislature. I think Jewish friends and people of Christian persuasion have felt that through the years the day of rest and worship has made a tremendous contribution to our society, and given us many of the good things that we enjoy. We have seen a gradual breakdown in these principles. We have opened up a Sunday sport by local option vote in the past, and while I have not seen anything yet that indicates that this has had any effect in controlling juvenile delinquency, in fact I have read in the press, that juvenile delinquency is in greater proportion in the areas where they have backed away from this principle which is the foundation for many of our laws. I know we have had addresses in this House suggesting that we even change our prayers; that we are living in a different age. We may be living in a different century, but we are living under the same divine principles that have always existed. If we believe that there is a God, then God's rules do not change. I am not happy about either of these bills, and I could agree with the hon. member for Kingston and the Islands. I hope, sir, that it could be an open vote—where we could vote and express our principles. I agree with the mem-

ber for Niagara Falls. I know he is a man of strong convictions, as I am, and I do not think we are going to make any contribution to a stable society by opening up, in the way we are talking. I am not too sure that you even make money for the groups who will operate on Sunday. People have only so many dollars to spend. They will spend so much in sport, and they spend so much for other necessities of life, and if they are going to spend it on Sunday, it means they will not spend it through the week. Quite frankly, I am not very happy about these bills, and I want to put myself on record.

**Mr. Speaker:** The member for Simcoe East.

**Mr. G. E. Smith (Simcoe East):** Mr. Speaker, may I also express my personal opinion on the matter that we are discussing. I, too, feel that I am concerned—not so much about the horse racing on Sunday because we do have other types of recreation—but the fact that automatically with the horse racing, of course, will be the betting, which I feel does not really concur with my own personal convictions on this matter. I, like the hon. member for Kingston and the Islands and some of the others, would like to have the opportunity of a free vote without the thought of party line.

**Mr. D. M. De Monte (Dovercourt):** Mr. Speaker, in considering a bill such as this, I think that primarily we should consider the conscience of the individual. Surely here we are not going to legislate and force anybody to do anything on Sunday, but surely we are going to say if you want to take advantage of this recreation on Sunday, it is there for you to do. If you do not want to take advantage of this legislation, if you do not want to go to the exhibition or to the races, you do not have to. Nor do we by this bill preclude anybody by honouring the Lord's Day, Mr. Speaker, and let us remember that some people honour the Lord's Day in a different way, and honour the Lord under different faiths. In my riding, Mr. Speaker, in the centre of the city of Toronto, recreation is very limited. The people of Dovercourt work hard during the week; some of them work more than five days a week, unfortunately, and it is my submission, Mr. Speaker, that these people would welcome this type of activity on a Sunday. So I suggest, Mr. Speaker, that as we legislate this Act in this Parliament, that we remember that people will look to their own conscience as to whether they will take advantage of the laws that we pass.



**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I am moved to make a few comments on this bill—on the two bills actually. I must say that I concur with a number of the members; the member for Eglinton and the member for Niagara Falls, and a number of other members, in the position which they have taken. I must say to the member for Lakeshore that he can rationalize the activity all he likes, or the moral code all he likes, it comes down to the fact that if it is right, it is right, and if it is wrong, it is wrong. And he decries to an extent the puritan corps which seems to bring itself forth every once in a while, and I say to him, quite frankly, that I think it is a mighty good thing that we have that puritan attitude still prevailing, or at least still present.

At the same time, I recognize that I, with my Presbyterian background, have no right to impose any moral code of mine on anybody else. I think it is a matter of conscience, it is a matter of the individual. I think the principle of these two bills places the onus on the municipality. In that sense it will be responsive and will reflect to a greater extent the feeling of the local people within the municipality in which the racetrack is located in the one instance, and the agricultural and trade exhibitions and shows in the other.

As far as I am concerned, I think that it is a bad principle; I feel that Sunday should be an honoured day of the week, and as far as I am concerned any members in this House can go to the agricultural shows, or can go to the horse races on Sundays, but I am afraid, sir, that they will not find me there.

**Mr. R. J. Boyer (Muskoka):** Mr. Speaker, I take from the remarks of the last hon. member to address you that he supports the local option principle which I certainly would support myself. I am one who has a great deal of sympathy for many of the remarks that have been expressed this afternoon with respect to doing honour to the Lord's Day.

But I would like to perhaps take a little different view of this matter and remind you, Mr. Speaker, of conditions as they existed in this province say 10 or 15 years ago. I think that what I wish to refer to can be seen in the cities, but I refer more particularly to the towns of the province.

I would point out that the larger churches in the towns have very much restricted the Sunday programmes of worship and activity that they used to have years earlier. Gone are the afternoon Sunday schools; gone are the evening services from many of these

churches; everything now is concentrated in the morning.

I always felt in the earlier consideration of changes to The Lord's Day Act in this province, that if we were providing people in local municipalities with an opportunity to arrange recreation of good character for the people we were somewhat filling a gap which had been left by religious bodies in local communities. On that basis, it seems to me that Sunday movies were possibly filling the place that used to be taken by the Sunday school services in the afternoons, and by evening services of worship on those days.

Now, Mr. Speaker, I am not particularly keen about the new legislation, but one of the bills, if it is possible to refer to them both, one of them permits the Canadian national exhibition to operate. I cannot see very much difference between that and other activities that we have.

I just point these things out to you, Mr. Speaker, hoping that perhaps other members may take a somewhat similar view to mine, although personally as to my own observance of the Lord's Day, I would endeavour to observe that day in the same manner as my hon. friend from Niagara Falls and several others who have spoken in this House.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, one of the things that disturbs me about this bill is the series of events in the last few weeks. First of all, we heard that the racetrack people were in difficulties, they might have to close down. Then we have had the Budget brought down in which we are asked to give \$1.5 million to the people who are involved.

Now, a few days later, we have had the Sunday racing suggestion. The only reason the racetracks would be opened on Sunday—or at least the reason they would be opened on Sunday, is not for public entertainment, that is not the motive that the sponsors had in mind, their only motive is to make more money.

The Russians, I understand, do not believe in God, but they believe in a day of rest. If we allow the racetracks to open for 47 days in a row, there are more and more people not getting this day of rest. I have not heard any public clamour for this bill except from the direction of the jockey clubs. The other concern is, in addition to all those that may have been mentioned by other speakers, that you have your betting on Sunday, and then on Monday morning our Minister of Social and Family Services (Mr.

Yaremko) has an extra line-up. For those people who have had any association with welfare, it is a known fact that the gambling is one of the concomitant factors leading to the troubles of the families of the poorer groups.

For all these reasons, I cannot associate myself with this bill.

**Mr. Gisborn:** Mr. Speaker, I appreciate, and of course, respect the opinions of all members of the House in regard to this bill. I would support it, not with any great degree of enthusiasm, or any particular reason, but just because of the practical approach to things in our everyday lives.

I like the permissive part of the bill because we know now that in Hamilton we have bowling, we have billiards, and we have spectator sports such as football. And, of course, the movies are open at particular times.

I might say to my hon. friend from Hamilton Mountain, I believe he was on city council when they passed the bylaw to allow the open bowling and billiards, and I did not hear any great cries of indignation at that time. But I can remember quite clearly the great pressure programme put on by the proprietors of those establishments and I supported them at the time. But you know, when we get to the day and age of talking about one day of rest—and I know as much about that as most people; I have read the Bible somewhat and I have gone to Sunday school—we must remember that about 30,000 of the 85,000 in the work force in Hamilton have to work every Sunday by necessity to earn a living.

I can remember back in the very late '30's when there was a strike in Hamilton because the employees did not want to change their work week from Monday to Friday. But under the pressures of industry they were forced to go on a schedule of shift work which included Sunday work, and they received no support, or no outcry of indignation from the church groups at that time, or any other group. As far back and as late as four years ago in Montreal, where the counterparts of the Stelco plant enjoyed for many years their Sunday off, they had by contract Monday to Friday work, and they were forced eventually by a government conciliation board to accept the rescheduling of their work schedules to include Saturday and Sunday work.

So I think that we all have arguments, but we have to live with our times. I know

that I have spoken to several of the boys in Hamilton, those that are happy to enjoy their Sundays off. They take this approach to it, well for once I will be able, if this is brought about, to go over to the Mohawk track and see what horse racing is about. With my schedule of working from Monday to Friday, and looking after my other obligations, I have never had the opportunity. Many will now be able to view the sport if they are not inclined to make bets.

So I think everyone is entitled to their opinion. I will support it, and in our party, if members wish to oppose it, we do not have to make a decision on whether it is a vote of conscience or not. They always will have that right and their position will be respected.

**Mr. R. Haggerty (Welland South):** Mr. Speaker, churches in the Peace bridge area municipality, where the Fort Erie racetrack is located, have registered their feelings, have gone on record as opposed to racing on Sunday. There are mixed reactions by members of council. The reasons cited in each of the letters from the churches of different faiths, express preservation and observance of the Sabbath day. The member for Niagara Falls has expressed his sentiments and thoughts so well that I concur with him.

There are presently six racing days, Monday through Saturday, which are sufficient to operate at a profit. The government of Ontario, under Bill 40, has raised the provincial pari-mutuel tax from 6 to 7 per cent, so as to produce \$1.8 million possible subsidy to the Ontario jockey club.

I might also bring to the attention of the hon. members the problems which will occur in the Peace bridge area. One is the presence of a heavy flow of traffic at the time of the racing meet in the summer months. Municipalities will have to hire additional police to handle the heavy flow of traffic on Sunday, at an extra cost for those municipalities involved.

There are no overpasses or cloverleafs along the Queen Elizabeth highway at Thompson road, Concession road and Central Avenue and Gilmour road. At these four intersections, it will create a traffic hazard. There have been a number of serious accidents in the past and the accident rate would increase with Sunday racing.

I am also aware that the hon. member for Niagara Falls has informed this House and the Minister of Highways in the past of the

road for traffic lights at the Queen Elizabeth Way and Thompson road in Bertie township. In a recent report of statistics relating to motor vehicle traffic accidents, the town of Fort Erie ranks fourth in Ontario in municipalities under 10,000.

I am aware of The Department of Highways studies and that they have recommended an oblique at Thompson road at the Queen Elizabeth Calmar at the Queen Elizabeth. I have been read at Queen Elizabeth both all leading to the race track, with little or I should say no action at all.

It has been noted that this Bill 53 will provide for local option of council to pass a bylaw introducing Sunday racing in local municipalities. The government of Ontario takes the stand that the method of introducing the bill in Ontario provides local autonomy. It seems rather odd that this government would put all that responsibility of making a decision on small government bodies of local council, perhaps as low as five members, in some cases.

As the member of Welland South I say this government lacks the fortitude and the courage to implement this Bill 53 as their own responsibility.

For these reasons, Mr. Speaker, I shall oppose the bill.

**Mr. Speaker:** Is there any other member wishing to speak to either of the two bills before the Attorney General?

**Mr. Bukator:** Mr. Speaker, I did not want to touch on Bill 53. I may come back to Bill 41, but in relation to Bill 53.

**Mr. Speaker:** The member has already participated in the debate.

**Mr. Bukator:** Yes. Now I am hoping that this will open the door to racing at fairs on Sunday, which will again enhance Bill 53.

**Mr. Speaker:** Order! Order! The member—

**Mr. Bukator:** I did not want to touch on Bill 53. I have something to say about that.

**Mr. Speaker:** Order! The member has already spoken in this debate.

Is there any other member who wishes to speak?

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I would just like to say a few words about Bill 41.

**Mr. Speaker:** I may say—if I may—that leading off with the leader of the Opposition,

speeches were made on both bills and, when the member for Eglinton was speaking on both bills, I inquired of the House if it would be as well to carry on both at the same time. There was agreement, so there has been discussion of both bills.

**Mr. Bukator:** On a point of order, Mr. Speaker. I was just saying to you that I wanted to speak on Bill 53 also. I cannot see how you can permit some and not me.

**Mr. Speaker:** The member need not discuss Bill 53 at the moment. He will have an opportunity to do that when the second reading is made.

**Mr. Bukator:** But others have done it.

**Mr. Speaker:** Others have done it and will probably not speak again.

**Mr. Bukator:** There is justice for you.

**Mr. Speaker:** The member will have his opportunity to speak on Bill 53 when it is called for second reading. It has not been called. The other members have been speaking on both bills since the principles are somewhat the same.

The member for Scarborough East has the floor.

**Mr. T. Reid:** Mr. Speaker, I am going to make a few comments about Bill 41, concerning the amendment permitting the operation of agricultural, horticultural and trade exhibitions or shows after 1:30 p.m. on Sundays by municipalities.

I think we must be very concerned that on Sundays, or any time of the week, that recreational activities—and I call this a recreational activity—are not eschewed, if you like, in favour of people who have higher incomes as compared to people with lower incomes. If you have money in our society, I think you can join a golf club and play golf on Sunday afternoon, or you can join a tennis club and play tennis on Sunday afternoon, or go up to your cottage, if you have enough money to buy a cottage. I would hope that the passage of this bill, Mr. Speaker, would enable many municipalities to accept the terms of the amendment, because I think that many of these shows—the trade exhibitions—quite often, and probably most often, do not have a charge for admission. I think we can do a lot with these shows to open up opportunities for people with lower income to go to them. So my general point is that I am in favour of this amendment, because I feel that this type of



thing should be open to people on Sundays as well as any other day—open to those who cannot afford the golf club, the tennis club, the sailing club, and so forth.

The other point I would like to make is that I have talked to many members of religious denominations, particularly in Scarborough. I find them very enlightened men and I find among these men a very realistic assessment of the place of their religious denominations in our society—the church, the synagogue, so forth. The best people, in my opinion, are not at all fearful about the place of their religious institution in society being open to further competition on Sunday, by trade fairs, and even racing. They realize that if they are to continue to have a strong place in our society, that they must compete for the minds and spirit of men and women to participate in their church activities, and they are confident.

I do not think we should try to force upon the individual in our society a narrow limit to the range of things he can do on a Sunday or on a Sunday afternoon. The more enlightened people in the religious denominations, in my opinion, are not afraid of this, and for that reason, sir—both those reasons—I would support this bill.

**Mr. Speaker:** Is there any other member wishing to speak to Bill 41 on second reading, before the Minister? The Attorney General.

**Hon. Mr. Wishart:** Mr. Speaker, I would point out first of all that I moved second reading of Bill 41. I will confine my remarks to that bill, which does not refer to racing on Sunday, but to the agricultural type of fair, or exhibition, or show. I think I should say here, Mr. Speaker, that it had been my intention when I spoke to say that I felt the language of the Act should, perhaps, be extended to include trade fairs, or scientific exhibitions, whereas it is confined now somewhat closely to agricultural types of exhibition. That, perhaps, could be done in committee, but I felt it proper to suggest that intention now.

I think, Mr. Speaker, that the principle which underlies this type of legislation is that the public, a great body of the public—I would say the great bulk of the public—look upon Sunday, particularly the afternoon and evening hours, as time of recreation and recreation in the full and best sense of that word. The bill, of course, deals only with the hours after 1:30 in the afternoon, so that, as one of the hon. members has pointed out, the morning church service is not interfered with.

Someone pointed out that the afternoon services, which we used to have in days gone by, and gone by for some time, are not there now to occupy the attention of the public. The public do not attend them, so that they have passed generally out of existence.

Many people, a great many people, have the facilities to enjoy golf, the summer cottage, the water skiing, boating, sports, and nobody objects to that. They take advantage of the Sunday to enjoy those activities.

Perhaps I should not confess this, but in the part of the province from where I come, where I live, in the hunting season people hunt—accept the whole day of Sunday to hunt. It is quite fully accepted, and I have seldom seen anyone even attempt to prevent it. I do not like to refer to personal background experience, but, like the hon. member for Huron-Bruce, my background was a very strict Presbyterian one. In my younger days one could not run, one could not whistle a popular tune, one could not read a novel, cards were never in the house, and I never saw a card until I was 18, at least.

Interjections by hon. members.

**Hon. Mr. Wishart:** One could not play catch with a baseball, or anything of that kind. It was that type of thing. But my point is that I do not believe that made me any more moral than my children who have been raised in a very different atmosphere, and I do not think the young people of today—a great bulk of young people who are raised in a different atmosphere—are any less moral than the young people with which I grew up.

I think the activities of this bill particularly—agricultural exhibitions, horticulture shows, trade shows, home shows, the boat show—these are a wholesome open exhibition with educational value, with recreational value. There are many people who do not have the summer cottage, who do not have the golf course, who are living stacked up in apartments, who perhaps are living in a little home without even a back yard.

I think it is far better, far better, that they be offered the activity to go out in the fresh air, to go out to the exhibition, to go out on the shore of the lake in the exhibition grounds and into those buildings which are well decorated and lighted and attractive, and let them see these things, and —

**Mr. Bukator:** I hate to interrupt at this time, but were they the people you were thinking about when this bill was drafted?

**Hon. Mr. Wishart:** I am talking about Bill 41, and that is the principle that underlies this bill—somewhat recreational, somewhat educational.

Let me make the further point that this is permissive, it is left to the municipality. I have forgotten the hon. member who said that that perhaps was not a good principle, but I think it is a good thing to leave it to the local municipality. There are some municipalities who may still not see fit to pass the bylaw. In that bylaw the municipality may specify—and I think this is an important point to bear in mind—in that bylaw passed by the local municipality it may specify and spell out activities which it wishes to permit, or to prohibit.

I would point out further, that the type of activity permitted in this bill—the fair, the show, is not one that is going to recur and recur and recur on every Sunday through the 52 weeks of the year. It will be in most municipalities once a year—the Canadian national exhibition; perhaps two or three Sundays in the year. The boat show will be one Sunday; the home show, if it were included under trade show, would be once in the year in any particular municipality.

So these things are not a great transgression on the Sabbath, the Sunday. They are for a part of the day; they are with the permission of the municipality.

Then it comes back to the individual conscience of the individual who does not have to go and participate. I do not think he is going to be trespassed upon or transgressed upon because others see fit to take advantage of those activities.

As I was sitting listening to the remarks, it occurred to me that into the home on Sunday as on every other day, comes through the wonderful media of television, sports, plays of all types, the movie, the crime movie, even the show such as we had last night, yes—

**An hon. member:** The Liberal convention.

**Hon. Mr. Wishart:** No, the convention did not come in on Sunday. But I wonder how many people when the crime movie comes on on Sunday evening, or the racing cars, or the baseball, turn off the television because it is the Sunday evening. I wonder.

I was in the home of a very eminent divine not so long ago on Sunday evening and he came in from church where he had been holding forth and came rushing through the living room with scarcely time enough to

say good evening to me to watch the hockey game, and I think that was quite a proper way for him to behave.

I think that where we have left now to the municipalities the right to legislate as the individual municipality sees fit, where we leave to the individual the right to make his own decision, that we should not deprive those people who do not have the opportunity to enjoy what some more affluent people can take advantage of on Sunday, they should not be denied. I confine my remarks, Mr. Speaker, as I say, simply to this bill.

Motion agreed to; second reading of the bill.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, with your permission I will ask His Honour the Lieutenant-Governor to join us and give assent to certain bills.

The Honourable the Lieutenant-Governor of Ontario entered the chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. Earl Rowe (Lieutenant-Governor):** Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed several bills to which, in the name and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles to the bills to which Your Honour's assent is prayed.

Bill 3, An Act to amend The Extrajudicial Services Act.

Bill 6, An Act to amend The Division Courts Act.

Bill 11, An Act to establish The Department of Trade and Development.

Bill 12, An Act to amend The Ontario Development Corporation Act, 1966.

Bill 14, An Act to amend The Sheridan Park Corporation Act, 1964.

Bill 15, An Act to amend The Elderly Persons' Housing Aid Act.

Bill 16, An Act to repeal The Transportation of Fowl Act.

Bill 17, An Act to repeal The Threshing Machines Act.

Bill 18, An Act to repeal The Steam Threshing Engines Act.

Bill 20, An Act to repeal The Injured Animals Act.

Bill 25, An Act to amend The Farm Products Marketing Act.

Bill 26, An Act to amend The Hunter Damage Compensation Act, 1962-1963.

Bill 27, An Act to repeal The Consolidated Cheese Factories Act.

Bill 28, An Act to repeal The Seed Grain Subsidy Act.

Bill 29, An Act to repeal The Fruit Packing Act.

Bill 31, An Act to amend The Sandwich, Windsor and Amherstberg Railway Act, 1930.

Bill 32, An Act to amend The Judicature Act.

Bill 34, An Act to amend The Brucellosis Act, 1965.

Bill 35, An Act respecting the marketing of cattle for the production of beef.

Bill 37, An Act to amend The Gasoline Tax Act.

Bill 38, An Act to amend The Motor Vehicle Fuel Tax Act.

Bill 39, An Act to amend The Tobacco Tax Act, 1965.

Bill 40, An Act to amend The Race Tracks Tax Act.

Bill 43, An Act to amend The Evidence Act.

Bill 52, An Act respecting the establishment, extension, improvement and maintenance of airports.

Bill 54, An Act to amend The Municipal Corporations Quietng Orders Act.

Bill 55, An Act to amend The Statute Labour Act.

Bill 68, An Act to amend The Railways Act.

Bill 86, An Act to amend The Ontario Producers, Processors, Distributors and Consumers Food Council Act, 1962-1963.

Bill Pr5, An Act respecting the city of Sault Ste. Marie.

Bill Pr6, An Act respecting the county of Renfrew.

Bill Pr8, An Act respecting the city of Hamilton.

Bill Pr9, An Act respecting the city of Ottawa separate school board.

Bill Pr10, An Act respecting the town of Smiths Falls.

Bill Pr11, An Act respecting the city of Peterborough.

Bill Pr12, An Act respecting the community foundation of Ottawa and district.

Bill Pr13, An Act respecting the city of Peterborough.

Bill Pr14, An Act respecting the village of Chalk River.

Bill Pr15, An Act respecting the board of trustees of the combined Roman Catholic separate schools of Renfrew.

Bill Pr16, An Act respecting the county of Ontario.

Bill Pr17, An Act respecting the city of Barrie.

Bill Pr18, An Act respecting the trustees of the Toronto general burying grounds.

Bill Pr19, An Act respecting the town of Bowmanville.

Bill Pr21, An Act respecting the county of Peel.

Bill Pr22, An Act respecting the city of London.

Bill Pr23, An Act respecting the township of Vaughan.

Bill Pr24, An Act respecting the city of Oshawa.

Bill Pr25, An Act respecting Wool and Gift Shops (Toronto) Limited.

Bill Pr26, An Act respecting the township of Nepean.

Bill Pr27, An Act respecting the town of Palmerston.

Bill Pr29, An Act respecting the city of Niagara Falls.

Bill Pr30, An Act respecting the city of Kitchener.

Bill Pr31, An Act respecting the township of Rayside.

Bill Pr32, An Act respecting Cardinal Insulation Limited.

Bill Pr33, An Act respecting the city of Toronto.

Bill Pr34, An Act respecting the county of Welland.

Bill Pr35, An Act respecting the city of Welland.

Bill Pr36, An Act respecting the city of Windsor.

Bill Pr38, An Act respecting the board of education for the city of London.

Bill Pr39, An Act respecting the Lutheran Church-Missouri synod.

Bill Pr40, An Act respecting the city of Eastview.

Bill Pr41, An Act respecting Canadian order of foresters.

Bill Pr42, An Act respecting the city of Ottawa.



Bill Pr43, An Act respecting Imperial Sewing Machine Company Limited and Imperial Sewing Machine Company (Kitchener) Limited.

Bill Pr44, An Act respecting the Toronto city mission.

Bill Pr45, An Act respecting the township of Pelee.

Bill Pr49, An Act respecting Carleton University.

Bill Pr50, An Act respecting Lake of Woods district hospital.

Bill Pr51, An Act respecting Janbi Holdings Limited.

Bill Pr52, An Act respecting Walbi Holdings Limited.

To these Acts the Royal assent was announced by the Clerk of the legislative assembly in the following words:

**Clerk of the House:** In Her Majesty's name, the Honourable the Lieutenant-Governor doth assent to these bills.

The Honourable the Lieutenant-Governor was pleased to retire from the chamber.

**Hon. Mr. Robarts:** Mr. Speaker, before moving the adjournment of the House, I think the members who are left might be interested to know that we have processed in eight weeks 81 separate pieces of legislation,

41 of these were private bills, 40 of them were public bills. It may seem on occasion that things move rather slowly here, but I think that this is quite a record of which we might all be proud. Plus the questions before the orders of the day.

One other statistic you might be interested in; up till today, that is, not including today's events, we have had 11 recorded votes and the government survived with an average majority of 29.

Regarding future proceedings, the order for the remaining departments' estimates will be as follows: Health will come immediately after Highways, to be followed by Agriculture and Food, to be followed by the Provincial Secretary, and perhaps that is enough for the moment.

Hon. Mr. Robarts moves the adjournment of the House.

**Mr. Speaker:** Perhaps, before I put the motion, I might add to the statistics that the number of questions asked before the orders of the day was approximately 350.

Motion agreed to.

The House adjourned at 6:15 o'clock, p.m. to reconvene at 2:30 o'clock, p.m., Monday, April 22, 1968.

## ERRATUM

Thursday, April 4, 1968

Page	Column	Line	Correction
1647	1	45	Change to read: An hon. member: Oh, yes, they did.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, April 22, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 22, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Before I welcome the guests this afternoon, may I say how pleased I am to see so many members of the House back and in their places and I hope they had a refreshing recess and that we may accomplish the work of the province expeditiously and well.

In the galleries today, we have a goodly number of visitors. In the east gallery, students from Fairmount Park senior public school, Toronto; in the west gallery, from Applewood Heights secondary school, Cooksville, and from Sprucedale school, Hagersville.

Then, later this afternoon, we will be joined in the east gallery by pupils from Colchester North public school, Colchester North, and in the west gallery from South River high school, South River.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

**Hon. R. Brunelle** (Minister of Lands and Forests): **Mr. Speaker,** before the orders of the day I take great pleasure in announcing to you, sir, and to the hon. members the establishment of a new provincial park which will preserve for the people of Ontario one of the truly unique areas in our province. This park, to be known as Polar Bear provincial park, encompasses an area of over 7,000 square miles and is located in that part of our far north where James Bay and Hudson Bay meet. The park area includes Cape Henrietta Maria, the James Bay coast as far south as the Ekwon River, and the coastline of Hudson Bay west to the Kinushseo River.

Polar Bear provincial park includes a significant area of one of the southernmost extensions of the Arctic tundra in the world. The tundra supports many species of flora and fauna which are unique in Ontario. The park derives its name from the most important population of polar bears in the province

which occurs in this area. Other Arctic mammals found in the area are the bearded seal, walrus, and Arctic fox. The tundra also supports one of our most important breeding colonies of snow and blue geese, estimated to number some 20,000 in 1967. Canada geese also breed throughout the area. A herd of 200 to 300 woodland caribou range throughout the tundra in the summer season and winter to the south in the scrub spruce forest land which is known as taiga and is another important part of this interesting park.

The marine coastline of the park is characterized by extensive mud flats which are exposed by the receding tides and are typical of the west coast of James Bay and Hudson Bay in Ontario. Also of interest are the remnant beach strands which are clearly visible at varying distances from the present coast and which mark earlier periods of marine submergence in this area which is still slowly rising from the sea.

Members will perhaps recall that about one year ago I announced to the House a new classification system for our provincial parks. Polar Bear provincial park is the first to be set aside within the primitive park class under this system. As such it will be managed so as to carefully preserve the unique natural resources of the area.

These natural resources will be reserved from exploitation except in respect of our continuing recognition of the traditional hunting, fishing, and trapping rights of the Indian people in that general area, none of whom are resident within the park. No development, of the type usually associated with provincial parks, will be carried out. There will, however, be a designated landing point for aircraft to give access to those wishing to visit the park.

In conclusion, **Mr. Speaker,** it is of interest to note that Polar Bear provincial park is the second largest park in Canada, and is exceeded in size only by Wood Buffalo national park. With the addition of this park, the area of the provincial park system in Ontario exceeds 8,000,000 acres.

**Mr. Speaker:** The leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, is there access to the park by any means other than by aircraft? There are no roads, I presume.

**Hon. Mr. Brunelle:** Mr. Speaker, not at the present time. But I would like to remind the hon. leader of the Opposition that we are in the age of new vehicles, such as the hovercraft and the terraplane—these are vehicles that are not on the market now but will be on the market within the next year—I am sure with these new types of vehicles it will just be a matter of hours to get to these inaccessible areas.

**Mr. V. M. Singer** (Downsview): Do the polar bears know how to run them?

**Mr. Nixon:** With that in mind, Mr. Speaker, I wonder if the Minister could predict how many of our citizens would visit the park this year.

**Hon. Mr. Brunelle:** I would say, Mr. Speaker, that with interest in Moosonee alone I think I could be—

**Mr. Nixon:** Is that included in the park?

**Hon. Mr. Brunelle:** My good friend, the Minister of Energy and Resources Management (Mr. Simonett) and the chairman of the ONR last year said we had, I believe, 10,000 visitors to Moosonee. We could double that—

**Mr. Nixon:** How far is the park from Moosonee?

**Hon. Mr. Brunelle:**—number once we have more accommodation. Once they get to Moosonee, they want to get further north. So this is an area where we will just have to be guided.

**Mr. Speaker:** Order. The Minister of Economics and Development has an answer to a question placed before the recess.

**Mr. Singer:** He is going to tell us about housing for polar bears.

**Hon. S. J. Randall** (Minister of Economics and Development): Just goes to show all the bears are not on Bay Street!

**Mr. Speaker,** there was a question asked by the hon. member for Sandwich-Riverside (Mr. Burr), just before the Easter recess, about the closing down of two companies in Windsor. I would like to give him the information as I have it here. The question:

In view of the closing of two Windsor industrial concerns—American Standard

Products and Burroughs Business Machines Limited—reported in the Windsor *Star* of April 9, will the Minister look into the causes and consider possible ways of keeping these plants in operation?

The answer:

American Standard Products (Canada) Limited announced on March 29, 1968, that it would be closing down on June 28 this year. The company manufactures air handling equipment, roof ventilators, air washers, humidifiers, dehumidifiers, dust collectors and mechanical draft equipment.

The reason for closing was that the market for American Standard Products had been deteriorating due to competition from more strategically located plants. As a result, over the past five or six years the company has experienced financial difficulty.

The number of workers involved in the shutdown is about 180, of whom 70 have already been laid off.

Most of the workers in the plant are semi-skilled and it is not expected that they will have too much difficulty in finding other jobs. In fact a few have already been placed. In addition, Chrysler Corporation has offered to employ most of them.

The management of Burroughs Business Machines Limited have stated that the Windsor plant would not be closing. The story is that Burroughs' series "F" machines—mechanically operated accounting machines—were being phased out because they could no longer be produced economically in Canada.

On the other hand, Burroughs will continue to manufacture their series "P-900" cheque-encoding devices in the Windsor plant, which is presently the sole world supplier of this product. Burroughs' management have been studying the possibility of transferring other work to the Windsor plant in an effort to offset the decline in production of series "F" machines.

I understand that 60 employees were laid off from Burroughs in February of this year and a further 35 were laid off in March. The number remaining in the plant is now 30. Again the majority of employees are fairly highly skilled so that they will probably have little difficulty in finding new jobs, particularly since the unemployment rate in Windsor at the present time is low. I understand that a large number of the employees laid off have already been placed and Chrysler again has taken many of these people.

Members of my department have been closely watching the developments of these two companies in Windsor. We have made arrangements to place the American Standard factory and property on our lists of available space for new companies inquiring for manufacturing facilities in the Windsor area. In addition, The Department of Labour is initiating a training programme in the Windsor area with a view to upgrading workers and The Department of Education has made it known that they will provide a retraining programme for any of the workers involved. They are prepared to expand their accommodations in Windsor if necessary.

Concerning ways of keeping these plants in operation, I would just like to say that the government's policy is, and always will be, that of providing the most favourable climate in which business may operate. We respect the decisions of private enterprise. My department's aim is to assist business in any way that we can. During the past three years the free play of management decisions has resulted in a net increase of 32 new manufacturing establishments and 56 expansions in Windsor. The net gain in employment resulting from the new establishments was an estimated 2,108, and new employment resulting from expansion amounted to over 2,000 new jobs. Total new investment during this period, in Windsor, was approximately \$6 million.

I think, Mr. Speaker, this is a pretty good record for private initiative.

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Labour.

In view of the strike at Massey-Ferguson by the united auto workers, what procedures are being used by the Minister to assist in reaching a settlement? In view of the serious economic implications in the possible relocation of Massey-Ferguson production facilities outside of Canada, does the government plan any special meetings with management and labour so that everything can be done to avoid this serious possibility?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the leader of the Opposition, may I review the situation which has led up to the present strike of Massey-Ferguson employees?

In December when the union applied for conciliation services it had already held 18 negotiating sessions with the company between September and December. A conciliation officer met the parties on January 4, 1968.

Although the union opposed the appointment of a conciliation board the department decided as a matter of policy and in view of the potential seriousness of the situation to use all of the procedures of The Labour Relations Act and to make every possible effort to help the parties achieve a settlement. Thus a board was established under the chairmanship of Mr. T. C. O'Connor, with Mr. J. W. Henley as the company nominee and Mr. Murray Tate as the union nominee.

The board's report, which was released on February 26, 1968, notes that the meeting lasted 15 minutes, until the departure of the union representative. Referring to the leader of the union committee, the report says, and I quote:

At no time did he offer to the board any comment on, or any explanation of, the matters in dispute.

Following the release of the board's report, the parties continued to meet directly from time to time until the strike occurred.

Mr. Speaker, it was decided as a matter of department policy to use all the procedures of the Act, and to make every possible effort, to help the parties achieve a settlement. These procedures, and the persons involved in them—the conciliation officer and the members of the conciliation board—were not, however, given much opportunity to play an effective role in helping the parties find a mutually acceptable basis for resolving the dispute.

I must emphasize the seriousness of the dispute. While the department is anxious and prepared to give the parties the fullest mediation assistance, the attitude of the parties themselves will determine whether mediation can help them.

In a system of free collective bargaining only the parties themselves, acting at the bargaining table in the spirit of reason and give and take with the assistance of the mediator, can resolve their differences sufficiently to reach an agreement.

In answer to the second part of the question, Mr. Speaker, it goes without saying—and I stress this—that the department will maintain contact with the parties and will seek, by every means possible, to help them resolve this dispute satisfactorily.

**Mr. Nixon:** If I might ask a supplementary to the question: Am I to understand that the UAW representative walked out of the conciliation proceedings?



Hon. Mr. Bales: Mr. Speaker, the hon. member will appreciate that I was not present and I quoted from the conciliation board report, as to the statement that is there. Since I was not there I cannot say that he walked out at the end of 15 minutes. That is my understanding.

Mr. D. C. MacDonald (York South): I have a number of questions, two for the Prime Minister (Mr. Robarts) which I will hold until he is with us.

A question to the Minister of Energy and Resources Management: Did the government make any representations to the national energy board with regard to the application of Union Gas to increase imports from the Panhandle Eastern Pipe Line Company from 23.5 billion cubic feet to 60.5 billion cubic feet over a seven-year contract? If not, why not?

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, I think there is another question relevant to that one—from the hon. member for Thunder Bay, if he would like to ask it at the same time.

Mr. J. E. Stokes (Thunder Bay): I have one of the same nature, Mr. Speaker.

Did the Minister or his department file an intervention before the national energy board against the application by Union Gas to import American natural gas from Panhandle Eastern? What was the nature of this intervention? Has there been any evidence to its effect?

Hon. Mr. Simonett: Mr. Speaker, the hon. Attorney General submitted a notice of intervention, dated April 8, 1968, and I might add that he was present in Ottawa last week during the hearing. If I might, I would like to read the submission as presented on behalf of the Attorney General for Ontario:

Pursuant to section 7 of "The National Energy Board Rules of Practice and Procedure":

1. The Attorney General for Ontario hereby intervenes in this application, reserving the right to file material, adduce evidence, make argument and to participate in the hearing as circumstances may require, and the board permit.

2. The Attorney General has a vital interest in the application, having regard to the necessity that adequate supplies of natural gas be available to meet the present and future estimated requirements of

Ontario natural gas consumers, and submits that the board, in considering the application, should have regard to:

a. The prudence or necessity of alternative source of long term supply from adequate and proven reserves.

b. Consideration of the price, terms of delivery, and quantity of the gas in question, and in what respects these matters may be effected by future regulatory or governmental action in the United States of America and in Canada.

c. Currency and balance of payment factors.

d. The probability of securing any additional authorization for export from the United States that may be required; and

e. Such other matters as counsel may advise and the board may deem relevant and permit.

Mr. MacDonald: Mr. Speaker, my second question is to the Minister of Municipal Affairs.

What action does the Minister intend to take in the light of correspondence dated April 16 from the chairman of the board of education of the city of London, urging that the government exercise its prerogative under section 230 of The Municipal Act and section 17A of The Department of Municipal Affairs Act, to invoke a public inquiry into the matter of allegations by Mr. Yuhani concerning R. D. Schoales?

Hon. W. D. McKeough (Minister of Municipal Affairs): Mr. Speaker, the letter referred to by the hon. member was from Dr. French, the chairman of the London board of education, and was received by me on Thursday last, April 18. It is under study within the department and I will reply to Dr. French's letter as soon as the study is completed.

Mr. T. Reid (Scarborough East): Mr. Speaker, before the orders of the day I have a question for the Minister of Municipal Affairs, notice of which has been given.

In view of the statement attributed to the Scarborough municipal council by the *Globe and Mail* this morning that the basic shelter plan will result in a loss of \$100,000 from investment income to the municipality and require an additional expenditure of \$45,000 to cover new clerical costs of preparing tax bills which show the provincial abatement to taxpayers; could the Minister inform the taxpayers of Ontario what the aggregate loss of municipal investment income and aggregate

addition of municipal clerical costs will be for all Ontario municipalities?

**Hon. Mr. McKeough:** Mr. Speaker, I have no information on how the \$45,000 mentioned by the hon. member was calculated. I can advise the House, however, that the matter of processing tax bills incorporating the municipal tax reduction was thoroughly discussed with the executive of the association of municipal clerks and treasurers, that I am assured that the system of tax reduction is the most economical, and that my officials assure me that the administrative cost to the municipalities in preparing the tax bills will not be significant.

I understand that the borough of Scarborough collects municipal taxes by instalments, as indeed do many other municipalities in the province. The particular instalment against which the credit is to be applied is a matter entirely within the discretion of the municipality. Therefore a municipality is in the position of being able to arrange for the tax credit to be made to its taxpayers at approximately the same time as it expects to receive reimbursement from the province—or for that matter afterwards—thus the adverse effect on the municipality will be minimal.

Mr. Speaker, as the hon. member is aware, the province for many years has encouraged municipalities to update their tax collection procedures in order that funds would be available to meet obligations as they fall due. It is not, however, the intention of the enabling legislation to have municipalities collect taxes substantially before they are required for the purpose of securing interest from the investment of such funds. I rather incline to the view that the taxpayer himself is capable of investing his surplus cash, if he has any.

**Mr. T. Reid:** A supplementary question: Does the Minister know how much investment revenue the province gets from collecting the taxes before the expenditures go out?

**Hon. Mr. McKeough:** I would suggest, Mr. Speaker, with great respect, that this is not a supplementary question related to this, and probably it should be asked of the Provincial Treasurer (Mr. MacNaughton).

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, I have a question for the Minister of Education, notice of which has been given.

In view of the criticism of the March school holiday as reported in the *Toronto Telegram* of April 16, will the Minister change the holiday date to April for 1969? And a

second question: What representations were made to the Minister by the Ontario education association and the Ontario teachers' federation to change the date from the traditional Easter period?

**Hon. W. C. Davis (Minister of Education):** Mr. Speaker, there is no plan to change the mid-term break next year from March to April. The holidays in 1969 will be from March 17 to 21. This recognizes the fact that many organizations have already made arrangements for their meetings a year hence.

If the hon. member will recall, the legislation was introduced and passed in 1966 but did not come into effect until 1968 to give the various organizations a chance to adjust their time tables. While I recognize there are those who are not completely enthusiastic about the specific timing of the mid-term holiday, it should be pointed out, Mr. Speaker, that this was done for educational reasons with the attempt to establish between January and June a continuing holiday or break period so that the two terms could be related with regard to course content and so on. This is a custom that exists in many other jurisdictions. It does not really relate to the weather that is good or bad at a particular time. There were representations made to the department over many years from the teachers' federation, the trustees' council, and the Ontario secondary school headmasters' council, requesting this change in legislation. If memory serves me correctly, the hon. member's own party not only voted in support of it, but one or two members spoke in favour of it with enthusiasm.

**Mr. Braithwaite:** A supplementary question to the Minister, Mr. Speaker. Is any thought being given to changing the holiday date for 1970?

**Hon. Mr. Davis:** Mr. Speaker, I anticipate that this government will be here in 1970, 1971 and 1972 and we are always open to any flexibility that is necessary. But I just want to re-emphasize that the basic purpose behind this legislation was to provide as nearly as possible three equal educational terms within the school year; this was the attempt. We recognize that it might not always hit the best weather, and I have known many Christmas vacations where the weather has not really been too acceptable to the parents who have children around the home. I can speak with some personal experience in this regard, Mr. Speaker.



**Mr. Braithwaite:** Will the Minister be around when the mothers march on Queen's Park next year?

**Mr. Speaker:** Order, order!  
The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question for the hon. Minister of Economics and Development.

Has the Ontario housing corporation received an application from the city of Port Arthur for 80 rental homes and 48 senior citizens' units? What is the processing time for such an application?

**Hon. Mr. Randall:** A formal resolution from the city of Port Arthur was received by Ontario housing corporation on April 11, 1968, requesting the development of 80 family units and 48 senior citizens' units.

The first step in the corporation's implementation of council's request will be to acquire suitable land upon which to advertise a builders' proposal call. On the assumption that suitable sites are available and may be economically acquired, the time period necessary before a contract may be executed is normally six to eight months from the date of receipt of the resolution.

For a proposed development of this size, merchant builders normally require a three-month period to make formal submissions. When a submission is received which is acceptable to Ontario housing corporation and the municipality, a loan application is submitted to central mortgage and housing corporation which requires approximately 60 to 90 days to process.

While this explanation would cover the situation in Port Arthur, I might say that for the average project, from the time we receive a request from the municipality for a survey of need to acceptance and implementation of the project is generally an average of six to eight months. This is essential for many of the reasons outlined, but more and more builder submissions are requesting three months in which to submit their plans and tenders to OHC.

**Mr. Knight:** Mr. Speaker, I have also a question, notice of which has been given, for the Minister of Education.

Does the department have a representative at the international reading association convention currently underway in Boston? What plans do the department have to improve the "beginning reading" instruction in the schools of Ontario?

**Hon. Mr. Davis:** Mr. Speaker, I will have to acknowledge that we do not have one representative at the particular meetings in Boston this week. We have four representatives from The Department of Education in attendance, which indicates not only the interest of the department in this particular subject, but also the fact that the Ontario department and the educational group here in the province really have provided some substantial leadership in the whole question of "beginning reading". I do not want to take a lot of time today to answer the second part of the question; perhaps it could be more appropriately dealt with in the estimates. I shall give the hon. member a long explanation as to what we are doing with respect to "beginning reading" here in the province on that occasion.

**Mr. Nixon:** Did the representatives not need federal approval before they went?

**Hon. Mr. Davis:** No, we did not need it.

**Mr. Knight:** I have a third question, Mr. Speaker. This one is for the Minister of Municipal Affairs.

In view of the release of the Eric Hardy report on the future of the Lakehead area, does the department continue to support the recommendations of Mr. Hardy that there should not be a referendum for the amalgamation of the Lakehead area? Or has the Minister decided that a referendum should be held now, in view of the wide support for it expressed in editorials of the *Fort William Daily Times Journal* and the *Port Arthur News Chronicle*, not to mention the public outcry following the release of the report last week?

**Mr. Speaker:** Order! The member has not read the question as submitted to me; there have been several changes in it. Would he please read it as submitted to the Speaker?

**Mr. Knight:** Thank you, Mr. Speaker, I welcome the opportunity to repeat the question.

In view of the release of the Eric Hardy report on the future of the Lakehead area, does the department continue to support the recommendation that there should not be a referendum on the amalgamation of the Lakehead area? Or has the Minister decided now that a referendum should be held, in view of wide support of that expressed in editorials in the *Fort William Daily Times Journal* and the *Port Arthur News Chronicle*—and this is it here—following the release of the report?



**Hon. Mr. McKeough:** Mr. Speaker, first of all, in order to correct an assumption made by the questioner, I would say that the department has not indicated support or rejection for any of the recommendations made in the Lakehead local government review report. On the other hand, I have read the report, particularly sections 217 and 218 on page 59, and I must confess that to me, on first reading, the recommendations and the reasons given are quite logical.

Adequate opportunity will be given all organizations in the region to make submissions to the government, and on the basis of the report and submissions, this government will assume its responsibility to make the necessary decisions.

**Mr. Singer:** Mr. Speaker, I have a question for the Attorney General.

Is there going to be any public investigation into the shooting of the 15-year-old on Sunday, April 14, by a Metropolitan Toronto police officer other than the investigation that is being conducted by the Metropolitan police commission?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, in the first instance, the proper and usual course is to have the matter investigated by the local authority, which is the Metropolitan board of police commissioners. That study, as the hon. member has pointed out, is now under review and going forward. If that is found unsatisfactory, then I can assure the House that steps will be considered as to what, if anything, further should be done, or what needs to be done.

**Mr. Speaker:** The member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Speaker, I have a question for the Attorney General.

In view of the report in the *Toronto Daily Star* of April 16 that a shortage of trained law clerks exists in the province, is the Attorney General prepared to request the Minister of Education to introduce a course for law clerks in the system, as suggested by Kenneth Jarvis, secretary of the law society of Upper Canada?

**Hon. Mr. Wishart:** Mr. Speaker, the report to which the hon. member refers suggests that the course of study should be conducted by the law society of Upper Canada. I would think that the reason for a shortage of law clerks in Ontario, if it does exist, is due to the fact that the profession has not yet decided whether or not the law clerk system

will assist solicitors and barristers in performing their duties.

I have not spoken to my colleague, the hon. Minister of Education, as yet, Mr. Speaker. The matter is under study and review at this time by the law society of Upper Canada and it would appear from the newspaper report which I have just seen, that the action, if any, which is to be taken is contemplated as a training course to be conducted by the law society of Upper Canada.

I think I should like to say this further, that the system of barristers in England is very different from that in our practice here, in our profession. There the barrister does not interview the client. The contact is made by the clerk; the briefing and a great many other arrangements are carried out by the law clerk. It is possible that it would be found useful in our profession here.

I would think we might wait until the course of study or review which is being arranged by the law society of Upper Canada is complete, then perhaps we might see that recommendation and decide what we might do, whether through The Department of Education or through the law society.

**Mr. Bullbrook:** Thank you, Mr. Speaker. Would the Minister entertain a supplementary?

Am I to assume, Mr. Speaker, if the report is made by the law society that as a matter of course it will come to the Minister as the Attorney General and perhaps he will then convey the information to us in this House so that we might debate the relevant merits?

**Hon. Mr. Wishart:** I would think, Mr. Speaker, perhaps the law society might see fit to do it that way. Certainly I would be interested as the Attorney General, and I am sure that any course of training for lawyers would be brought, I believe, to the attention of The Department of The Attorney General.

As the hon. member knows, our training as lawyers now is largely designed by the law society of Upper Canada, which is historical, and I am quite certain that when the study that is being conducted now is completed by the law society we will have an opportunity to consider it.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I have a question for the hon. Minister of Lands and Forests.

Has the road into Manion Lake, Rainy River district, on Crown land, been blocked off to public passage?

If the answer is yes: By what means has the road been blocked off? By whom? How long has this road been blocked? What is the present physical condition of the road?

**Hon. Mr. Brunelle:** Mr. Speaker, in answer to the hon. member for Rainy River, the road into Manion Lake has been blocked.

A building has been moved onto the road and is preventing travel on it; Pearson Forest Products Limited, Fort Frances, the holder of timber licence D-2290, granted under The Crown Timber Act; the road has been blocked for about two to three weeks; the Fort Frances office of The Department of Lands and Forests has reported the condition of the road to be normal for this time of year, subject to spring break-up and unable to sustain traffic or loads which might normally be carried at other times of the year without damage to the roads.

**Mr. T. P. Reid:** Mr. Speaker, would the Minister accept a supplementary question?

It is my information that this road has been blocked off for more than three weeks, going back to a year or so ago. Does the Minister have any information on this or could he inform the House whether such is the case and how long the department in Fort Frances has known this?

**Hon. Mr. Brunelle:** Mr. Speaker, in answer to the hon. member, I am not aware of the condition of the road or how long it has been blocked. However, I have asked my regional director, Mr. Lou Ringham, at the Lakehead, to meet with the industry and to see if some solution could be found to open this road.

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I have a question for the hon. Prime Minister.

Is the Prime Minister aware that a submission made by the Canadian labour congress to the Royal commission on farm machinery states that Massey-Ferguson Industries Limited could provide parity wages to Canadian workers and, at the same time, cut prices for farm machinery?

And the second part of the question is: In view of the difference of opinion between the Hedlin Menzies report and the CLC submission, is the Prime Minister prepared to subpoena all required financial statements and production records of Massey-Ferguson in order to have an impartial commission ascertain whether the company's, and/or the union's, contentions are correct?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I have not seen the particular report that the hon. member refers to in his question, but I assume it exists. The government has no plans to carry out an investigation such as the hon. member suggests, into any assessment or comparison of the points of view put in the two submissions.

I would simply point out that such an examination could have been carried out before the conciliation board, which reported on February 23, but such a comparison was not requested, or asked for, by either of the parties to that conciliation board hearing. In any event, I have given no consideration to the course of action the member suggests here.

**Mr. C. G. Pilkey (Oshawa):** On a point of order, Mr. Speaker, I wonder if I could file a copy—I just happen to have two—I wonder if I could file a copy of the Canadian labour congress report to the Royal commission on farm machinery, along with—

**Mr. Speaker:** Order. I do not think that it should be filed, but I would have no objection to a copy of it being sent by you to the Prime Minister, who has said that he has not seen a copy of it.

**Mr. Pilkey:** I would like to give him a copy because, sir, of the implication in the question period the other day, that the statistics were not available.

**Mr. Speaker:** If the member would furnish the Prime Minister with a copy then I think that would deal with the matter, along with his statement today.

The member for Brantford has a further question?

**Mr. Makarchuk:** I have a question for the hon. Minister of Highways: Can the Minister inform the House when municipalities will receive approval from his department to proceed with construction projects which come under a municipal supplementary by-law and are eligible for subsidies from The Department of Highways?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, the necessary work is being undertaken, listing the supplementary bylaws, and it is anticipated that approval will be available by approximately May 15.

**Mr. Speaker:** The leader of the Opposition has some questions for the Prime Minister, he is now in the House.



**Mr. Nixon:** Mr. Speaker, the question I had for the Prime Minister concerned the possibility of a public inquiry into the allegations against the London board of education architect, and this has been answered to my satisfaction.

**Mr. Speaker:** To your satisfaction; right! The member for York South is withholding certain questions.

**Mr. MacDonald:** Mr. Speaker, I have two questions for the Prime Minister.

The first one is: Would the Prime Minister make available to members of the Legislature copies of the so-called confidential report prepared by the provinces and the federal government last fall on medicare?

Second, is it true that such a report, or any other source, confirmed that the total expenditure involved in the implementation of a universal public medicare insurance programme in Ontario would be less than is now being spent for medical coverage?

**Hon. Mr. Roberts:** Mr. Speaker, there is no such report as is referred to in the first part of the question, at least as far as I am concerned. I am not aware of it and my inquiries in the government indicate that no such report exists.

In answer to the second part of the question, the hon. member says "or any other source"; there may be some source which could prove this, but there are no sources available to my knowledge.

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, a question—

**Mr. Speaker:** Order. The member for York South has a further question.

**Mr. MacDonald:** My second question to the Prime Minister: Is the Prime Minister in a position to report into his review of the April 29 cut-off of the Lorne Park GO service, which he assured the hon. member for Halton would be made?

**Mr. R. D. Kennedy (Peel South):** The hon. member means for Peel South.

**Hon. Mr. Roberts:** No, Mr. Speaker, I have not received that report yet.

**Mr. Speaker:** The member for Parkdale.

**Mr. Trotter:** Mr. Speaker, a question to the hon. Premier of the province.

Has the government received representations from Metro Toronto chairman William

Allen for financial assistance to push the Yonge Street subway to Finch Avenue?

**Hon. Mr. Roberts:** The answer is no.

**Mr. Trotter:** May I ask a supplementary question? Have any talks taken place with Metro in regard to this?

**Hon. Mr. Roberts:** Not as far as I am concerned, not with me or my office. I inquired as to whether any request for funds had been made—and I presume that would encompass some negotiation and discussion—and the answer I received to that was, "no". So I think I can say, without fear of contradiction, there has been no approach made yet to the government.

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** I have a question, Mr. Speaker, for the Minister of Highways.

When will the remaining distance of some four miles of uncut bush, the building of the necessary bridge, and the improvement of the Mespi Mine road get under way, so that Highway 576 can be joined by road to camp 12 of the Abitibi Paper Company's private road, thus making it possible for traffic to pass between the Timmins area and Smooth Rock Falls?

**Hon. Mr. Gomme:** Mr. Speaker, this department does not anticipate undertaking any construction on the road between Timmins and Smooth Rock Falls at this time, and certainly not before the completion of the road between Timmins and Sudbury.

**Mr. Ferrier:** Would the Minister accept a supplementary question? Is it possible for any other department of government to do this work under, say, the roads to resources programme?

**Mr. Speaker:** The Minister has no answer. The member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Speaker, I have a question for the Attorney General. In view of the reports in the April 17 issue of the Cobourg *Sentinel Star* that the Ontario Provincial Police are stopping drivers travelling 40 miles per hour in a 50 mile zone and asking drivers to increase their speed on Highway 2 in the Cobourg area, will the Attorney General indicate what authority the police have to do this?



**Hon. Mr. Wishart:** Mr. Speaker, I have been advised that some drivers along the stretch of road mentioned by the hon. member have been asked from time to time, to increase their speed when it became apparent that the method of operation of motor vehicles was causing long lines of traffic to pile up behind them. Section 62, subsection 1, of The Highway Traffic Act provides:

No motor vehicle shall be driven on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon, except when such slow rate of speed is necessary for safe operation having regard to all the circumstances.

That is the section which provides the authority about which the hon. member inquired.

I am further advised, Mr. Speaker, that no charges under that section have been laid by the Ontario Provincial Police in that locality for some considerable time. However, drivers who have operated their motor vehicles at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic have been asked occasionally to increase their speed in order to enable other traffic to proceed normally.

**Mr. Worton:** Mr. Speaker, if I may ask a supplementary question: Is this leaving too much responsibility in the hands of an officer in asking them to make this decision?

**Hon. Mr. Wishart:** Mr. Speaker, this is a matter of opinion I suppose, but when the Act provides the authority, and the speed limit is made clear and apparent on the highway, and persons are driving so slowly that long lines of traffic form up behind a slow moving vehicle; I think it would be quite within the proper field of authority for the police officer to right that situation.

**Mr. Speaker:** On April 4 the member for Essex-Kent (Mr. Ruston) asked a question of the Minister of Energy and Resources Management. There has been some discussion as to whether the question was answered or not. I think this would be a good time to clear the records of that, and with the permission of the member I will read the question:

With the recent announcement of the appointment of Murray F. Cheetham as director of public relations of OWRC, is it the opinion of the Minister that a government agency should have to employ

public relation people to sell their work to the taxpayers?

I believe the Minister has an answer which he thought had been given but which does not appear in the records of *Hansard*.

**Hon. Mr. Simonett:** Mr. Speaker, it is the policy of the Ontario water resources commission to keep the general public informed regarding its various programmes.

The announcement of Mr. Murray F. Cheetham's appointment as director of public relations of the OWRC does not suggest the creation of a new office in the commission. Mr. Cheetham will be assuming the direction of the information office. The present incumbent, who has been with the commission since its formation, is stepping down because of ill health. The basic purpose of this office is to disseminate information concerning the commission and its programmes, and as such it fulfills a most useful function.

**Mr. Speaker:** This morning the member for Sudbury East placed through my office a question directed to the Minister of Labour which, as far as I could ascertain, had little to do with provincial matters but mostly with broadcasting, which is federal. My office staff contacted The Department of the Provincial Secretary and suggested that perhaps some answer might be given by that Minister. If the member would now place his question such answer as can be given will be given by the Provincial Secretary.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, the question is for the Provincial Secretary: What action will the Minister take to protect the rights of the various ethnic groups to hear radio programmes in their own language, a policy which apparently the BBG is trying to phase out?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, as you have already mentioned, this field of broadcasting does not fall within the jurisdiction of this government. But I would think, to be helpful—although I must say I did not realize or did not know that such listening opportunities were in fact in jeopardy—in making a very quick check as far as Ontario radio and TV stations are concerned I have been advised that there are some 60 such programmes in various languages, everything from Cree to Ukrainian, which are now being broadcast through the media in the province.

But as the member will know, there is a new broadcasting Act which was proclaimed

the first of this month and perhaps he might want to contact—I think it is called the Canadian radio and television commission—and express his concern in this regard and perhaps share with them the information he has in this connection. Our department quite naturally is very much interested in integration of our newcomers into the life and work of the province. Certainly if the hon. member has any further information that would assist us in promoting our programme along that line we would be very anxious to have it.

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a question for the Minister of Reform Institutions.

1. In view of the condemnation of Lincoln county jail by an Ontario Supreme Court jury, does the Minister intend to take any remedial action?

2. In light of further charges in Saturday's *Star*—that should read Wednesday; I am sorry, Mr. Speaker—that prisoners in Lincoln county jail are ill fed and refused letters, does the Minister intend any remedial action?

3. Why were the prisoners not evacuated during the recent fires in the county jail?

**Hon. A. Grossman (Minister of Reform Institutions):** Mr. Speaker, as I have not yet been in receipt of the report of the grand jury I will take that question as notice.

**Mr. Shulman:** Is the Minister taking all three questions as notice?

I have a question of the Minister of Labour: Is there a dispute between the workmen's compensation board, Ontario, and its insurance company as to whether the board is covered for claims arising out of the fire at the WCB Downsview hospital?

If there is such a dispute is this the reason those injured in the fire have so far been unable to receive compensation for their injuries?

**Hon. Mr. Bales:** Mr. Speaker, I received this question just prior to coming into the House. I will obtain the information and provide it tomorrow.

**Mr. Shulman:** I have a question of the Attorney General. Would the Attorney General agree that if a physician treats a patient who died during the course of that treatment any subsequent inquest should not be covered by that particular doctor?

**Hon. Mr. Wishart:** Mr. Speaker, the ideal case is where a coroner does not hold an inquest or investigation into a death where he as a physician has treated the patient prior to death. This we try to achieve and this is the principle that is followed in most cases.

There are cases in some areas of the province where there are not many physicians and a person may have seen a coroner in his capacity as a physician or surgeon prior to that person's death. If the coroner treated the patient for an extended time then an effort is made to have the death investigated in the first instance, and any subsequent inquest, conducted by another coroner.

It is to be remembered that all investigations and verdicts are forwarded to the supervising coroner for review. This enables the supervising coroner to review the entire matter and if all the facts are not clear to his satisfaction to take further steps as may be indicated.

**Mr. Shulman:** Will the Minister allow a supplementary question? Am I to understand that the policy is that after the investigation has been completed if an inquest is to be held you try wherever possible to send another coroner onto the case?

**Hon. Mr. Wishart:** That is right.

**Mr. Shulman:** Thank you, Mr. Speaker.

**Hon. Mr. Wishart:** Where the person whose death has occurred has been treated by a physician in one of those areas in the province where doctors are few and far between, sometimes this situation arises.

**Mr. R. J. Boyer (Muskoka):** Mr. Speaker, I rise on a question of privilege having to do with a daily newspaper report of a debate in this House on the afternoon of April 11 just prior to the Easter adjournment.

At that time the House was debating Bill 41, An Act to amend the Lord's Day (Ontario) Act. The terms of that bill have to do with the operation of agricultural, horticultural and trade exhibitions or shows after 1:30 p.m. on Sundays.

Mr. Speaker, of course there is another bill, Bill 53, which has to do with the question of permission for municipalities to pass bylaws with respect to horse racing on Sundays.

In the issue of April 12 of the *Toronto Globe and Mail*, on page one, there is a report of what was alleged to have transpired in the House under the heading "Some PC

### Back Benchers Revolt—Oppose Sunday Horse Racing."

Now your honour did not permit a discussion of Bill 53 at that time. However, I was surprised to read in the *Globe and Mail* this paragraph referring to myself:

The only Conservative to defend Sunday racing was Robert Boyer, PC Muskoka, who noted that it would be allowed only in the afternoons.

Now sir I was much surprised to read that, so on my return to the House today I looked at the official record of *Hansard* and on page 1868 I have reread my remarks. I made no reference of any sort to horse racing. The newspaper's paragraph completely misses the point of what I did endeavour to say to you, sir. I repeat that I did not, as other members did not, discuss horse racing under Bill 41.

**Mr. Speaker:** I think this also might be an appropriate time to call to the attention of members of the Opposition, and particularly the official Opposition, that questions before the orders of the day are addressed to the Ministry, although they may be addressed to a particular portfolio. Therefore, I would respectfully suggest that the questions, as phrased and as asked in the House, would be directed to the Minister by his portfolio rather than by his name and in that way there is the possibility and the responsibility of any other Minister carrying the answers if the Minister in question is not able to be in the House.

**Mr. Nixon:** Mr. Speaker, just while we are setting the order straight—on a matter of personal privilege I want to correct the information on the front page of the *Globe and Mail* this morning where my age is listed at 48. I am 39, I think.

Interjections by hon. members.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 50th order; House in committee of supply; Mr. A. E. Reuter in the chair.

### ESTIMATES, THE DEPARTMENT OF HIGHWAYS

(Continued)

**Mr. Chairman:** Before we proceed with vote 907 I should bring to the attention of the members of the committee the discussions which took place at the last sitting of the committee, at which time there were certain

questions raised as to the opening for debate of votes that had been carried.

My ruling, of course, at that time, was that once a vote had been carried it could not be re-opened. The member for Riverdale (Mr. J. Renwick) had made a suggestion that the head office or main votes be left until the last of the individual departments in order that full discussion could take place on, as he put it, odds and ends—a sort of a wrap up vote.

I did, at that time, promise the hon. member that I would give it full and careful consideration. I have so considered this suggestion, which incidentally I believe the hon. member for York South (Mr. MacDonald) had supported with the same suggestion that the head office or main vote be left until the end of the department for consideration. However, I can find no precedent for such action. In fact, upon reference to the last edition of May, I find reference there to the fact that the votes must be carried and considered in the order given on the paper.

There is further reference to the fact that any deviation from this practice could only be at the unanimous consent of the House. It is my belief that to defer any discussion on the main office or head office vote until all other votes have been carried would achieve really no purpose, because the members have full opportunity to direct all the questions they wish to the Minister on any vote before the vote is carried. In view of my considerations, therefore, I must reject the suggestion that we depart from the usual practice of considering the votes in the same order as they do appear in the estimates.

**Mr. D. C. MacDonald (York South):** Mr. Chairman, may I draw to your attention the kind of problem that we face and which, I think, we are still going to face in light of the decision that you have just reached. We have a new example of it which I raised with the Prime Minister (Mr. Robarts) earlier in a question.

When we were discussing the GO estimates I raised with the Minister the question of the decision, which is to be effective on April 29, for the cutting out of the service at Lorne Park. The Minister gave a reply. I had just come into possession of certain information—obviously it was opening up a debate.

The Minister's reply appeared to be a satisfactory one, though I was not really in a position to judge with any sense of finality. A day or so afterwards, because of the storm



of protest that is arising in the municipality, the local member, the hon. member for Peel South (Mr. Kennedy), raised with the Prime Minister the question of whether he would review this situation and the Prime Minister agreed to do so.

In effect, the Prime Minister is agreeing to have reviewed in the department, an issue which we have raised, and on which the Minister has given a wholly unsatisfactory reply—at least in the view of the local people. We, in this House, are not going to be in a position to proceed with this debate if the review—which I would assume should have been made before these estimates are concluded since the Prime Minister asked for it some ten days ago, before the recess—if that review were made, I suggest that the Minister should be in a position to present that review to the House so we have an opportunity to debate it.

But if he does not, at least the one catch that you can retain is that those questions that are not answered can be accumulated and dealt with by maintaining open the main office vote. Now I just draw this to your attention, Mr. Chairman, I have some appreciation of your hesitancy in keeping votes open.

It is not a case of keeping all votes open, it is a case of keeping the administrative vote, the first vote, open so that any unanswered questions can be dealt with at the end of the estimate, because if they are not dealt with then we really have no opportunity in this House to deal with them until a year hence, when the estimates come up again. The Lorne Park GO transit is a perfect illustration of the problem that we face.

**Mr. Chairman:** I would say to the member for York South that there is absolutely no precedent that I can find for handling the vote in the manner suggested. The rules of the House clearly indicate that once a vote has been carried, it cannot be reopened.

To hold off the first or main office vote until the end seems to me, in my opinion, to be doing things somewhat backwards because the rest of the votes are quite specific and the members have every opportunity to pursue the votes in the order given.

They can tell under what particular vote any particular item should be debated. In addition to that, I would remind the members that some time ago, the practice of permitting three lead-off speakers was established for this very purpose so that they could—this is my understanding—bring up any matters, so

that I can only again repeat that every member has every opportunity to direct any question whatsoever to the Minister concerned in connection with any vote, and it is up to them to obtain the information from the Minister at that time.

If we were to leave any votes open indefinitely, there would be no end to the discussions. We have completed the votes up to vote 906; we are now dealing with vote 907, capital disbursements, construction and other capital projects.

On vote 907:

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, if I might ask the Minister, is he reconsidering his decision on subsidies to municipalities concerning the width of pavement in municipalities? As it is now, I understand municipalities must construct a 28-foot width pavement. In some areas in municipalities it is not really practical, it is not really necessary and it is costly to put a 28-foot pavement when a 24-foot pavement would do, or would be sufficient.

In addition, there is the fact that were you to allow a 24-foot pavement in certain areas, you could expedite housing; you could make housing cheaper for the community or for the residents, the individual who is to buy the home. By reconsidering the policy of requiring a minimum width of 28-foot and settling for 24-foot pavement, the Minister would be really assisting in relieving the housing shortage.

**Hon. G. E. Gomme (Minister of Highways):** Mr. Chairman, we have, in doing this, the need for parking to look after—and probably future parking. Often if we do not make them wide enough to start with, it complicates trying to get the property later on to do it, and this is why they are built that way.

**Mr. B. Newman:** They could still be the same width but the paved area of the road would be much less. We would still have the shoulder on the road, we would not have the curb, and in this way we would make housing much cheaper in certain areas in the community.

**Hon. Mr. Gomme:** If it is a road with curb and gutter and if we put these in, they would have to be moved back when the other was paved and it would not be satisfactory to leave the portion unpaved.

**Mr. B. Newman:** I agree with what the Minister says. The only thing is that requests

have come from various municipalities, from what I understand, and they would not request this if they did not see merit in the suggestion of the considering of grants to narrowed roadways, rather than the 28-foot width.

**Hon. Mr. Gomme:** In our experience, Mr. Chairman, the municipalities have mostly been in favour of the wider road and particularly in having the developer build that at the time he reconstructs it.

**Mr. B. Newman:** The developer should build it right, Mr. Chairman, but in the case where the municipality is to undertake it, the change would ease the burden on the municipality and the homeowner. May I simply state to the Minister that the city council in Windsor has passed a resolution suggesting that grants be available, or subsidies be available, to a 24-foot-wide pavement?

**Hon. Mr. Gomme:** We will consider that when it comes.

**Mr. B. Newman:** Thank you, Mr. Chairman.

**Mr. T. Reid (Scarborough East):** Mr. Chairman, I would like to speak with regard to the municipal grants to Metropolitan Toronto, and particularly those relating to the east end expressways and the expressways going through the east end of Toronto. The reason I bring this up at this time is that my understanding is that the Minister makes these grants to municipalities and looks at the plans that are put forward by the municipality for expressways in Metropolitan Toronto. I feel that he should look at alternative plans that are presented for the development of expressways in Metropolitan Toronto, and one such plan is one that has been submitted to me by a private citizen of this province, a Mr. VanWyk. I would like to bring to the Minister's attention some of the imaginative concepts that Mr. VanWyk puts forward in his proposal, because if he has these in his mind when he examines the grants to Metropolitan Toronto I think he and his department will be able to ask the planners for the municipality some very good questions.

The plan is basically this—and it is a feasible one, I think, and should be looked into—to add a strip of land to the lakeshore all along the Metro area in order to give downtown Toronto free access to the country beyond the boroughs where not too

long from now most of the users of the Toronto downtown area will be living. From the point of view of transport to the city of Toronto which also functions as Metro's downtown centre, the city of Toronto is really standing with its back to the wall, with the boroughs around it crowding it in, smothering it and denying the hard core of the city of Toronto breathing space and life-giving modern transportation arteries.

The need for faster uninterrupted transport into the city is going to increase. There is no question about this increase, possibly well beyond anything we can project over the next 10 or 15 years. Even today's needs warrant the most modern expressways, and this need is so strongly felt that existing plans which are being submitted to the Minister are in fact slicing Metro into separate sections, and forcing these separate sections to develop their own specific self-centred characteristics around their own centres, thus upsetting the structures of these areas as they grew and doing more damage by slicing through them than meets the eye. One of the best examples I can think of in the far east end reaches of Metropolitan Toronto is the West Hill area, where the community has virtually been sliced in half by an expressway, cutting all sorts of human and community relationships.

Besides the effect of the proposed plans which are being submitted to the Minister's department—the effect of slicing Metropolitan Toronto into these areas — expressways decrease the aesthetic value of the city. For example, the Gardiner expressway is a beautiful expressway but it is and it looks forced upon its surroundings, forced upon its environment and in this context, such expressways are most ugly. Often they decharacterize their environment. It is like a dog's head sitting on a nice cat's body; they do not belong together.

The proposal which I would like to draw to the Minister's attention is the concept of adding a strip of land right in front of Metropolitan Toronto. I have a map here that Mr. VanWyk submitted to me. It is a most imaginative plan and it would add a strip of land right across Toronto, out in the bay—

**Mr. Chairman:** Is the member speaking about subsidies?



**Mr. T. Reid:** Yes, I am, because I do not think the Minister should grant to the Metropolitan Toronto authorities any money unless they propose to him many alternative plans, and I would suggest that one of the plans should be the very imaginative one Mr. VanWyk speaks of.

**Mr. Chairman:** Would that not be more properly under "planning and design"?

**Mr. T. Reid:** I say the Minister has a grant to make, Mr. Chairman, and I would like to draw his attention to the fact that when he receives these plans, on which he bases his grants, from the municipality of Metropolitan Toronto that he should have a very hard look at these plans and not feel constrained to accepting one plan or minor alternative plans submitted to him. I think it is highly relevant. We are talking about millions and millions of dollars coming from our Budget to the development of expressways in Metropolitan Toronto, and I think we should examine this in some—

**Mr. Chairman:** I do not want to restrict the member; I just hope he will not attempt to repeat the same remarks under planning and design.

**Mr. T. Reid:** Oh, no, I would not do that, Mr. Chairman.

But I would like to state here some of the advantages that Mr. VanWyk sees in this new concept, which should be worked out in great detail. Just let me give some idea of the way he sees it. Adding a strip of land along the lakeshore would not only preserve for the areas in the suburbs, their specific characteristics as they grow, and have a right to grow, and increase the real estate values of downtown Toronto tremendously, but it would also have these advantages:

First, an abundant recreation belt of grass and beach would be added to each adjoining section of Metro. To visualize what this means, think of the far-too-heavy crowds in High Park and Kew Beach on a hot Sunday. People are in reality fighting for a spot along the pitifully small stretch of beach that we have as soon as the summer is here. Possibly more than 95 per cent of Metro citizens have no use whatsoever from the lake because one cannot get at it from most of the coastline. A Metro-wide boulevard out in the lake, sort of bowing out into the lake from the east end of Toronto to the west end of Toronto, would give back the lake to the

people. Another advantage is that because the strip would be as level as the lake, and the design is very much free, it would be ideal to build a super-highway on it.

**Mr. Chairman:** I am afraid that I will have to interrupt the member as he is straying too far away from municipal subsidies. I reiterate that he should discuss this under planning and design. I do not know how he can relate the concepts that he is speaking about to municipal subsidies.

**Mr. T. Reid:** Mr. Chairman, if it is understood now that it would be proper and I would be allowed to discuss this in great detail under planning and design, I would be quite prepared to resume my seat, if that is your ruling, sir.

**Mr. Chairman:** Unless the Minister wishes to reply under this particular vote?

**Hon. Mr. Gomme:** In the first place, this is a Metro road, I believe, that the hon. member is talking about. We examine all the plans which Metro presents to us, and naturally before we pay any subsidy I should think that the right place for that to go, would be to Metro, to come in with a proposal such as his friend mentions. Now, I do not know the plan that he has, but if he wants to submit this we will certainly take a good look at it.

**Mr. Chairman:** Yes, I think that the member is really way off on vote 907.

**Mr. T. Reid:** I certainly accept your ruling, that this is a thing that I should discuss in detail in this Legislature on the estimates of The Department of Highways. I do not agree with the hon. Minister when he implies that it is not my business, and it is not our business, to discuss the planning of expressways in the heart of Ontario.

I think that, as I will elaborate later as you suggest, Mr. Chairman, in another estimate, the concept of community development in the Metropolitan area, the heart of the Metropolitan area, in Ontario is very much our business, and I intend to discuss that at great length, and I would insist on having an opportunity to do so.

**Mr. Chairman:** On vote 907, the member for High Park.

**Mr. M. Shulman (High Park):** Mr. Chairman, I have some five matters to take up under this vote. I would like to begin by asking the hon. Minister about our plan for



Ontario's highways. We have a 20 year plan; I understand that there is also a five year plan, but we have not been able to see that as yet.

On page 49, of the 20 year plan, there is an estimate of what is to be spent over 20 years, and the average per year—that is table 6. On table 7 below, it is suggested that if the department wishes to speed up, they will speed up either a 10 year, or a 15 year, or a 20 year catch-up period, and I was wondering which of those three were being followed by the department?

**Mr. T. Reid:** Mr. Chairman, on a point of order, I believe that you ruled my questions out of order because they had to do with planning and design, and I suggest that the present question just asked is also out of order.

**Mr. Chairman:** No. I believe that the member for High Park is asking a question pertaining to construction costs, and this is a capital vote. I believe the Minister is just looking up the—

**Hon. Mr. Gomme:** I believe, Mr. Chairman, that the hon. member refers to the need studies which we are persistently updating to find out how much further we should go with them.

**Mr. Shulman:** Does the Minister not know which plan he is following of the three suggested in his report?

**Hon. Mr. Gomme:** Mr. Chairman, we work on a ten-year, more or less catch-up period, but we are updating those all the time.

**Mr. Shulman:** Am I to understand that the hon. Minister is following at the present time, the ten-year catch-up period?

**Hon. Mr. Gomme:** Right.

**Mr. Shulman:** May I ask, in the financial squeeze in which this province is in, why the Minister is using the ten-year catch-up period which is so very expensive, rather than the 20-year, or the 15-year which would take the financial pressure off this year?

**Hon. Mr. Gomme:** Mr. Chairman, we are trying at all times to meet the needs of the province, and the traffic, and this is why we are asking this amount of money this year.

**Mr. Shulman:** Mr. Chairman, perhaps we could elaborate on this a little further. I see here in the summary of the cost to be spent over 20 years, the Minister is giving an

average expenditure for the rural King's highways construction, maintenance and administration, in total, of some \$94 million per year, and yet, under this particular heading, I see that this year, we are going to spend \$271 million.

Now, even under this speed-up plan, it would only come to \$183 million. It seems rather sad that inflation has affected this particular department much worse than every other department of this government. Is there any explanation for this?

**Hon. Mr. Gomme:** I think that there is a certain degree of inflation, but the hon. member realizes that the figure includes the subsidy to municipalities, along with that figure, and that has been increased very substantially to assist them.

**Mr. Shulman:** Would the Minister mind telling me how much of this \$87 million for municipal subsidy goes to places of 1,000 to 5,000 population, as listed here in your 20-year plan?

**Hon. Mr. Gomme:** I have not got the breakdown just as the member has asked for it, but I have this breakdown, for instance: paid to counties, \$22 million; to townships, cities, towns, and villages, \$25 million, and to Metro Toronto, \$20 million. This is the breakdown that I have got—not just in the population areas which you asked for, but I can get that.

**Mr. Shulman:** No, that is not necessary, Mr. Chairman. Would the Minister then agree with me that inflation seems to have struck these figures in his report rather drastically?

**Hon. Mr. Gomme:** No, I would not agree with that, Mr. Chairman. We are still trying to keep up with the needs of the motoring public.

**Mr. Shulman:** I just want to get the Minister's position clear. I do not want to push the Minister but he would say then that this is not an undue raise, from \$94 million estimate, to spending \$271 million. Do I understand the Minister, or did I misunderstand his reply?

**Hon. Mr. Gomme:** I did not get the question, Mr. Chairman.

**Mr. Shulman:** I understood him to say that he did not think that inflation had been too drastic in this particular section, and I was just trying to get it clear in my own mind

whether he felt that an estimated \$94 million, with an expenditure of \$270 million, is not an undue inflationary raise.

**Hon. Mr. Gomme:** I did say, Mr. Chairman, that inflation had hit this, but after all, the needs have increased a great deal, and I believe that this study was in 1954—

**Mr. Shulman:** In 1956, Mr. Chairman!

**Hon. Mr. Gomme:** —1956. I mean that is 12 year ago, and we are using figures that were evidently gathered, say, in 1954, or some such time as that, so in effect those are 14 years old.

**Mr. Shulman:** Thank you, Mr. Chairman. Since these figures are so old, would the Minister be willing to release their new five-year plan so we could compare, perhaps, without being too difficult as we are with these figures?

**Hon. Mr. Gomme:** I answered that before in saying we did not really give out that plan for a lot of various reasons which I said when we were discussing that the last time.

**Mr. Shulman:** I do not want to push the Minister to give out anything that he does not feel should be given out. Perhaps he would give us the figures on what he expects to spend over the next five years, so that when the actual expenditure comes up we can compare it and make sure that inflation has not been quite as drastic as it has over the last 12 years?

**Hon. Mr. Gomme:** Mr. Chairman, we are updating, and I presume that the figures he refers to can be made available.

**Mr. Shulman:** When will those figures be made available, Mr. Chairman?

**Hon. Mr. Gomme:** Not until the area studies are completed, and I could not give you an exact date of that, but I would point out that the price index has increased 69 per cent since 1954.

**Mr. Shulman:** Thank you, Mr. Chairman, I would point out that your estimates have increased 250 per cent since 1954—however, let us go on. Am I to understand that the Minister does not have the estimated figures and, in other words, he is proceeding at the moment without a plan?

**Hon. Mr. Gomme:** No, that is not so, Mr. Chairman. We are proceeding with the plan, but we are asking for the new figures which

we have and we are updating this from the area studies. We have not all those figures in yet.

**Mr. Shulman:** If he does not have those figures, is he still working from these figures, which are the most recent that have been made available?

**Hon. Mr. Gomme:** I suppose that is partially the answer, but as the new figures are available for areas, we use the new ones.

**Mr. Shulman:** These are the figures you are working from at the moment, because if there are more recent figures I am going to ask you to produce them. If there are not, I am perfectly happy to accept these figures which you are working from.

**Hon. Mr. Gomme:** There are some of these area studies, which I referred to, which have already been made public—southwestern Ontario, southeastern Ontario and the Niagara peninsula. These things are public knowledge now.

**Mr. Shulman:** Have you a five-year estimate on southwestern or southeastern Ontario?

**Hon. Mr. Gomme:** Yes, we have, Mr. Chairman.

**Mr. Shulman:** Have those been made public, Mr. Chairman?

**Hon. Mr. Gomme:** They have, Mr. Chairman.

**Mr. Shulman:** I am sorry. Would you make a copy available to me, Mr. Chairman? In fact there are other members here who would like a copy who do not have that available.

**Hon. Mr. Gomme:** These are available.

**Mr. Shulman:** Immediately. Within the next few days, is that correct? Let us proceed. In fact, before this vote is over, let us go on to another matter in construction which is a rather serious one and that involves the treatment The Department of Highways gives to those rather unfortunate people who get run over by The Department of Highways.

I am not referring to people run over by cars, but run over by highways. I have two of those cases here and I would like to ask for the Minister's comments on these particular cases and I would like to think that perhaps after hearing of these individual tragedies we will have some change in departmental policy.

The first case is that of a Mrs. Lillian Roberts. She owns Thompson's Service Station at the junction of Highway 104 and Highway 9 in Grand Valley, Ontario. She has been fighting The Department of Highways, very unsuccessfully, for some years now.

Now I would just—it is rather a brief letter—I would like to read the letter into the record so that—

**Hon. Mr. Gomme:** Mr. Chairman, if I might ask the hon. member: Is this property purchase? That would come under vote 909.

**Mr. Shulman:** No, this is not property purchase. This is a matter of property access being cut off by construction. I suggest this would come under vote 907.

May I continue?

**Hon. Mr. Gomme:** Yes, that will be all right with me.

**Mr. Shulman:** This letter—

**Mr. Chairman:** I wonder if the member for High Park would permit the Chairman a slight interruption for a moment.

I am sure the committee will be interested to know that we have some very distinguished visitors with us today, Mr. Harry Chan who is president of the legislative council for the Northern Territory of Australia, together with Mrs. Chan and Miss Mu. I am sure we all welcome these visitors to our Legislature.

**Mr. Shulman:** Thank you. I am delighted to be interrupted by your comments and it is a pleasure to greet these visitors here today.

Now this letter read as follows:

Dear Mr. Shulman,

In 1957 I undertook to buy a small business, a service station snack bar.

My husband was on the CPR but work in Orangeville was getting less all the time. We decided that we would try and buy something for our old age, so we opened this snack bar and gas station and stayed open 24 hours a day in an effort to make a living.

We did very well until 1961 when The Department of Highways of Ontario placed sandbags to cut down the entrance to my business. We were catering strictly to truck drivers or the working class, but by November I was nearly crazy as the gas sales dropped down, also the meals. Some weeks we only ordered 400 or 500 gallons of gas.

What happens to the little businessman who tries to make a living, which includes paying his bills and his way, that is all I ask.

The pictures enclosed will show how sandbags were laid down, and were covered by snow as the winter went along. Also how The Department of Highways of Ontario plows filled my driveways, making it impossible to enter. I depend on the traffic going on the highway for a living.

I hope you can find a way to help myself as I have written to the department many times with no results.

Thank you.

Lillian Roberts

And here is a list of the gallonage that was sold by her particular service station. It starts with 64,000 in 1958, with a drastic fall-off to 1962, when it falls down to 38,000 gallons.

Surely the department, if for reasons of speeding the traffic or efficiency or any other reason, must do this to a human being they should make some financial amends. Will the Minister agree with me?

**Hon. Mr. Gomme:** No, Mr. Chairman, I will not agree. I do not really know the case to which you are referring, but I will certainly have it looked into and get the answers.

We are quite often asked about these things. I believe this particular case was an intersection realignment that was being done by the department and it was cut off for that purpose.

**Mr. Shulman:** Will the Minister agree with me that if the facts are as they are set out in this letter he will then make efforts to have his department make financial amends to this poor family?

**Hon. Mr. Gomme:** No Mr. Chairman, I will not agree with that unless it can really be established that it is our problem; but I will certainly have it properly looked into and would be glad to discuss it or advise the member of the findings.

**Mr. Shulman:** To pursue it further: Will the Minister agree if it is proven that it is his problem, and/or the department's problem, will he then assure us that he will make financial amends to this family?

**Hon. Mr. Gomme:** Mr. Chairman, I cannot answer any further than I have done.

**Mr. V. M. Singer (Downsview):** Mr. Chairman, on that point, I do not think the mem-



ber for High Park is as far off the beam as some of the catcalls from the other side seem to indicate. I have a similar question. I thought it would more appropriately come under vote 909 and I am going to raise it there, but in connection with it my attention has been drawn to a case—

**Mr. Chairman:** May I point out to the member for Downsview that there are several other speakers who are attempting to get the floor. If it is relating to the very same thing—

**Mr. Singer:** Oh yes; it is!

**Mr. Chairman:** All right!

**Mr. Singer:** I was just relating how I got this information, and I think it is most important.

My attention was drawn to a case called *re Thomson Lumber and Building Materials Limited et al*, and the Minister of Highways. That case is reported, Mr. Chairman, in 1964 20R at page 175.

Now in that case there was a change in the levels of a highway whereby the owners of the property were denied access to their property. The case came on for hearing before—well before the court of appeal actually, that is the decision to which I am referring. Mr. Justice McGillivray delivered the judgment of the court of appeal and said that the individual concerned did have certain rights and did have rights of compensation.

I think, sir, this is foursquare within the facts given by the hon. member for High Park. It surprises me, in the case to which I am going to make later reference and in the case to which the member for High Park has just made reference, that the government seems to be all up in the air about what they do about it. The government seems to want to take refuge in their interpretation of the statute rather than going along with the protection of the rights of the individual.

Now here Mr. Justice MacGillivray is quite clear as to what the responsibilities of The Department of Highways are when it takes away certain rights that an individual has by common law. As I understood the facts as cited by the member for High Park the same sort of thing has happened there.

Now is it necessary that in every case where an individual has his common law rights taken away by The Department of Highways that they have to resort to trial and to appeal before those rights are estab-

lished? One would think that The Department of Highways would lean over backwards to protect the rights of the ordinary citizen.

**Hon. Mr. Gomme:** Mr. Chairman, we do recognize the rights and in cases we do pay. But I was referring to the specific case which the hon. member has brought up. I cannot tell you the exact answer as to whether we would pay compensation in that case or not until I have all the facts presented so that I know what should be done.

**Mr. Singer:** Mr. Chairman, the difficulty under which we suffer is that when we bring facts before the Minister at the time of the estimates he takes refuge in the fact that he does not know. Now I expect when I come to my case under vote 909 that he is going to do exactly the same thing. But here we have this case that the department went to the court of appeal and the judgment, the unanimous judgment, of the court of appeal is there. One would have thought that the Minister would have by now acquainted himself with the general principles of the law, or could get advice from his experts who sit in front of him as to what those general principles are. It is a crying shame that big government and big departments can ignore the rights of individuals; and that is what this Minister is doing at this time.

**Hon. Mr. Gomme:** Mr. Chairman, that is not right at all; and the member knows that! I explained that we do recognize those things.

Now the only thing that has been produced by the hon. member for High Park is a letter and you, as a lawyer, certainly know that is only one side of it. All I am asking is the opportunity to look into both sides of it so I may give a proper answer.

**Mr. Singer:** On vote 909 I have got two letters, one from the lawyer and one from you.

**Mr. Shulman:** Well that is just—

**Mr. Chairman:** The member for High Park should pursue the questions on vote 907.

**Mr. Shulman:** Well I just want to get this point settled.

Is it the policy of the department when access has been cut off for any reason by the department to give compensation to persons involved? I wonder what the policy is before we go to the specific case.

**Mr. Singer:** Does the Minister accept the law given by Mr. Justice McGillivray or not?

**Hon. Mr. Gomme:** If we cut off permanent access we do recognize it and compensate the people in those cases.

**Mr. Shulman:** And if you cut off temporary access, and there is a temporary loss of a few months or a year or less, do you give compensation?

**Hon. Mr. Gomme:** Mr. Chairman, again I have to say that I do not know the other side of this story and I cannot give the answer until I have it, because I am not sure whether this was a proper access or not. As soon as I get the information, I will give it to you.

**Mr. Shulman:** Mr. Chairman, I am not asking about this specific case, I am asking about departmental policy. Is it the policy of the department, if temporary access is cut off, to pay compensation to the affected persons?

**Mr. G. A. Kerr (Haltoun West):** If there is a loss.

**Mr. Shulman:** Then why cannot the Minister answer?

**Hon. Mr. Gomme:** If we cut off access, we do make compensation.

**Mr. Shulman:** Thank you.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, on the same point.

**Mr. Chairman:** Order, order!

Has the member for High Park finished his pursuit of this? And is it on the very same point?

**Mr. Braithwaite:** On the very same point.

**Mr. Chairman:** The member for Etobicoke; is he on the very same point?

**Mr. Braithwaite:** The very same point!

**Mr. Chairman:** Because there are many other members who wish to speak.

**Mr. Braithwaite:** I am going from memory, but I am certain the Minister will recall the case where Brown's Line, at Highway 27 in the southern part of Etobicoke, was widened. There is a small plaza there, where several of the store owners were new Canadians and they were running various small businesses. I will not mention any names, but I am certain the Minister is familiar with this case. One store owner came in to

see me just last week. He showed me a letter from the Minister which said that the department does not pay compensation. I am afraid there is some confusion here and I would like the Minister to clear this up.

**Hon. Mr. Gomme:** I understand there is still access to those properties and we are negotiating with them to see what the damage is.

**Mr. Braithwaite:** If I could follow that up. The Minister then, I presume, Mr. Chairman, is talking about partial compensation. The letter that I saw from the Minister's department specifically said that there was no compensation payable and I am just wondering if the Minister could have his assistant there look it up right now. Perhaps he might clarify it for us, because it does not sound correct.

**Mr. Chairman:** Is the Minister pursuing this particular question at the moment?

**Hon. Mr. Gomme:** We pay for the loss of access when it affects land value. We do not pay for the loss of access which creates only a temporary business loss and is not reflected in the value of the land.

**Mr. Braithwaite:** If I may just follow up on the words of the hon. member for Downsview, I think that is a shame. The Minister knows that there are many individuals who are starting their own businesses and to whom a loss such as this could be fatal. I am wondering if the Minister has any thoughts at all on changing his policy, because that policy does not make sense. A man's loss is a loss, whether it is a loss to his business or a loss to his real estate. I cannot for the life of me understand why the Minister should come out with a policy such as this.

**Mr. Singer:** Mr. Chairman, if I may add here, let me read a paragraph from the judgment of Mr. Justice McGillivray. It is found at page 177, and I would commend this to the Minister and to his legal advisers. They went to court here and they hired expensive counsel in order to fight Thompson Lumber. This is what Mr. Justice McGillivray says:

We start with certain facts about which there is no dispute between the parties.

And that surely, sir, involves an admission by counsel on behalf of The Department of Highways that what follows in the next sentence or two is the law.



The first is that at common law persons in the position of the claimants herein were entitled to claim compensation where their right of access to the adjoining highway was interfered with.

There is the statement of law and it is enunciated by Mr. Justice McGillivray and it is concurred in by counsel for your department.

The second is that all common law rights of this character have been abrogated by statute, and that now, where there has been interference with the right of access, only such compensation, if any, as provided by The Highway Improvement Act, may be claimed. That Act provides for compensation in various matters, but as has been said it is the intention of counsel for the respondent to provide for no compensation for this particular case.

But the common law right is there, Mr. Chairman, and it would seem to me that when the department has gone to all the trouble to force a case like this before the court of appeal, it should learn a lesson and it should not continually step on little people whose rights are being hurt.

**Mr. Shulman:** Mr. Chairman, on this particular point, if I may pursue it. The member for Downsview has very carefully explained the legal obligations of the Minister. I would like to explain the moral obligations to him, since he apparently does not understand that.

What he has just said is that if there is a loss of real estate value, the government will give compensation, but if it is just a loss of their business, it is not going to give compensation. Do you realize what you have said in this Legislature? You have gone against everything that I think we on all sides of this House believe in—that we have a democratic government which is acting in the interests of the people. Surely the statements which you have made in the past and which we have taken on both sides of this House as establishing the policy which you have stated, show that the policy is a wrong one. I would think that everyone in this House would consider it a proper move on your part to change that policy.

**Hon. Mr. Gomme:** Mr. Chairman, I think both the hon. members are aware that we are governed by the present law, but they are also aware of the fact that the law reform commission has recommended payment for a temporary business loss. I think they are also aware that there are going to be changes to The Expropriation Act and we certainly will be guided by everything that is in that.

**Mr. Braithwaite:** If I could just interrupt, Mr. Chairman, does the Minister, by this statement, say the government washes its hands like Pontius Pilate and forgets about anything that has happened in the past? If it happens after the new law comes in, will there be no problem?

I cannot see that at all, Mr. Chairman. I think that any individual who is suffering loss at this very moment should be helped. If the department knows that the law is wrong and is going to be changed, and it is recommended to be changed, then, Mr. Chairman, it is my feeling, and I am certain that all the members in this House feel, that what is morally right is the same as what is legally right. The Minister should do something about this.

I want to say at this time, Mr. Chairman, that I am going to ask this gentleman and the group of people in this small plaza to come back to this Minister's office. If they do not get proper treatment, I can assure you that this will be brought up again in this House. I think this is a disgusting way for this government to treat the small man. If you are supposed to be worried about private initiative and private business, and you stifle it by this type of conduct, then you have no right to be sitting on that side of the House, Mr. Minister. You ought to give somebody else a chance, who is interested in a chance.

I just cannot understand how the Minister could sit there. In the estimates of last year, I spent nearly two hours trying to show him how bad the policy was. He was brand new and I did not want to push him, but I tried to explain to him—everybody else on this side of the House tried to explain to him—how nefariously his agents from his department worked in order to grab land. I think he should have looked into some of these things and said to himself, "Well, perhaps I can change some of these things." I am sure, Mr. Chairman, I really am.

**Hon. Mr. Gomme:** Mr. Chairman, the member is really talking on vote 909 and when that time comes—

**Mr. Braithwaite:** What is right, is right, Mr. Chairman. That policy is wrong.

**Hon. Mr. Gomme:** I have a statement in reference to the matters which you brought up last year which I will give at that time.

**Mr. Shulman:** Mr. Chairman, I will be glad to stick to vote 907, and in relation to the part of the remarks of the member for Etobicoke which apply to this vote let me



ask you a specific question and I would like a specific "yes" answer.

Do you intend to give compensation to those people who have been damaged in the past by your cutting off of access?

**Mr. Braithwaite:** Who are presently being hurt.

**Mr. Shulman:** Presently or past.

**Hon. Mr. Gomme:** The only thing I can say, Mr. Chairman, is that we give compensation as we are allowed to by the law as it stands, and we certainly follow that up in all the dealings we have. I think even the committee studying the expropriation said that The Department of Highways was one of the most fair in dealing with these matters.

**Mr. Shulman:** Mr. Chairman, I do not know with whom the Minister is comparing his department. I trust we will get to those gentlemen later on. But at the moment we are working on the Minister of Highways—The Department of Highways, forgive me.

**Mr. Braithwaite:** That was a reasonable slip.

**Mr. Shulman:** And this point has not as yet been settled. We agree, of course, you are going to obey the law in future. I am talking about morality at the moment and not law. I know this is a foreign, strange thing to many of you sitting over on that side of the House, but do you intend to pay compensation to those people who were not protected by this law at the time that the judge gave his opinion? Do you intend to go back to those people who were damaged prior to this decision coming down, and if it can be proved to your satisfaction that they were damaged financially by the actions of your department, will you give them compensation for the loss of their business? Now I should think that could get a very quick and a very easy "yes" answer.

**Hon. Mr. Gomme:** Again I think the hon. member is referring to a specific case.

**Mr. Shulman:** No I am not, Mr. Chairman, I am asking for policy.

**Hon. Mr. Gomme:** I will look into that; I have given you the answer as far as policy goes.

**Mr. Shulman:** No you have not. You have told us what you are going to do in the future; you are going to obey the law. Of course you are going to obey the law, you

have to obey the law. I am asking you now what are you going to do about the people who are not protected by this decision who had damage done to them in previous years. I am not asking you about a specific case, I am asking you about general policy.

**Hon. Mr. Gomme:** I think the member has given the answer. He says I am going to obey the law and that is exactly what I have told him I am doing.

**Mr. MacDonald:** No wonder we take a long time in these estimates; that is a calculated evasion.

**Mr. Shulman:** Mr. Chairman, I do not care if we have to stay here until next Christmas, I am going to get an answer to this question.

Of course we have to obey the law. I am asking you to answer this question. Do you intend to give compensation to those people who were damaged financially by the policies of your department in each case where it can be proven this occurred, whether or not it occurred prior or after the decision of the Justice?

**Hon. Mr. Gomme:** How far would the hon. member expect us to go back in doing that, Mr. Chairman?

**Mr. Shulman:** I should think a decade would be very reasonable.

**Mr. Chairman:** The member for Kent.

**Mr. Shulman:** Oh I am not through by far, Mr. Chairman. I have several matters here.

**Mr. Chairman:** All right; vote 907?

**Mr. Shulman:** I am still asking for an answer to this particular question.

**Hon. Mr. Gomme:** Mr. Chairman, I have answered it. We are governed by the present law which has been stated before and we certainly will live up to that.

**Mr. Chairman:** I think the Minister has given a clear-cut reply as to the policy.

**Mr. Shulman:** Mr. Chairman, I must disagree with you. He has not answered as to whether or not—

**Mr. Chairman:** The member—order, order please—the member may not agree with that policy but the Minister has given a reply as to the policy followed by the department.

**Mr. Shulman:** Mr. Chairman, I am not agreeing or disagreeing with it. I do not understand it yet because I have not had an

answer as yet. I am asking what he is going to do about one specific aspect which refers to people who had this happen to them before the hon. Justice gave his decision. We know in the future, people are protected by law, but what about those in the past few years who were not protected? All I ask is: Is he, or is he not, going to give compensation to those people?

**Mr. Chairman:** I believe the Minister has given the only answers that are required under the circumstances.

**Mr. MacDonald:** I am sorry, Mr. Chairman. I do not know why you cannot see the point, too. Let us put it this way. This department apparently contended that they do not have to compensate for partial or total loss of business. They fought a case and they lost it, so as of that date this department had to, in that specific case, pay either complete or partial compensation. Now the hon. member for High Park is saying that since the law has been clarified and the law clearly now says that this department is obligated to compensate, is it going to compensate those people who did not get compensation prior to that court decision? The Minister evaded by saying, "How far do you want to go back?" That is not the question.

**Hon. A. Grossman** (Minister of Reform Institutions): What is the question; how far would you go back?

**Mr. MacDonald:** The hon. member said 10 years.

**Hon. Mr. Grossman:** I know someone who said, "go back 11."

**Mr. MacDonald:** Mr. Chairman, let us for a moment set aside whether one goes back one year, five years, 10 years, or 100 years, the question to the Minister is: Now that the law has been clarified and this department is obligated to pay compensation, are you going to ignore all those who were denied compensation, because the law now clearly says you should have paid it. Do you accept the obligation? And secondly, how far back are you willing to go in the implementation of the obligation? That is the question.

**Hon. Mr. Gomme:** Mr. Chairman, I do not see how I can answer that as to how far back we go. I mean, to be fair I suppose we would have to go back to the inception of The Department of Highways and I do not think anybody would want us to do that.

The other thing is that the Thompson case that was referred to, was the loss of permanent access, and in any circumstances like that of course we would pay compensation.

**Mr. MacDonald:** The interesting thing, Mr. Chairman, is that of course you would pay compensation; why did you go to court to fight it? If you went to court to fight it, you went to court because you did not want to pay compensation. Otherwise you would have paid it automatically and not hired lawyers to fight the case in court. Clearly you got a clarification of the law so that you were obligated to pay compensation. Now the question, Mr. Chairman, is this:

In principle are you going to compensate those who were entitled to it prior to the clarification of the law? That is the first question. The second question admittedly is a tough one. How far back are you going to go? Because the whole import of this court decision is that you have been riding roughshod over the rights of individuals for years and the courts have finally corrected you. How retroactively are you going to grant justice?

**Hon. Mr. Gomme:** Mr. Chairman, as I have said before I cannot disassociate one answer from the other; if you are going to go back one year I suppose you have to go back 100 years. All I say is that we are going to abide by the law and follow that, and if it is our fault that this has been cut off, certainly we will pay.

**Mr. MacDonald:** Is the Minister in effect saying this? Anybody who prior to this court decision pleaded with you to be granted justice and to whom you would not grant justice in the light of the new interpretation of the law, now has to go to court, in the light of this court judgment, and in effect have it registered once again in the courts and if that is done then presumably he will be able to get compensation?

**Hon. Mr. Gomme:** Of course, Mr. Chairman, everyone has the right of appeal. The other thing I would point out is that the Thompson Lumber case was tried under The Highway Improvement Act and now we are going to be guided by The Expropriation Act which is the new one. The law was not clear in the Thompson case. I might tell you that Thompson was claiming \$75,000 and therefore we went to court and it was settled for around \$25,000. It was a matter of degree and this was the reason it was taken to court. It was \$2,500; I am sorry, Mr. Chairman.

**Mr. MacDonald:** It was \$2,500 rather than \$75,000?

**Hon. Mr. Gomme:** Right.

**Mr. MacDonald:** Let me clarify one point—I want to make certain I am correct. Am I correct, Mr. Chairman, that a case like this is open and can be brought to the court for any period within seven years—any time within a seven-year period?

**Hon. Mr. Gomme:** I will get the answer to that—

**Mr. R. F. Nixon (Leader of the Opposition):** Ask Mr. Grossman, QC.

**Hon. Mr. Gomme:** He has not taken that in his course.

**Mr. Shulman:** Let us just sum this point up again if I may. Does the Minister accept the position that in principle his department will pay compensation to those who were damaged loss-wise as far as their businesses go, whether it was before or after this court decision? I will leave the length of time aside for the moment.

**Hon. Mr. Gomme:** Just as I said, Mr. Chairman, if we are responsible for that and it is our fault, of course we are going to pay. I mean, this one case that was brought before the courts was for decree of the amount of money, and I think this is the place where all these cases have to be ended up and settled.

**Mr. Chairman:** Is the member for High Park now satisfied?

**Mr. Shulman:** Oh, I am delighted now. We finally have the Minister saying, "Of course, this is the policy," but just 10 minutes ago he said, "Of course, this is not the policy." But I am very pleased to have him come around to our point of view because it is, I should think, the correct point of view—and the Minister will agree with that.

There is only one thing he has just said now which has upset me even more; he has said all these cases must end up in court. Now, I should hope they all must not end up in court. Certainly there is a better way of handling this than having them go to court. There are cases where no offers have been made at all by the department, and surely the Minister would not want all these to have to go to court.

It is my hope that he will offer a reasonable amount in these cases, based on the judgment of his advisors, so that it is not necessary for

the lengthy court delays and lengthy court costs to be applied.

**Hon. Mr. Gomme:** Mr. Chairman, I do not think I said all these cases should go to court, I said everyone has the right of appeal against our judgment, and this is where that would be settled.

In answer to the other question, there is a time limit of one year in claims for injurious effects under The Expropriation Procedures Act.

**Mr. Shulman:** Mr. Chairman, is the Minister going to restrict these claims to one year? If I give him a case two years old, or this case I just presented which is six years old, is he going to say, "Well, we can only go back one year and those people are just out of luck"?

**Hon. Mr. Gomme:** I do not think it is up to me to stretch that time because there is a time limit under this Act, Mr. Chairman.

**Mr. Shulman:** Well, that is not acceptable, Mr. Chairman. These people have been caused damage under the term of this government. I am sorry the Premier is not in the House, I cannot believe that he would go along with the Minister's answer.

Surely if this occurred one year and one day ago and you cut off access, and these people have lost their money or lost their business, you cannot say, "Tough luck, it happened a year and a month ago." Surely this is not the answer of the Minister?

**Hon. Mr. Gomme:** Well, as I have pointed out several times, Mr. Chairman, I only have the letter in that one case that the member is referring to, from one side, and naturally I have to look at the other side. I mean it might be another case like the Thompson one, where the area is very great.

**Mr. Shulman:** I am afraid the Minister is not understanding me; I am not talking about a specific case, I am talking of policy. The Minister just one moment ago got up and said if the case occurred more than a year ago it was too bad, nothing could be done. Is that what the Minister is saying? I want to get this quite straight, Mr. Chairman, I want the Minister on record.

**Hon. Mr. Gomme:** Of course, Mr. Chairman, I said that. There is a time limit of one year in claims for injurious effects under The Expropriation Procedures Act.



**Mr. Shulman:** Mr. Chairman, I am surprised that the Minister would have the effrontery to say this in one sentence and then, in another sentence, to go back and, in reference to a specific case, to say "I will have to hear the circumstances to decide whether I will pay", because that case is seven years old. How can he decide to pay in that case if the general policy is he will not pay anything over a year old?

**Mr. Chairman:** I think the Minister has pointed out that he is guided by the provisions of The Expropriation Procedures Act and, as such, if that Act in itself does not provide the remedies, then it is not up to the Minister to change that particular Act, so I think the questioning is just a little off vote 907.

**Mr. Shulman:** I am sorry, Mr. Chairman, the Minister has made a statement here that he will consider a specific case and decide whether compensation should be given, and just two minutes later he made the statement saying if a case is more than a year old—and I made the dates very clear in my presentation—then no compensation can be given. I know we are having a little problem with this particular Minister, but still we expect consistency for more than a minute or two.

**Hon. Mr. Gomme:** Well, I might ask the hon. member if there is any property damages in this particular case that he is talking about, or was it just injurious effects?

**Mr. Shulman:** Just injurious effects.

**Hon. Mr. Gomme:** I would say, Mr. Chairman, that probably that would not come under this Act. I would be quite satisfied to look into it when I see that story, and our own story, and then I can give the member a direct answer on that case.

**Mr. Shulman:** Well then, one final question. Will we have an answer on this particular case before this vote is taken?

**Hon. Mr. Gomme:** I cannot assure the member of that because I have not even his side of the case, let alone ours yet.

**Mr. Shulman:** I hope I have presented my side of the case, but I will be glad to go back over it again if the Minister did not hear it. I am more worried about general policy, actually, than this specific case. However, we will give the Minister a rest on this particular point and come back to it before the vote is over.

I have other cases here but I think, perhaps, they would come under property purchase so I will go on to safety. This is a matter of some interest to me because of my previous occupation.

I would like to query the Minister on safety in this particular vote and you may recall, Mr. Chairman, when I wished to bring this up in an earlier vote, the Minister suggested it should be brought up under vote 907. So if there is any question as to whether it should come under this particular vote, I am being guided by the Minister.

Back in 1965, on September 13, I believe, I wrote to the then Minister of Highways, who has since been elevated to the position of supplying the money which the present Minister spends, in relation to safety on the provincial highways surrounding Metropolitan Toronto.

I suggested to him, at that time, that a number of the highways in this province, provincial highways, and also some of the municipal expressways, were sadly lacking in their safety features. I suggested to the Minister at that time that it might be wise to contact the traffic institute at Northwestern University, to invite the traffic institute to come to Ontario, to Toronto and area specifically, to examine our highways and see what suggestions could be made for improvement.

Just to explain a little bit what the traffic institute is, this is a special department that was set up by the Northwestern University for the specific purpose of travelling around North America to try and cut traffic mortality in many ways through advice on police supervision and traffic courts; on highway construction; and on highway safety features.

They have already been to Ontario before; they conducted police traffic supervision in such places as St. John's, Newfoundland; they came up here to advise our Ontario Provincial Police; they have conducted training for the OPP at the Ontario police college; and they have visited many large cities in many states in the United States to give advice on traffic engineering. At that time, the then Minister was kind enough to reply to me and perhaps I should read his letter because there has been great silence since then:

Dear Dr. Shulman:

I wish to acknowledge with thanks your letter of September 20 in respect to the information that the transportation committee of Metro council has forwarded to me.

We, in the department, of course share your concern over the safety of our roads and streets and therefore appreciate any efforts which might contribute to the reduction of the number of accidents. We are particularly interested in any assistance we might obtain from your office, and upon receipt of the information mentioned above, our traffic people immediately started to collect all pertinent data dealing with accidents on our highways within the Metropolitan boundaries.

Their efforts should be completed in a very few days, following which I will be in further communication with you so that we can plan a joint effort which might well include inviting the traffic institute of Northwestern University to survey our situation.

Yours sincerely,

C. S. MacNaughton, Minister.

This is dated September 20, 1965. I know a "few days" means probably a little different thing to me than it does to the hon. Minister, and I thought perhaps a couple of months would be right, so I waited two months. I did not hear any more from the hon. Minister of Highways so, in December of 1965, I wrote him again as follows:

Dear Mr. MacNaughton:

In your letter which I received October 1, 1965, you indicated that you would be in further communication with me within a few days. Could you inform me if your engineers have had an opportunity to consider the Metro highway situation?

Two and a half years is not, perhaps, too long, so I am going to ask the Minister now, has he had an opportunity, or his predecessor, or his Deputy, to consider the situation, and have they decided whether or not the Northwestern University should be invited to send their traffic institute experts up here to give advice?

And let me say for the economy minded that they are prepared to do this free; they come up and they do an analysis of the situation at no charge whatsoever to the provincial government. If they think that you are running things properly, they quietly go their way and it has not cost a penny. If, on the other hand, they feel there are improvements that can be made, they lay out a programme and a number of suggestions with a budget for your approval, and if you accept their suggestions, they send a team in here to do this. So, I ask you, have you had the time in the last two and one half years to consider

this matter, and if so, what decision have you come to?

**Hon. Mr. Gomme:** Mr. Chairman, we do not use the facilities of the Northwestern people, but we have studies going on with all types of people who we think are quite capable. I might point out that we consider safety is most important, and we use many ways of developing a safe highway during the planning and design and construction. The major ways by which these purposes are accomplished are by provision of a finished facility that is geometrically, operationally and environmentally safe.

Our standards, and our procedures, are constantly under evaluation and modification to ensure that they incorporate the latest proven safety developments. We are continually in liaison with the highway research board, the American association of state highway officials, the Canadian good roads association, and the institute of traffic engineers, to mention only a few organizations, so that we may take advantage of their experience and research. In respect to geometric design, it has been our purpose to develop highway cross-section alignment standards, and provide a uniform and consistent level of surface to the motorist, commensurate with the function and operation speed of the highway on which he is driving. These standards indicate the maximum grade and curvature and dimensional arrangement of pavements and shoulders, together with many other aspects.

The individual characteristics of each part are carefully fitted to provide the consistent level of service for each type of road, whether it be a local road, a two-lane rural highway, or an urban expressway. The operational aspects of the design deal with making the highway easy and hence safe for the driver to use. We were major contributors to the "Manual of Uniform Traffic Control Devices," the publication of the Canadian good roads association governing practices in Canada relating to signs, traffic signals, pavement markings and other safety devices. In co-operation with our own Department of Transport, we have prepared a manual for Ontario that is compatible with this publication and with American practice.

During the last two years, the department made a very significant contribution to the field of highway illumination through the development of a higher mount system. This system provides a better and more uniform level of glare-free light at much lower cost than previous systems, and is being adopted



by many other highway jurisdictions. The highway environment—that is the area of the right of way outside of the travel lanes and the shoulders of the roads—plays an important role in the hazard to vehicles that leave the roadway out of control due to driver or vehicle failure. Our designs now provide for safer slopes and ditches.

I might mention again our crash test programme commenced last summer, which will continue next summer. From these tests we hope to develop much improved sign supports and light poles that yield under impact and with a minimum risk of passenger injury or death. We also hope to develop new, effective and low-cost guiderail systems for use on our lower classes of roads. One other aspect of the environment is the control of roadside advertising. We endeavour to ensure that advertising in the form of signs is far enough removed from the highway and that it will not distract or confuse the driver.

It has been found, too, that an attractive highway and a changing and interesting view for the driver have a profound effect on his alertness. Our designs are now tailored to incorporate vertical and horizontal alignment that exploits the view open to the driver for this purpose. Further, we are providing additional rest areas, roadside parks, and look-outs where the driver may stop and park easily away from through traffic at locations that are attractive, provide interesting scenery or provide other historic or specific interest.

One other way in which safety is improved is through the study of accidents. We are continuing to analyze accidents from the standpoint of signing and highway characteristics. Where there is any indication that the highway might be deficient, immediate steps are taken to overcome and remove this deficiency. The staff of the department is constantly reviewing its practices in the field of safety in an effort to incorporate the latest developments in safety into its designs. Safety in our designs is considered by the department to be of paramount importance, and it is felt that it calls for our constant attention. While a great deal of time and attention are being spent to build safety into our roads, we cannot conceive of a road facility that would be foolproof. The best that we can hope to accomplish is a road facility on which people can operate their motor vehicles safely if they have the capability and the desire to do so.

**Mr. Shulman:** Thank you, Mr. Minister. You began your brief answer by saying that you had consulted the highway research board. Am I to understand that you follow the advice of the highway research board?

**Hon. Mr. Gomme:** I did not get the question, Mr. Chairman.

**Mr. Shulman:** In your answer, you said that you consulted the highway research board. Do you follow their advice?

**Hon. Mr. Gomme:** We are in continual liaison with them; of course we take it.

**Mr. Shulman:** Perhaps the Minister could explain to me something that I find a little difficult to understand—why, when poles are knocked down on the Queen Elizabeth Way, you put up concrete poles when the research board has been saying for years that concrete poles should not be put up, that you should be putting up aluminum poles. Perhaps there is some logical answer and I should like to hear it.

**Hon. Mr. Gomme:** We do not follow everything that these people produce, but we are testing aluminum poles to see if they would be better.

**Mr. Shulman:** I am delighted to hear that the Minister is testing them, but perhaps I should inform the Minister that a great deal of testing was done in this matter something like 15 years ago at the Ford research grounds and by the highway research board and in Britain. It really seems a pity that the Minister should be wasting money. We are all agreed that there is a great deal of expense in this department and it seems a pity that he is duplicating all the studies that have been done, and done, and done again, while he does more studies. Everybody knows who is involved in highway construction—with the apparent exception of the people in charge of this department—that you do not put up unprotected concrete poles. This is probably the only jurisdiction in the whole world that is putting them up; certainly in North America.

**Hon. Mr. Gomme:** I do not believe that that is so, Mr. Chairman, but we find that in all cases aluminum is not the best. This is why the others—

**Mr. Shulman:** Well, I am delighted to hear the answer, Mr. Chairman, because now we can get down to some facts. Why is aluminum not the best; what advantage does concrete have over aluminum?



**Hon. Mr. Gomme:** One thing is the cost, Mr. Chairman. But then I do not know whether the member realizes that most of our light standards are behind guard rails, so there is the opportunity there.

**Mr. Shulman:** The Minister has brought up two matters. One is the cost, and the other that they are behind guard rails. The question that I originally asked was with relation to the Queen Elizabeth Way, and I saw that yesterday you were putting up concrete poles not behind guard rails, so let us take care of that to begin with.

But now, the cost. Is the Minister suggesting that concrete poles are cheaper than aluminum poles?

**Hon. Mr. Gomme:** Mr. Chairman, I may have misled the member on that; I am not sure that they are cheaper—

**Mr. Shulman:** Perhaps I should enlighten the Minister since there seems to be some confusion in the department. Concrete poles are less expensive than aluminum poles at first. But the state of Louisiana has done a 20-year study and the additional extra cost of aluminum or lightweight steel is more than offset by the much lower cost of maintenance and replacement. Studies done in Louisiana and elsewhere definitely show that aluminum and lightweight steel are not only safer, but they are less expensive. That is why it is completely inexplicable that you should be doing studies at this time, and not taking the advice of the highway research board, with which you yourself said you are in constant contact.

**Hon. Mr. Gomme:** Mr. Chairman, I am not sure of what the member is talking about, but there may be a difference in the climatic conditions between Louisiana and up here, and of course we have to look after that.

**Mr. Shulman:** May I suggest, Mr. Chairman, that studies have been done in Britain, which has a somewhat similar climate to ourselves, with exactly the same results. Is the Minister suggesting that in this particular climate concrete would be preferable to aluminum?

**Hon. Mr. Gomme:** Of course it is a case of opinion, and in a lot of cases, Mr. Chairman, the concrete poles are better in our opinion.

**Mr. Shulman:** If that is the opinion of the department, I presume that you arrive at that opinion because of some reasons. Would the

Minister explain why he thinks that concrete poles are preferable to aluminum?

**Hon. Mr. Gomme:** I will have to get a complete report on that.

**Mr. Shulman:** I am sorry, Mr. Chairman, I could not hear your answer.

**Hon. Mr. Gomme:** I will have to get you a report on that, Mr. Chairman.

**Mr. Shulman:** Will we have that report before the vote, Mr. Chairman?

**Hon. Mr. Gomme:** Certainly not.

**Mr. Shulman:** Well, let us go on. The Minister has said that he is in contact with the highway research board. Does the Minister follow the advice of the highway research board as far as guard rails go?

**Hon. Mr. Gomme:** As I said before, Mr. Chairman, we do not follow all the suggestions made by the highway research board.

**Mr. Shulman:** That is very interesting. Would the Minister tell me what suggestions they have ever followed from the highway research board?

**Hon. Mr. Gomme:** We have on geometrics of pavement design, concrete structures and such things as that.

**Mr. Shulman:** The geometrics of pavement design and concrete structure. I hate to bring it back to the original point but I was talking about safety, and I asked if you had consulted with the Northwestern University traffic institute and you said no. You started off, "We are in constant communication with the traffic research board," and now, apparently, the things about which you are in contact with them, have nothing to do with safety at all. Now do you have any contact with them? Do you follow their advice in matters of safety?

**Hon. Mr. Gomme:** Again I say, Mr. Chairman, that we are in constant contact with them and we have people that work with them, and we do not always accept all the proposals which they give us.

**Mr. Shulman:** To be gentle with you; inasmuch as you are not following their advice—the advice of the highway research board—may I come back to my original question which you answered rather lengthily but I never did hear a "yes" or a "no". Do you not think it might be wise to invite the traffic institute to come up here and take a look at our highways—it will not cost anything

—and get their opinion as to whether changes are necessary?

**Hon. Mr. Gomme:** As I said before, Mr. Chairman, we think we have people here just as capable of doing that.

**Mr. Shulman:** I understood from your answer, that, those people were the highway research board but apparently it is not the highway research board, so who does advise you, outside of your department, on matters of safety? Would you please tell me because I am going to ask you what advice those people give you and if you follow their advice. Who gives you the advice outside the department?

**Hon. Mr. Gomme:** As I said in the statement, we are in continual liaison with anyone who can give us any assistance in this matter, and I mentioned several: the highway research board, the American association of state highway officials, the Canadian good roads association, the institute of traffic engineers—and these are only a few of the organizations. We do take advice from anywhere we can get it.

**Mr. Shulman:** I am delighted you take advice from anywhere you can get it, but apparently, in fact, I think your Deputy will agree with me that the leading body is the highway research board and apparently you do not take their advice on matters of safety. Now those very people you mention, is there one specific one—any one of them—whose advice you take in matters of safety? Just one will do.

**Hon. Mr. Gomme:** As I stated before, the geometric design is a safety feature which we have taken from these people.

**Mr. Shulman:** Does the geometric design refer to the direction in which the highway goes?

**Hon. Mr. Gomme:** No, this is the design of the pavement and curvature and all such things as that.

**Mr. Shulman:** Whose advice does the Minister seek on matters of roadside safety?

**Hon. Mr. Gomme:** I seek the advice of my Deputy Minister and my own department who get the advice from these organizations I talked about.

**Mr. Shulman:** You seek the advice from your Deputy Minister, and the Deputy Minister seeks the advice from other organiza-

tions. Which organizations does he get advice from on roadside safety?

**Hon. Mr. Gomme:** Again I come back to the list of people that I read before, as to where we get the advice, Mr. Chairman, and this is where my own people seek the advice.

**Mr. Shulman:** Let me be more specific. You are building highways at the present time, and beside those highways—let us leave aside guard rails and poles because there seems to be some confusion—let us come to slopes. Whose advice do you get about the ratio of slopes beside the highways?

**Hon. Mr. Gomme:** This is one of the aspects that we get from the highway research board.

**Mr. Shulman:** Has the Minister followed the advice of the highway research board as far as slopes go?

**Hon. Mr. Gomme:** We do accept them in some cases, but we have opinions of our own which can be used too.

**Mr. Shulman:** Am I to get it quite straight that sometimes you follow their advice and sometimes you do not follow their advice? Is that correct?

**Hon. Mr. Gomme:** If it is good advice, Mr. Chairman, yes, we follow it. If we think it is not, we do not.

**Mr. Shulman:** On occasion, the Minister believes the advice from the highway research board is not good advice, is that correct?

**Hon. Mr. Gomme:** Sometimes we think it is not satisfactory for our conditions, Mr. Chairman.

**Mr. Shulman:** Mr. Chairman, I see it is 5 o'clock. I have a number of other matters and as the private members' hour is upon us, I suggest that we adjourn this debate.

**Hon. Mr. Robarts** moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

## NOTICE OF MOTION

**Clerk of the House:** Private member's notice of motion No. 27, Mr. Reilly.

## RESOLUTION:

That in the opinion of this House, legislation should be enacted to guarantee to employees who are members of trade unions the right to choose the political party to which contributions from their dues payments will be directed.

**Mr. L. M. Reilly (Eglinton):** Mr. Spaker, I move, seconded by the hon. member for London South (Mr. White), resolution No. 27 on the order paper in my name.

**Mr. Speaker,** I should like to open this debate in a non-partisan manner by quoting the eminent labour lawyer David Lewis, QC, MP, who wrote in the pamphlet, "A Socialist Takes Stock" published by the Ontario Woodsworth foundation in Toronto, Ontario, in 1956, subsection 3, "Human Freedom Everywhere":

The socialist dream is of a society in which the worth and dignity of every human being is recognized and respected, where differences of origin, of religion and of opinion will not only be tolerated, but accepted as desirable and necessary, to the beauty and richness of a human mosaic.

We would all agree with this concept, but it is difficult to reconcile it with a telephone call that I received recently from an employee who had been working for a firm for almost 20 years. One of her freedoms had been taken from her.

As a condition of employment, she is now compelled to pay union dues to an organization that she did not want to join, and from her dues an amount is being automatically deducted to help finance a political party which does not represent her views.

**Mr. D. C. MacDonald (York South):** She does not know the law, like the hon. member.

**Mr. Reilly:** That is not new. Many similar cases have been brought to public attention on various occasions. One of the most celebrated, or best known, cases in recent years is the Huggendorn case. Huggendorn became an employee of the Greening Metal Products and Screening Equipment Company of Orangeville in September, 1955.

In June, 1962, local 6266 of the united steelworkers of America was certified by the Ontario labour relations board as the sole and exclusive agency representing the

employees. Subsequently, a collective agreement was entered into which provided for check-off of union dues. Later a new collective agreement was introduced which provided for compulsory deduction of union dues.

Huggendorn had told the company that he could not join, nor financially support, the union because of political and religious convictions. As a matter of principle he objected to giving moral or financial support to an organization that in his view set man against man, employee against employer, in defiance of his Christian tenets. He belongs to the Christian labour association of Canada, a small trade union whose members try to live according to their reading of the Bible and their understanding of divine will. In lieu of dues, it should be pointed out that Huggendorn was prepared to give double the amount required, to a charity of his own choice.

Huggendorn was dismissed from employment in March, 1965. After a protest from his solicitors that the dismissal was unlawful, he was reinstated the following month. It should not be necessary, Mr. Speaker, to go into the multitudinous details surrounding this case, but some information is necessary so that the members will thoroughly understand it.

As a condition of employment, all employees were required to execute and deliver to the company an authorization for the deduction of their union dues. Huggendorn still refused to sign any authorization, and as a result a wildcat strike arose and the company and the union submitted the matter to arbitration. This proceeding was aimed at getting rid of Huggendorn as an employee because of his refusal to support a union whose socialist activity he could not in good conscience endorse. In fact, the company and the steelworkers appointed a one-man arbitration board, who ruled without having heard Mr. Huggendorn, that he be dismissed if he refused to pay USWA dues.

Court action was initiated in the Ontario Supreme Court by Huggendorn in April, 1966, and the appeal was dismissed, so Huggendorn appealed the decision to the Ontario court of appeal, which appeal took place in November, 1966. Not satisfied with the decision of the court of appeal, Mr. Huggendorn finally took his case to the Supreme Court of Canada and won. On November 27, 1967—

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, on a point of order, I fail to see how the remarks that the hon. member is making at the present time have anything



to do with the resolution before us. He is talking about—

**An hon. member:** Whose resolution is it?

**Mr. Stokes:** He is talking about the right of an employee to join or not join, at his own discretion, a labour union. It has nothing to do with the concept of this resolution with regard to the allocation of union funds.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): What was the man's reason for not joining?

**Mr. Speaker:** Order!

The member has made his point of order. I rule that the member for Eglinton is in order in his remarks.

**Mr. MacDonald:** He is opposed to joining any union.

**Mr. Speaker:** Order.

**Mr. Reilly:** I was saying, Mr. Speaker, that Mr. Huggendorn finally won his decision from the Supreme Court of Canada. On November 27, 1967, the Supreme Court of Canada gave its ruling. Huggendorn, it said, had been deprived of natural justice. The arbitration proceedings had been held in his absence and without notice to him. In theory, at any rate, Huggendorn can apply for his old job at Greening Metal, though he has been happily working in a toy factory for some time now.

Does it not seem strange in this day and age when government is trying to protect human rights, when socialists are decrying infringements of those rights, when Mr. Justice McRuer hands down a three-volume report, including the basic rights and freedom of the individual, when the United Nations universal declaration of human rights, the Canadian bill of rights and the human rights code of Ontario all take stands against discrimination and prejudice, that Dick Huggendorn should have to fight a long, lonely battle against a powerful union for his right to work and to protect his Christian principles?

Surely the time is here for us to debate a situation which is a clear violation of the individual's basic freedom. To do so, we should trace some of the history of union affiliation with political parties, and I refer you to a study in Canadian-American relations by John Crispo, entitled *International Unionism*. He points out historically that the AFL in the United States, and its affiliates, have frowned upon any form of political

action involving support of a particular political party. Instead they normally come out for or against individual candidates, or their stand on matters of concern to labour.

Here in Canada, the question of whether a trade union could engage in direct political action was debated within the labour congress well before the turn of the century. According to John Crispo, the issue was reviewed at several successive conventions. Yet despite the enthusiasm for political action, the trades and labour congress remained reluctant to participate and reaffirmed its earlier policy barring the use of congress funds to support any political party. Subsequently they passed resolutions indicating their unwillingness to support an independent labour party.

Crispo states in contrast that the Canadian congress of labour early departed from the policy of the TLC and formally championed the cause of the Co-operative Commonwealth Federation. After a spirited debate at the 1943 CCL convention, a resolution was passed endorsing the CCF as a political arm of labour in Canada. When the congresses came together in 1956 to form the CLC, opinion was again divided on the question of political affiliation. Later, as a result of further considerations, the CLC officially helped to launch the NDP and encouraged its affiliates to give their full support.

**Mr. MacDonald:** How was it divided?

**Mr. Reilly:** Prior to the last provincial election campaign, a resolution was adopted by the executive council of the CLC calling for all-out support, financially, morally and physically, to the New Democratic Party's political campaigns. This policy contrasts with that of the AFL-CIO and of the non-partisan policy of the CNTU in Quebec.

**Mr. MacDonald:** Contrasts with the chamber of commerce.

**Mr. Speaker:** Order, order!

**Mr. Reilly:** While the CLC formally backs the NDP, many of its affiliates and their officers have not gone along with this. Many Canadian union officials and members favour constitutional bars against various forms of political activity.

Interjections by hon. members.

**Mr. Speaker:** Order, order! Will the members on this side of the House please give this member order. Their speaker will have his opportunity at a later date and I will

endeavour to see that he has the same courtesy which I would expect to be extended to this speaker.

**Mr. Reilly:** Thank you, Mr. Speaker. I will try not to be provocative. Some rule out political contributions from union funds, others rule out endorsement of particular candidates. In the railway unions and building trades, for example, a number of trade unionists believe that more progress has been achieved by avoiding political affiliation. The net result is that union members, contrary to their leaders, are by no means unanimous in their support of the NDP.

An interesting poll by the Canadian institute of public opinion was released on July 26, 1967. This poll of union members reveals that a large majority of Canadians did not approve of political activity on the part of unions. In answer to the question, "Do you think that unions should or should not engage in political activity?" 60 per cent of the union members said no, that unions should not engage in political activity.

**Mr. MacDonald:** The general public or union members?

**Mr. Reilly:** Yet according to the federal constitution of the New Democratic Party—

Interjections by hon. members.

**Mr. Speaker:** Order, order.

**Mr. Reilly:** —affiliated membership is open to trade unions, farm groups, co-operatives, women's organizations and other groups and organizations which undertake to accept and abide by the constitution and principles of the party and are not associated or identified with any other political party. The constitution goes on to say, under the affiliated members section, that the per capita fee for affiliated organizations shall be 5 cents per member per month, payable to the federal party. The federal party shall pay 2 cents of the said fee to the appropriate provincial party.

There is provision under another section for any member of an affiliated organization to notify his organization that he does not wish a per capita payment to be made to the party on his behalf, and the organization shall forthwith cease to make such payments. Regardless of how piously our hon. friends opposite may attempt to defend this opting-out procedure, we all know how embarrassing and humiliating it can be to the person who attempts to opt out.

**Mr. Speaker:** Order!

**Mr. Reilly:** In fact, in Huggendorn's case, the union leaders displayed an almost incredible intolerance and disregard for Huggendorn.

**An hon. member:** Huggendorn had nothing to do with it.

**Mr. Reilly:** Despite this example, and the fact that 60 per cent of the union members disapprove of political affiliation, union executives and the New Democratic Party continue their affiliation.

According to a *Globe and Mail* article of November 13, 1967, the unions provided about 70 full-time workers as well as major financial aid for the New Democratic Party's provincial election campaign. The newspaper article points out that 55 full-time workers were provided by the unions with nine Metro and 30 outside ridings not heard from. The union contributions to election funds range from \$10 to \$2,500, the latter by the Toronto labour council. Toronto locals of the steelworkers gave \$2,475 and probably will give another \$7,500, says the article.

Another article from a western newspaper points out that a United States labour union had contributed funds to the New Democratic Party in Saskatchewan. The documents showed that the UAW gave the New Democratic Party \$120,400 between 1961 and 1966 and I have the documentary evidence on file proving the UAW international head office's financial support of the New Democratic Party.

Interjections by hon. members.

**Mr. Reilly:** Mr. Speaker, still another article, from the Toronto *Daily Star*, points out that the NDP expects \$41,000 from Metro unions, and it goes on to point out that labour unions are pouring more money and manpower than ever before into the New Democratic Party's provincial election campaign.

The net result is that the union members, even though the majority of them are opposed to the union participating actively in politics, and even though they are by no means unanimous in the support of the NDP, find that their money is being spent in support of a political philosophy and programme alien to their own by the will of the minority.

It is not only the amount of money collected from membership dues, but the additional funds in the form of grants given out of union funds, plus members paid by the



union who work on a full-time basis on behalf of the New Democratic Party.

In this connection, let me refer to page 2443 of *Hansard* for April 19, 1966—statement from Ken Bryden, the former NDP member for Woodbine:

Mr. Speaker, what I stated this afternoon was that a certain gentleman had been working for some substantial time, while working for trade unions, working more for the NDP, and before that for the CCF. There is no doubt about that. As to the matter of people being full-time organizers and paid out of union funds directly from the unions being employed, I understand there are some.

Mr. J. H. White (London South): Try to deny that!

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Reilly: Mr. Speaker, it is quite likely that the seven trade unionists elected to this Legislature received wages from their local unions during the recent provincial campaign. In fact, some of them may still be receiving funds from their local unions.

I do recall reading that 15 men from the UAW were paid salaries out of union dues. I know that members of the New Democratic Party will piously argue that they do this work in their spare time, but we all know that this is not the case. What I am attempting to prove, Mr. Speaker, is that this is an infringement of human rights.

Interjections by hon. members.

Mr. Reilly: In fact, the universal declaration of human rights states "that no one may be compelled to belong to an association". The Ontario human rights code states that:

While we can be proud of what we have accomplished in Ontario, there are still pockets of prejudices in areas of discrimination in our community life that demand our concern and require remedial action—subsection 2, clause 4.

Interjections by hon. members.

Mr. Speaker: Order. The period of time for the introducer of the motion has now elapsed, and would he bring his remarks to a close or else we carry on after the 6 o'clock hour.

Mr. Reilly: Perhaps I should explain that the arrangement with the members has been that the leader of the motion could take the first half hour, and the opposition would take the second half hour, divided equally.

Mr. Speaker: I did my best.

Mr. Reilly: Subsection 2 of clause 4 states in the Ontario human rights code that no trade union shall exclude from membership or expel or suspend any person or member or discriminate against any person or member. David Lawrence, in his article in *U.S. News and World Report* states that the basic principle involved, however, is the right of any employee to refrain from joining an organization with which he is not in sympathy. It is just as important for him to retain his freedom of belief on the subject of unions as it is on any other social or economic questions.

Mr. Robert Thompson, the former national leader of the Social Credit Party, said that to force a man, as a condition of employment, to contribute to the coffers of the union which supports morally and financially a political party, is discrimination of the worst kind and a flagrant denial of the basic principles of freedom and democracy. Last May the Brantford *Expositor* had an article on democracy in which it said that some of the money used to finance the New Democratic Party campaign in Brantford—

Interjections by hon. members.

Mr. Speaker: Order! I had thought that some courtesy was going to be extended to members making addresses to this House, but it is apparent that I am wrong and if we cannot have order with a certain amount of cross-fire, then we will have to deal with it some other way. Will the members please give this member the courtesy which I will try to see is extended to those on this side when they come to speak.

Mr. Reilly: I started to speak, Mr. Speaker, about an article appearing in the Brantford *Expositor*, and it said that in Brantford there will be trade unionists who have contributed against their will. At Wednesday's Brantford labour council meeting, delegates of three affiliated unions registered objection on behalf of their membership for the voting of a sum for party political purposes. The objecting unions are thus in effect the victims of a forced political levy.

Is it not discrimination when Huggendorn, the metal worker, who was the first worker hired by Greening Metal at Orangeville, lost his job for refusing to join the socialist-favouring united steelworkers? Huggendorn belonged to the Christian labour association of Canada, an independent, government-certified Christian labour movement.



Members of the Christian labour association of Canada and the CJL foundation, who helped to finance Huggendorn's court actions, believe that free men should be allowed to order their lives in harmony with their own convictions. They recognize that we live in a pluralistic society, that men, because of their radically different commitments, do not share the same view of life, labour and liberty. They believe that workers should have unhindered opportunity to establish and support organizations through which they can freely voice their convictions.

As a matter of fact, one of their submissions made to the Royal commission inquiry into labour disputes headed by the hon. Ivan C. Rand, was that the Ontario human rights code and The Labour Relations Act should be amended to prohibit the discriminatory practice of forcing workers to remain or become members, or to lend financial support to a specific union, as a condition of employment. In their brief to the Rand inquiry they advocate the right to work, the right of freedom of association, and the right to support the political party of one's choice, as fundamental rights along with the right of freedom of religion. When speaking before the Rand commission about the Huggendorn case, they said:

It is surely for the individual to decide whether a particular matter engages his religious convictions, and if, in good faith, he determines that in all conscience he cannot support a particular association or contribute part of his wages to a particular political party, then one might hope that the Canadian labour movement is large enough and mature enough to respect his dissent.

It is interesting, Mr. Speaker, to see what happens in other jurisdictions. According to a *U.S. News and World Report* article by David Lawrence, it took a long battle in the courts but finally the Supreme Court of the United States ruled as unconstitutional the practices of those labour unions which used a part of union dues for political purposes.

Under The Trade Union Act of 1966 in Saskatchewan, the labour relations board shall have the power to make orders:

—excluding from an appropriate unit of employees, an employee where the board finds, in its absolute discretion, that the employee objects:

(i) to joining or belonging to a trade union; or,

(ii) paying dues and assessments to a trade union as a matter of conscience based on religious training or belief during such period that the employee pays;

(iii) to a charity mutually agreed upon by the employee and the trade union that represents a majority of employees in the appropriate unit; or

(iv) where agreement cannot be reached by these parties, to a charity designated by the board.

In British Columbia, a section of The Labour Relations Act states that:

No trade union and no person acting on behalf of a trade union shall directly or indirectly contribute to or expend on behalf of any political party, or to or on behalf of any candidate for political office, any moneys deducted from an employee's wages under subsection (I), or a collective agreement, or paid as a condition of membership in the trade union.

Perhaps it should be pointed out that union affiliation with the socialists is a hangover from the 19th century and the evils which were prevalent in Britain and to a lesser extent in Canada at that time.

Dr. Galbraith has pointed out in his book *The New Industrial State* that this situation no longer applies to the large corporations today. Today our large corporations are not run by the owners but by technocrats who are more concerned with the growing of the company than with the maximization of profits. They are much more sympathetic to the legitimate demands of labour, since they are employees, too. As a result, they are more amenable to labour demands.

In other words, the interests of labour and management coincide today much more closely than in the past. I believe that political affiliation, whereby our workers are being exploited by socialist intellectuals in their extreme desire for power, is becoming apparent to Canadian workers as well.

Interjections by hon. members.

Mr. Reilly: I believe that the majority of them would much prefer to see the funds now going to the support of the NDP being devoted to educational programmes or scholarships. Regardless of how the funds are used, whether for political, educational or other purposes, the decision to contribute must, as a matter of principle, be left to the discretion of the individual union member.

Interjections by hon. members.

**Mr. Reilly:** When we live in a pluralistic society where there are legitimate differences of opinion, we must give a freedom of choice and not force people to fall in line with what a certain group happens to think at a certain time. In Canada we have always believed in equality of opportunity and that there should be no discrimination, that no one should be placed at a disadvantage.

Unions have done so much good over the years; surely they must not now rely on compulsion. Do they not have confidence in the Canadian worker? Must they rely on coercion and compulsion in order to force him into line? Candidly, I believe what David Lawrence said, that the simple truth is that none of the money earned by a worker should be contributed to any organization—political, commercial, religious or even educational—without the employee's consent.

Therefore, I repeat, Mr. Speaker, that legislation should be enacted to guarantee to employees who are members of trade unions, the right to choose a political party to which contributions from their dues payments would be directed.

**Mr. D. M. De Monte (Dovercourt):** Mr. Speaker, when you examine a resolution like this and try to decide whether you are for or against, it is like deciding whether you are for or against motherhood. In examining the resolution, it seems to say or seems to imply that particular political parties are getting more from the labour movement than perhaps others. But the question here and the root of the question is: Shall an individual be required to donate to the party of his choice or to a particular political party, and when we consider this question, Mr. Speaker, we must consider the democratic processes of an organization and particularly the processes that go on in the union organizations.

It is my respectful submission to this House, Mr. Speaker, that an individual should have a right to opt in to this type of donation, rather than opt out *ex post facto*.

And this, Mr. Speaker, is the basic question involved here in this debate. Does a union member, when he is confronted with the decision to donate to any party—Mr. Speaker, I am not talking about a particular party—but when a union member is required by a voice vote or by a ballot, to donate to a particular party, I suggest, Mr. Speaker, this is an infringement of his individual right.

It is my opinion, Mr. Speaker, and the opinion of this party that it would be a good thing, a laudable thing, if every union man donated to some type of political party and

that this type of grass roots contribution and involvement in the political life of this country is good for us as politicians and good for the country.

But the basic question, and the only question is, does he have a right, firstly to pick the party, and secondly, does he have the right to opt out and decide not to support any political party which is his God given right?

After all, the right to choose is the basic right of our free democratic institution; the right to decide whether you do something or you do not do something. Mr. Speaker, not all union members belong to one party, nor do they belong to one religion, nor do they belong to any other single organization and this is the aspect of the whole situation.

There is nothing wrong, in my opinion and in the opinion of our party, of my party, that union members should contribute to the political organization of their choice and have the right to opt in.

With respect, Mr. Speaker, the Huggendorn case is not a case on point in this question. The Huggendorn case had to do with union check-offs, and the right of a man to opt out of a union and the right of a man not to pay union dues. I do not think this has any reference to the resolution here today.

**Mr. MacDonald:** But the Speaker disagreed.

**Mr. De Monte:** But I must repeat, Mr. Speaker, that a man should have the right to choose as he did in the Huggendorn case. That is the point. The right to choose to which political party you will make a contribution, and that this choice should be a free individual, private choice between the union member and the person who is collecting the political contribution—the man in the personnel office, or the union agent. It should not be the idea, that, I do not want to support this particular party out in the open," because as we know in some cases, this causes great hardship on people that belong to unions—with the greatest of respect to unions.

**An hon. member:** Going to give shareholders the same right?

**Mr. De Monte:** Let us just stick to the point. The resolution here is, do union members have the right to donate to a particular party? Anybody has the right to donate any amount where he wants. We are talking about union members here.



**Mr. F. Young (Yorkview):** I do not as a shareholder. If I am a shareholder, I do not have that right.

Interjections by hon. members.

**Mr. De Monte:** Then you have a right to go to a shareholders' meeting and complain. It is like the union member who has a right to go to the union meeting and complain.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. De Monte:** We seem to have gotten to the members on our left here, Mr. Speaker. I do not know why, but we really have reached these members today. I suspect they just seem to be getting more of these contributions than they would like to admit.

**Mr. MacDonald:** I have read pages and it bothers me.

**Mr. De Monte:** I received enough grass-root contributions in my campaign and I did not get it from any great big corporation, Mr. Speaker. I can say here and now that my campaign, and my contributions, were as grass root as these members implied that their campaigns are.

What is really needed, Mr. Speaker, is a complete reform of our electoral laws, and a complete re-examination of the purpose of campaign funds, how they are spent and who they come from. I agree with my friends from the left here, that it is time that we find out where contributions come from and where they go.

**Mr. E. W. Martel (Sudbury East):** We know where ours come from.

**Mr. De Monte:** Yes, but some of the people giving you those funds do not know they are going to you, that is the main thing.

Interjections by hon. members.

**Mr. De Monte:** You see they will not let me speak about electoral reform, we really have reached them—just a minute, I have something to say and I am going to say it. What we need is a complete reform of our electoral laws; we need reform as to the financing of electoral campaigns. There are the recommendations of the report of the commission of electoral expenses, Mr. Speaker, that have plenty of information in connection with electoral expenses, and there are certainly recommendations in there that

we could perhaps adopt at the provincial level.

The other recommendation—

**Mr. Martel:** Where did the Liberals get their cash?

**An hon. member:** Let them natter in their beards.

**Another hon. member:** They are worried.

**Mr. De Monte:** What I suggest, Mr. Speaker, with respect, is that we should also consider reforming our enumeration laws. If we could consider for one minute, Mr. Speaker, the expense that is created by having municipal enumerations, provincial enumerations and federal enumerations, I suggest, Mr. Speaker, that we could probably combine all the enumerations that could be used in all elections, and, perhaps, save quite a bit of money.

The suggestions, Mr. Speaker, have been made and adopted in Quebec, but suggestions have also been made by the commission that brought down the report on electoral expenses that, perhaps, the government should subsidize a candidate's political expenses—

**Mr. Speaker:** Order. I think the member has strayed from the resolution now to election expenses and really that is not part of the resolution.

**Mr. De Monte:** My friend across the aisle did the same thing, Mr. Speaker, and he was allowed to speak on something completely extraneous from the resolution.

**Mr. Speaker:** In my opinion, and I say again, that in my opinion, the case which was discussed by the member for Eglinton was quite on the point of this resolution but certainly election expenses are not, and I would ask the member to come back to the resolution.

**Mr. De Monte:** Mr. Speaker, I think that there is nothing wrong in summary with the union member paying part of his check-off, or part of his income, to any particular political party. The problem is that the union member should have the right to opt in before the fact. In other words, say, "I want to donate to the NDP or to the Liberal Party and I want to donate so much. Would you please deduct this amount and send it forward."

**An hon. member:** What about the Tories?



**Mr. De Monte:** They want it, they can have it. But, Mr. Speaker, this should be an individual contract or an individual's decision between the union member and the person who is collecting the contribution, either in the personnel officer of the plant or some member of the union, but they should have to opt in and decide at the inception, that the union member is making this contribution. For that reason, Mr. Speaker, I wish to support the resolution before the House. Thank you.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, I want to say at the outset that I am rather happy with the resolution because it indicates very clearly that this Conservative Party, and this government, is starting to run a little scared.

Interjections by hon. members.

**Mr. Pilkey:** My friend over here says I am joking and I recall the Minister of Education (Mr. Davis) projecting this government beyond 1971, but I suspect that it is not going to be the government after 1971, and I suspect, very strongly, that it will have more difficult or stronger resolutions in this House before 1971, than it has presently by Mr. Reilly.

I think that the first side of the coin was that the government is running scared, but on the other side of the coin, I think that the issue is rather phony, because this government is attempting to fly a kite—

**An hon. member:** Let us get to the resolution.

**Mr. Pilkey:** —and find out the general reaction of the public so that they can introduce some legislation along the lines that they have in British Columbia that Mr. Reilly talked about. And I think that this is really what they are attempting to do.

Now, Mr. Reilly, the hon. member for Eglinton pointed out—

**Mr. Speaker:** Order. May I draw to the attention of the member that he will address the other members of the House through the chair, not as you and yours, and he will address the members by the official designation of their riding.

**Mr. Pilkey:** Thank you, Mr. Speaker, the hon. member for Eglinton pointed out about a woman or a girl who had to pay her dues and in addition to that, she had to pay to a political party, and not one of her choice. I want to say that there are provisions for these

people to opt out in terms of any political party, and so they do not have to make any contribution, and I do not think we ought to be left with that understanding in this House.

More on the same side of the coin—

**An hon. member:** There was a script writer there.

Interjections by hon. members.

**Mr. Pilkey:** —he talked about Mr. Huggendorn having to belong to a union as a condition of employment, and he said that this was a violation of his rights, his Christian principles, freedom of the individual, and a lot of things.

But it amazes me with these people who talk about all these violations, Mr. Speaker—you know, when we negotiate a collective bargaining agreement and we get pensions here, and we get wage increases over there—that those people are the first in line to take them.

They are first in line to take them, but they do not want to pay their way. Now, the hon. member for Eglinton talked about the learned Judge Rand, and he puts him upon a kind of a pedestal, if you please, and it was Mr. Rand who, in 1948, in the settlement of the Ford strike, laid down the rules that the workers had to pay their dues. It was the same Mr. Rand whom this government put in charge of the Rand commission, and this was the theory that he used to settle the 1948 Ford strike. If it was good enough then, why is it not good enough now, that he pays his way in terms of providing the administration and all of the other costs that constitute the normal functions of a trade union?

Interjections by hon. members.

**Mr. Pilkey:** I would also want to say, Mr. Speaker, through you to the hon. member for Eglinton, that I belonged to a trade union and I recall when we made our vote or took the stand in our local union in determining what political party we were going to choose. It was done by a democratic vote. The ballot boxes remained open for 48 hours—not 24; for 48 hours—and everyone had ample opportunity to designate their desires. And let me tell you, after the ballots were counted, 80 per cent in that local, and it is the largest local union in Canada, indicated their support to the New Democratic Party.

Make no mistake about it, you can pass all the resolutions and all the legislation in this House, but I want to say that the workers

in this province are finally waking up to the fact that their desires and their objectives and their aspirations are tied with this New Democratic Party, and they are going to increase their support.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Mr. Pilkey:** I want also to say that I thought that the member for Eglinton, in his resolution, did not really go far enough. I think that maybe he would have got a little more support if he had made this addition. It should have read, in addition to what he already had proposed: "And to guarantee to shareholders of companies the right to choose the political party to which contributions from the funds of these companies will be directed." Why does he not ask that; why just the trade union movement—

**Mr. MacDonald:** Tell us about corporate contributions.

**Mr. Pilkey:**—or do they not want the shareholders to have some say as to where their money is going?

**Mr. Reilly:** They do not even know.

**Mr. Pilkey:** I am suggesting that this resolution is no more than a device to divide the loyalties of the workers in the trade union movement, and this is what they are trying to do, this is the division they are trying to create. As I have said before, they are going to be working a long time before they get that kind of a division. I also want to say that in my opinion this infringes on the rights of the trade unions to make decisions in regard to political contributions.

What did the ILO convention say in this regard? It says, let me quote it:

Government, in seeking the co-operation of trade unions to carry out their economic and social policies, should recognize that the value of this co-operation rests to a large extent on the freedom and independence of the trade union movement as an essential factor in promoting social advancement, and should not attempt to transform the trade union movement into an instrument for the pursuance of political aim, nor should they attempt to interfere with the normal functions of the trade union movement because of its freely established relationship with a political party.

This is what they said; this was a resolution that was passed at the ILO convention, with management sitting there as well.

**Mr. R. Haggerty (Welland South):** Perhaps the member is misleading the House. I have a manual here from the civil rights committee, USWA. I would like to read this.

**Mr. Pilkey:** Well, I have a—

**Mr. Speaker:** The member will take his seat while a point of order is being raised.

**Mr. Haggerty:** The Canadian labour congress resolution, 1956: "Therefore, it be resolved that the Canadian labour congress pledges its active support to the maintenance and expansion of freedom in our country—"

**Mr. Pilkey:** That is not the ILO.

**Mr. Haggerty:**—"and to combat any encroachment of such freedom which constitutes a threat to our civil liberties—"

**Mr. Speaker:** The member has misconstrued what the member for Oshawa was saying, because he was quoting the international labour organization, and the member was quoting the Canadian labour congress.

Interjections by hon. members.

**Mr. Speaker:** The member will continue.

**Mr. R. F. Nixon (Leader of the Opposition):** We think you should pay some attention to what the Canadian organization says.

**Mr. Speaker:** Order!

**Mr. Pilkey:** Walter will look after himself; I will not have to look after Walter. He will take care of himself. He has done a pretty good job up until now, anyway.

Also, I would like to say that a member of the Liberal Party—I do not know just what riding he is from; Welland South, or the member for Eglinton, anyway one of them—spoke in regard to the Brantford labour council, and he said that three units were in opposition to any donation to a political party.

**Mr. T. Reid (Scarborough East):** Like 20 per cent.

**Mr. Pilkey:** You can find this kind of opposition any place. Obviously there would be some opposition, but surely the majority decision is what is going to rule, whether it is in a labour council, whether it is in a local union, or whether it is any kind of group. I think that the trade union movement is one of the most democratic organizations in the world. You have your right to your say. You can stand up, and if you can convince the majority, then obviously your point of view is going to prevail.

Many of these members laugh, you see, because obviously they have never belonged to a trade union. They have never participated in a union meeting. They do not know what is going on. You may have lots of complaints. Well, take them up with someone else.

**Mr. W. G. Pitman** (Peterborough): You are doing fine, Cliff, carry on.

**Mr. Pilkey:** I want also to say that—

**Mr. Nixon:** Give us the third side of the coin.

**Mr. Pilkey:** The third side of a coin. How about three coins in a fountain?

**Mr. MacDonald:** Sitting on the fence, that is where you will find the Liberal Party.

**Mr. Pilkey:** I would like to really know, too, whether the people are going to support this resolution. I suspect very strongly that the Liberals supported this resolution, though at times I was kind of wondering which way they were going. I would like to know if, within the confines of this resolution, do they suggest that the Trotskyite party, as an illustration, should get dues from trade unions who want to give them; does the communist party get dues money?

**Mr. Nixon:** If the workers want to contribute, why not?

**Mr. Pilkey:** You agree with that? That is fine. That is the question that I asked. I have my answer, fine.

Interjections by hon. members.

**Mr. Pilkey:** I think that where the trade union makes the majority decision, that ought to be the decision of that organization.

**Mr. Nixon:** Take all the Trotskyites out of the NDP.

**Mr. Pitman:** They are out long ago.

Interjections by hon. members.

**Mr. Pilkey:** Mr. Speaker, I think that the strongest argument against this resolution is that the unions who take political action, thereby spending a portion of the dues of the organization—which, by the way, no longer belongs to the member after it becomes the resources of that organization—take their political action decisions by democratic machinery, outlined in their internal operations by democratic decisions; and that any legislative process which would hinder or upset that shows, at least, a dangerous growth

of bureaucratic interference in democratic institutions and, at most, shows a tremendous move towards state controlled unions.

I am suggesting that the moment we start infringing on the democratic decisions, that that is the direction in which we are heading. I think this resolution highlights one other feature. It highlights the refusal of the Conservatives and Liberals to reveal the secret sources of their funds—it highlights it. I want to suggest to you, Mr. Speaker, that the New Democratic Party makes it public and there are statements as to their sources of income—how many affiliated unions.

All of the expenditures of our party are made public, and I would like to see the public exposure of both the Conservative and the Liberal Parties as the New Democratic Party does it.

**Mr. MacDonald:** It would be indecent exposure, that is what they are afraid of.

**Mr. Pilkey:** I want to—

**An hon. member:** Give him time to vote.

**Mr. Pilkey:** I wish I did have time to vote. It would indicate to some of the trade unionists in this province as to the position of your party. They are going to know anyway.

**Mr. V. M. Singer** (Downsview): Tell us about the labour union meeting in Toronto over the weekend.

**Mr. Pilkey:** They were making some democratic decisions.

Interjections by hon. members.

**Mr. Pilkey:** They were making some democratic decisions. Yes, Mr. Reilly should have been there.

Interjections by hon. members.

**Mr. Singer:** If you do not like it, we will bring in somebody from the United States.

**Mr. Pilkey:** I want to say, Mr. Speaker, in conclusion, that we think that the present procedure of trade unions making a democratic decision within the confines of their organization should continue, and if there is any legislation in this regard, I suggest to you that this is an infringement on the rights of an organization to make a free and democratic decision.

**Mr. G. A. Kerr** (Halton West): What about the individual?



**Mr. Pilkey:** And that the individual within the trade union movement has to function within the framework of majority decision, but he can make his minority position heard. He can also—as my friend points out—opt out within the confines of the constitution of the New Democratic Party, and this is going beyond the democratic decision of the organization—giving him the chance to opt out.

I want to say also that most organizations, or most local unions do not affiliate the whole of the organization, because obviously there are people of different political colour—I would be the first to recognize that. But if every trade unionist in the province of Ontario was a New Democrat, then we would be in power, make no mistake about it, but obviously there are people that we have not convinced. We are going to work on that, and we are going to have the opportunity to work at it and we are going to do it in a democratic fashion with democratic decisions. Thank you.

**Mr. Haggerty:** Mr. Speaker, I was not going to get involved in this thing, but there were some remarks made here just a few minutes ago that—

**Mr. Speaker:** I would call to the member's attention that he has about three minutes that were not taken up by the speaker from his side.

**Mr. Haggerty:** That is all I need. Remarks were made that not too many of the Liberals are members of unions. I happen to be a member of the united steelworkers of America. I might say that unions in Canada have done a large amount of good in providing equality of opportunity in our community of employment, and the right to share the wealth and resources of this country.

In debating this issue this afternoon, is it right or wrong for unions to take a 5 cents per capita tax to support a political party not of their choice—in a recent steelworkers' monthly newspaper, there was some \$15,000, I think, that was donated to the NDP members from the city of Hamilton and, of course, they are sitting here today.

As I said before, I am a member of a local union. I have also been a chief steward in a union and, on many occasions, I have opposed such actions as taking money from union dues to support a local political party.

**Mr. MacDonald:** The majority voted you down.

**Mr. Pilkey:** Nothing wrong with that.

**Mr. Haggerty:** There is not, is there? I just wonder if this is the way to handle it. The hon. member from the other side mentioned that perhaps we should contribute to all the parties—take the per capita tax and contribute to all the parties around.

**Mr. MacDonald:** Do you share your corporate profits?

**Mr. Speaker:** Order!

**Mr. Haggerty:** I have a statement here from the statement of principles of the united steelworkers of America and I would like to read this on to the record:

We believe that all persons and members of the united steelworkers of America, as citizens in their communities, are entitled to full equality under the law. In accordance with the principles upon which the nation was founded, they should be accorded the full, free and equal opportunity to pursue life, liberty and happiness. They should also be assured the right to a job and to vote; the rights of citizens within the community; the right of full political franchise.

By taking this 5 cents per capita as it is taken now, has not given this person the right of a free political franchise.

I heard the word "opt" mentioned here. I think it is a new word, a new term, and it means "no". Thank you.

**Mr. I. Deans (Wentworth):** Mr. Speaker, on a point of order.

**Mr. Speaker:** State your point of order.

**Mr. Deans:** Just for the record, Mr. Speaker, I want to point out the per capita tax is 5 cents, not 5 per cent and it is voted on freely.

**Mr. Speaker:** The member has no point of order. He has a point of information. Before the House rises for the evening recess, I would think, that perhaps, in case someone wanted to offer him entertainment, that you would like me to extend to the Minister of Transport felicitations on his natal day which is today.

**Mr. Young:** Is he 39?

**Mr. Speaker:** Judging by what emanates from certain areas on Parliament Hill and Queen's Park, we cannot be sure of anyone's age.

It being 6 of the clock, the House took recess.

## ERRATA

Wednesday, April 10, 1968

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
1814	2	28/29	Change to read: answered March 14, 1968.
1827	1	31	Change to read: We regard it as being <i>intra vires</i> .







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, April 22, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 22, 1968

The House resumed at 8:00 o'clock, p.m.

**Mr. Speaker:** I am sure the members, after this afternoon's discussion, will be glad to know that in the east gallery we have members of the Etobicoke Liberal association with us tonight.

Interjections by hon. members.

**Clerk of the House:** The 50th order: House in committee of supply; Mr. A. E. Reuter in the chair.

## ESTIMATES, THE DEPARTMENT OF HIGHWAYS (Continued)

On vote 907:

**Mr. Chairman:** The member for High Park.

**Mr. M. Shulman (High Park):** Mr. Chairman, just to set the record straight on a couple of matters that came up this afternoon. Before I proceed, there was some question as to cost of aluminum standards, in comparison to those of concrete. I thought I should put on the record what the costs are, so that the Minister, when purchasing standards in the future, will have this to guide him. I am quoting from a study prepared by a civil servant in Metro and released after being approved by The Attorney General's Department, and I quote:

Cost of standards. Concrete, 30 feet mounting height and aluminum, 30 feet mounting height; the concrete is \$130, the aluminum is \$160. Original cost of 100 poles: concrete \$13,000; aluminum \$16,000. Cost \$3,152 to install concrete, \$1,222 to install aluminum, so the initial first cost is \$16,152 for the concrete and \$17,222 for the aluminum.

However, the cost of replacement standards required over a period of 20 years: if a concrete pole is knocked down the damage is 100 per cent. If an aluminum pole is knocked down, the damage is only 33 per cent, because the large aluminum lighting standard manufacturers will replace damaged poles for between 20 and 40 per

cent of their initial cost. So the final 20-year cost on the concrete poles is \$38,400 while on the aluminum poles it is \$25,500, thus a savings to Louisiana—this is where this particular study was done—would appear to be \$12,000 over a 20-year period per 100 poles.

Now this is a study in Louisiana and, as the Minister pointed out, the climate in Louisiana is different from that in Toronto. I am not quite sure what the connection was but, in any case, I would like to read a letter which I received from the state of New Jersey, because they have a comparable climate to ours.

It is a little disturbing to find that our particular department is now doing studies to find out whether we should use aluminum poles, because the state of New Jersey finished their studies on this matter a little while ago. The letter reads as follows:

"Dear Dr. Shulman,  
In the late—"

Interjection by an hon. member.

**Mr. Shulman:** This is dated June 22, 1966.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** I wonder if the doctor would sit down?

**Mr. Shulman:** As a matter of fact, on this particular subject I should agree it is a little outdated, because it begins as follows:—

**Mr. G. A. Kerr (Halton West):** You are costing us \$12,000 in words.

**Mr. Shulman:** To continue:

In the late 1940s, the New Jersey State Highway Department adopted an aluminum pole with cast aluminum transformer base as a standard for lighting and traffic signal installations after completing our research in the matter.

Well, I always thought this department was 20 years behind the times. We now find that perhaps they are a little more than that. In any case, to go ahead.

At present, we have in service approximately 13,000 aluminum poles, consisting



of lighting, traffic signal and a combination type on which is mountable a lighting unit and traffic signal equipment; approximately 6,999 are lighting poles. Our records indicate that during the past five years there have been approximately 2,000 collisions with aluminum standards.

To date, no fatalities have resulted, and, in most cases, personal injuries have been non-existent or minor. Upon impact the poles, regardless of type, normally fall on and partially obstruct the highway. However, unless the vehicle or vehicles completely block the pavement, traffic is able to proceed. In most cases the damaged pole and equipment being of aluminum and lightweight, is lifted or dragged to a point beyond the curb, until our maintenance forces arrive at the scene. We have no record of a pole falling on a car, nor to my knowledge have we had any secondary accidents caused by falling poles.

In the majority of accidents, damage to our equipment and to the car is minor. Upon impact the transformer base shears, and the pole falls. Many times the transformer base—a relatively inexpensive item—and glassware is all that is needed to replace the facility.

We trust this information will be of some assistance. Very truly yours, James A. Pitman, supervising electrical engineers, State Highway Department.

That is in New Jersey. And that is the contrast of using aluminum poles, which are cheaper over the run—they are safer and they are so much less trouble.

As you can see, when a concrete pole falls down, it is a major project to move it. When an aluminum pole falls—well, you step out of your car and pull it aside. And primarily what we are discussing here, is safety—the saving in lives.

**Hon. Mr. Simonett:** That shows how little you know about the matter you are discussing.

**Mr. Shulman:** Well, it shows that I am able to learn, and you people obviously are not. We have read you the facts. I can understand your Minister not understanding, but I thought at least over in the benches there behind the Ministers, we would know a little better—however.

This is a matter of saving of money; it is a matter of saving lives. I can understand that we are not going to take down all the concrete poles, but as the motorist knocks them down—and they are gradually doing it

on a number of highways—you should not be replacing concrete poles, you should be putting up aluminum or the other alternative of certain types of lightweight steel poles.

**Hon. Mr. Simonett:** Why not wood?

**Mr. E. W. Martel** (Sudbury East): You have got a lot of wood all right.

**Mr. C. G. Pilkey** (Oshawa): A lot of wood in your head.

**Mr. Shulman:** We heard something this afternoon about safety factors, and there seemed to be a little confusion. So I am going to tell the Minister before going on with these other matters that we will start off with the letter which I wrote two and one half years ago. Mr. MacNaughton, the hon. Minister at the time replied:

Our traffic people are collecting all pertinent data, their efforts should be complete in a very few days, from which I will be in further communication with you, so that we can plan a joint effort which might well include inviting the traffic institute of Northwestern University to survey our situation.

The question I am asking first is, have you completed gathering that data? Have you had enough time?

**Hon. G. E. Gomme** (Minister of Highways): First, Mr. Chairman, the letter was not written to me, so I could not answer that question.

There is one thing I want to point out in regards to the aluminum and cement poles that the member has talked so much about. The majority which we put up are 50-foot mountings, and these are not available in aluminum as yet.

Interjections by hon. members.

**Mr. Shulman:** If the Minister is informed that the poles are available, will I have his assurance that they will immediately purchase those poles?

**Hon. A. Grossman** (Minister of Reform Institutions): Do you want me to help him—

Interjections by hon. members.

**Mr. Shulman:** Does the Minister intend answering that question?

**Hon. Mr. Gomme:** No, I do not.

**Mr. Shulman:** I guess his answer speaks for itself.

Now let us go on to the matter of safety, and I have a specific matter to bring up. This involves the construction of Highway 27. A letter was written to the Minister and the lady sending it, a Mrs. Joan Welsh who lives at 62 Inverden Road, Etobicoke, Ontario, was kind enough to send me a copy of it. This was sent exactly one year ago to this particular Minister, and she was quite alarmed at the construction going on there. It is a very brief letter, if I can read it and the Minister could then explain what is being done in this particular problem:

Homeowners on the west side of Inverden in Etobicoke facing Highway 27 are disturbed about the safety of our children with the present construction. When we bought our home in Etobicoke suburb we felt we were raising our children away from the busy traffic. Now we have been told that the houses on the east side of Inverden are going to be taken down.

We have seen cars travelling at 70 and 80 miles an hour crash through and over the safety chain-link fence in the centre median strip on Highway 27 as it stands now. We would like this brought to the attention of the Minister.

Would you kindly inform us of the plans you have in mind for safety purposes? We would like to see a part cement wall and fencing that The Department of Highways has on several sections near homes, by the 401 Highway. Could you advise us what will be done?

Perhaps you could inform us, Mr. Minister. Can we not have his—

Interjections by hon. members.

**Mr. Shulman:** The question was, what safety measures have been taken to prevent cars crashing through to Inverden?

**Hon. Mr. Gomme:** The chain-link fences were put up as a temporary measure, Mr. Chairman. They will be replaced with a proper fence when the construction is complete.

**Mr. Shulman:** But the families living in Inverden are worried while the construction is going on, and believe that now you should put up a concrete barrier to protect the street and the children. Is the answer no?

**Hon. Mr. Gomme:** These fences were put up to keep pedestrians off. We have had no trouble with cars crashing into houses as far as I have heard.

**Mr. Shulman:** Perhaps I did not make myself clear, Mr. Chairman. They were trying to have something done before the cars crashed into the houses.

**Hon. Mr. Gomme:** We have not had any record of any accident like that, Mr. Chairman.

**Mr. Shulman:** Well, I will go on with another matter. I would like to ask your advice on the particular matter that I am now about to speak on, as to whether this should come under this particular vote. This involves the matter of a workman who might be injured during the construction of a highway. Would this come under vote 907?

**Mr. Chairman:** Well, these are capital disbursements. I do not think it comes under vote 907 at all.

**Mr. Shulman:** Construction and other capital projects?

**Mr. Chairman:** We have covered various items in the other votes, which in my view are covered—insurance, claims, and so on.

**Mr. Shulman:** This occurred during construction of a capital project.

**Mr. Chairman:** Does the Minister believe that this comes under the construction and capital projects?

**Hon. Mr. Gomme:** No I do not, Mr. Chairman, and we discussed all the angles of compensation, I believe, under vote 904, when we were on that.

**Mr. Chairman:** These items have been covered before.

**Mr. Shulman:** I will accept your ruling, Mr. Chairman. We will have this under The Department of Labour.

Now, I would like to ask the Minister a question. We will come back to his plan, and again let me emphasize that we have the 20-year plan, because the 5-year plan has not been available to us in the 20-year plan, I am quoting now from page 50: "all existing road sections and bridges were analyzed to determine whether they were tolerable."

Further on it points out that the parts that were not considered tolerable had to be fixed up and anything that was tolerable could be done over a period of time.

So my question, Mr. Chairman is, what proportion of the highways, or what amount of mileage was found to be intolerable at the time this particular measurement was

made and at the present time, how many miles of Ontario highways are considered by your department to be intolerable?

**Hon. Mr. Gomme:** We have not got that figure, Mr. Chairman.

**Mr. Shulman:** You mean you do not have it here tonight, or you do not have it at all?

**Hon. Mr. Simonett:** You will never have it.

**Mr. Shulman:** Did you not—you must have had the original figure when this study was made?

**Hon. Mr. Simonett:** How stupid can you get?

**Mr. Kerr:** Say 3.5; would you settle for that?

**Hon. Mr. Gomme:** Mr. Chairman, I must admit I do not have that report with me. I did not think we were going back to that time. I believe the figure is in the report, so probably the hon. member has it.

**Mr. E. Sargent (Grey-Bruce):** Just tell him the Liberal riding.

**Mr. Shulman:** I am sorry, I do not believe the figure is in this particular study, but I may have missed it. I only read it twice. Perhaps you could find it for me at your convenience, or have one of your Deputies try and point it out to me. I would be very grateful.

On vote 907, we have a little miscellaneous item here, \$5 million. Could you tell me what that miscellaneous item is?

**Mr. Kerr:** Aluminum poles.

**Hon. Mr. Gomme:** It is made up of construction overhead costs in the 18 districts; that is \$1,900,000, and invitation bids is \$700,000. Seeding and mulching contracts, \$400,000 and miscellaneous work performed by others on highways, such as railways, municipalities and conservation authorities, \$2 million.

**Mr. Shulman:** What do you mean by construction overhead costs?

**Hon. Mr. Gomme:** This consists of salaries of certain regional and district personnel, engineering supervisors and staff whose services cannot be readily allocated to a particular contract.

**Mr. Shulman:** Connecting links for \$12,600,000. Is that not done by contractors?

**Hon. Mr. Gomme:** Yes it is.

**Mr. Shulman:** Why is it entered twice? Once under "by contractors" and once under "connecting links"?

**Mr. Kerr:** Not included under "by contractors."

**Mr. J. E. Stokes (Thunder Bay):** Are you the Minister?

**Hon. Mr. Gomme:** I do not see the figure the hon. member is talking about.

**Mr. Shulman:** Vote 907, section 1 reads—construction by contractors, \$135 million; day labour; and then connecting links. The question asked was—were connecting links not done by contractors, and you said, "yes". Therefore why is it there twice?

**Hon. Mr. Gomme:** It is not there twice. These connecting links are contracts that are called by the municipalities that we subsidize.

**Mr. Shulman:** Thank you, Mr. Chairman.

**Hon. Mr. Simonett:** Now he knows it.

**Mr. J. B. Trotter (Parkdale):** Your Minister did not argue as if he knew it.

**Mr. Shulman:** One other minor matter here. I see incidental costs of contract claims settlements; it is a minor matter for your department considering the large figures you have over there, but it is \$20,000 and it does interest me. Could you tell me what that is?

**Hon. Mr. Gomme:** This is the case when the department and contractors cannot agree on the settlement of a claim made by the contractor against the department. And the matter may be submitted to arbitration. This item provides for the department's expenses in this connection. There remain several claims eligible for hearing before the claims committee and the fees and expenses of the committee are paid from this item.

**Mr. Shulman:** Thank you. I am a little confused on this particular point. Did I not understand you to say that all contracts are let out by tender?

**Hon. Mr. Gomme:** Yes.

**Mr. Shulman:** Then how in the world, if there is a tender, can the contractor claim an addition to his tender costs?

Interjection by an hon. member.



**Hon. Mr. Gomme:** Mr. Chairman, I think that the hon. member knows that quantity enters into it. If this is not engineered properly, it can vary. There is a breakdown of these things in the contract that does not make it necessarily the cost of the bid, because all these other items are taken into consideration I mean the cubic yard price of moving fill and rock and other things, and they vary.

**Mr. Shulman:** The contracts are not fixed contracts, is this what you are saying? The tenders are not fixed prices and can be adjusted later if the contractor finds that there are extra expenses, is this correct?

**Hon. Mr. Gomme:** Oh, they are fixed, and they are fixed by unit, and the contractor just cannot ask for these if he wants to. There may be cases where we may change a contract a little, and there are extra amounts used then.

**Mr. Shulman:** The point I am driving at, and what I want to ask you, is not where you ask for a change but where the contractor carries out the contract as per his tender, and then subsequently finds that his costs were higher than he had expected, and asks for more money. How much of the \$159 million consists of money that was not included in the tenders? Now, in other words, how much of it was additional after charges?

**Hon. Mr. Gomme:** There is none paid out under that, Mr. Chairman.

**Mr. Shulman:** I see that the member for Downsview is anxious to begin. I intend to go into some detail regarding a number of these individual highways that you are building, but that might take a day or two, so I will temporarily desist.

**Mr. Chairman:** The member for Downsview.

**Mr. V. M. Singer (Downsview):** Mr. Chairman, I understand that after I had raised the matter of the Thompson Lumber case, and that was the case, you will remember, sir, that was reported in 1964 to *Ontario Reports*, on page 175. The Minister replied—when I, unfortunately, was not in the House—to the effect that it was a substantial claim; some \$75,000 which was later determined to be worth some \$2,500. And this was the justification that the Minister offered for taking this case to the court of appeal. Am I correct in summing up the Minister's reply to—

**Hon. Mr. Gomme:** This figures, your—

**Mr. Singer:** All right, that is fine. In that case, if the Minister replied to me in that vein, the Minister entirely missed the point. Because the Minister will know, I am sure, that the reason this case was brought before the court of appeal was on a reference from the Ontario municipal board. And the Ontario municipal board had said that in their opinion there was no such claim in law at all.

It was not a question of quantum; it was not a question of \$75,000 or \$1. It was a question of claim or no claim. The effect of what the court of appeal said was that there was a claim and it was valid in law. The court of appeal did not see fit to assess the amount. The court of appeal referred it back to the municipal board, and said, "You, municipal board, go ahead and assess the amount of this claim. But we the court of appeal decide in our wisdom that there is a valid claim." So I say that the Minister missed the point entirely. The point that I was trying to make—as ineptly as I put it, let me try to make it more clear at this moment.

The point that I was trying to make was this: Why does this Department of Highways so avidly resist claims that seem to be reasonably clearly established in law, and try to beat down, on legal technicalities, the claims of people who have legitimate claims on the basis of being cut off in this case from a right of way, an access on to the highway?

Why was it important to the department that they took this on to the court of appeal from the municipal board to determine if in law that they were right? And this decision having been made, why does the Minister stand in this House, and say that it was a matter of quantum? Because the Minister should well know that the matter of quantum should have been argued before the municipal board. I hold no brief for Thompson Lumber and Building Materials. I have no idea who they were. But the fact is, did they have a claim or did they not have a claim? And the court of appeal, and Mr. Justice McGillivray, said that they did. And it just evades the issue completely to suggest that you are arguing about quantum. That had nothing to do with it.

The point that concerns me, and I think should concern all of the hon. members of this House, is why the department so violently resists claims for compensation when it has unduly interfered with the rights of individuals. Why did it take this on to the court of appeal? Why did it hire—and I believe that

their counsel in this case was W. J. Anderson, QC; is he on your staff, sir?

**Hon. Mr. Gomme:** I do not know the man.

**Mr. Singer:** Well, you should know if he is on your staff or not. But apparently a W. J. Anderson, QC, is acting for the respondent, whether he is on your staff or not. If he is not on your staff, and I presume that he is not, because the Minister does not recognize him, why did you go and retain outside counsel to defend a right that normally one would have expected that the government of Ontario would have recognized.

Argue about the quantum—that is certainly your right and duty, because you should not give away public money freely. But when you have taken away the right of the individual of access to his land, by raising the highway, why do you quarrel about it? Why do you take it on to the court of appeal? Why do you argue? Why, in a case that was illustrated earlier by the member for High Park, do you say you are not sure?

Surely the government should lean over backwards in defending the right of the persons who have no right to defend themselves. And this is my quarrel. The Minister drags a red herring across the trail by saying it was \$75,000 claimed and \$2,500 eventually awarded. That is not the issue at all. The issue is, why did you resist this claim? Why did you fight the right to compensation? And that is what I would like the Minister to tell us. What is your philosophy? If the Minister of—

**Hon. Mr. Simonett:** You would have paid the \$75,000!

**Mr. Singer:** All right, all right. I am just delighted that the Minister of Energy and Resources Management gets into this. It is a pity, Mr. Chairman, that there is not residing in government benches some sort of feeling of justice and equity for people. The interjection of this Minister can illustrate in no better way, sir, the lack of concern about people that this government has.

**Hon. Mr. Simonett:** You should say that. Would you have settled for \$75,000 instead of the award of \$2,500?

**Mr. Singer:** Now, sir, I say this and I would ask the Minister to listen carefully because he obviously did not understand me in the first place. The point was not whether—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. Singer:** Mr. Chairman, can you keep them quiet for a moment?

**Mr. Chariman:** The member for Downsview!

**Mr. Singer:** Thank you very much. Mr. Chairman, let me try to explain it in terms that even this Minister can understand. I would think this—that where the government is faced with a claim for a substantial number of dollars—as it apparently was in the Thompson Lumber case where they asked for \$75,000 and eventually were awarded \$2,500—they should resist with all their power the amount, the quantum, of the claim. I would think this in addition, sir—and this is the point I have been trying to make on three occasions now. I hope I am explaining it simply enough that the hon. Minister can understand it.

**Hon. Mr. Simonett:** It is coming through now.

**Mr. Singer:** I hope it is coming through now and if you will just be patient I will try to do it in words of one syllable so that it will come through.

If there is a claim, if The Department of Highways—an arm of your government, Mr. Minister—has raised a level of highway so far that people cannot have access from their property to that highway, then they have suffered damage. I do not care whether they have suffered \$100,000 worth of damage or \$100 worth of damage. The question I am asking the government and the hon. Minister of Highways is “why do you resist the assertion of that kind of a claim?”

Argue about the quantum; you have a right to argue, you have a duty to argue; but do not argue about the right of a person who has been so interfered with to have a claim because their rights have been disturbed.

**Hon. Mr. Simonett:** How would you settle that?

**Mr. Singer:** The municipal board did settle it in accordance with the direction—

**Mr. Chairman:** Would the members please refrain from the conversation across the floor?

**Mr. Singer:** All right, all right. The hon. Minister asked me a question, sir, let me answer it. How would I settle it? I would settle it by the normal process of law in accordance with the order of Mr. Justice McGillivray. Speaking on behalf of the court of appeal, he gave the judgment of the whole court. He said, “yes, there is a claim. Municipal board, take it back and assess it”. All



I am asking is the very simple question "why did the Minister of Highways resist the claim?" That is what I am asking. Not the quantum—the claim, and that is the answer that I think we should get tonight.

Interjections by hon. members.

**Mr. Chairman:** Order! Order!

**Hon. Mr. Gomme:** It was put to the court of appeal simply because we were unable to settle with these people at any reasonable figure.

**Mr. Singer:** Oh, dear. Mr. Chairman, let me do it again. I cannot get through and it is a pity really. Here we have the government of Ontario—they run over a \$2 billion business. They have lawyers coming out of their ears; they have so much legal advice and so many resources to get them.

Surely it is not too much to expect of a Minister of the Crown—who is charged with the expenditure of what—\$400,000,000—that he would understand the difference between quantum and principle.

Surely it is not too much to expect of him and his colleague in Energy and Resources that they could understand that there is a difference as to whether or not there is a right to a claim and as to the amount of the claim. Surely the Minister can understand the difference between how much the claim is, and who should assess it, and whether you resist it or not.

Now let me try it just once more and if I cannot get through, I will give up. The question is not whether the claim is worth \$75,000 or 10 cents. The question is whether or not there is a claim. The court of appeal said "yes, there is a claim—take it back, municipal board, and assess how much it is worth". My concern is that counsel for The Department of Highways said, before the municipal board, "there is no claim and you can not assert it." Therefore it went on to the court of appeal for adjudication and then they sent it back.

What I say is that where there is a claim and where it must be so obvious in equity that there should be a claim, what have you got? You have got Thompson Lumber who one day had access to their property from the highway and a short time later had no access because The Department of Highways had taken it away. Thompson Lumber said, "You have taken away our common law right, we want some compensation." The Minister of Highways, through his officials, said, "Ha ha

ha, no, you haven't." It took the court of appeal to determine that they had.

I am not concerned whether it was a \$75,000 claim or \$2,500 one. You argue that before the proper formal municipal board. What I am trying to get from the Minister is why did you take it to the court of appeal? Why do you deny in the case of the instance mentioned by the hon. member for High Park the right to assert a similar claim?

Why do you feel that you have to sit contrary to equity, contrary to established decisions of the court of appeal? You have to force tests continuously until you give to the people of Ontario proper right to compensation where you disturb their rights.

**Hon. Mr. Gomme:** Mr. Chairman, I am advised that because of the peculiar wording of The Highway Improvement Act it was not clear in what basis the claim should be determined. Since we were so far apart on the problem, it was referred to the court to decide the principle on which it should be paid.

**Mr. Singer:** All right, Mr. Chairman, let me read you the last paragraph in Mr. Justice McGillivray's judgment. For this reason, as well as for those previously expressed, the appeal must succeed, it should be allowed with costs. The order below would be stricken out and the matter referred to the board to assess compensation in accordance with the findings here to form A.

What the court of appeals says in simple layman's language is, take it back to the municipal board and figure out how much it is worth.

My quarrel is that you stand on your rights to a point where you embarrass any except the most wealthy litigants who can oppose you as far as the court of appeal, and you deny in so doing the rights of ordinary individuals who have a right to this type of compensation unless they are prepared to take you through most of the courts of the land. I say this is unfair, it is inequitable and you are using all the powers of government to deny people of Ontario their due rights.

**Mr. Chairman:** The member for Kent.

**Mr. J. P. Spence (Kent):** Mr. Chairman, under this vote I think the "King's highway road needs study" could be discussed. As the Minister said in his opening remarks, these "need studies" gave his department very valuable information. I would like to know what the thought —



**Hon. Mr. Gomme:** Is this the "county needs study"?

**Mr. Spence:** No, it's the "King's highway road needs study". I would like to know the policy of your department, Mr. Minister. As we know this "King's highway road needs study" was carried out, I believe, in 1964 and 1965, and recommended that certain portions of the King's highways be returned to the county road system. Now this has caused a grave concern to many riders, and especially to the riding that I have the honour to represent.

In my area, as I understood it, the "King's highway road needs study" recommended that a portion of Highway 21 which is built through the town of Ridgetown, a town that has a population of 2,800 to 3,000, also through the village of Thamesville, around 1,100, and also through the town of Dresden. Am I out of order, Mr. Chairman?

**Mr. Chairman:** No, apparently not.

**Mr. Spence:** It has recommended that this highway be returned to the county road system. Also, it recommends that Highway 98 be returned to the county road system, and also Highway 78 in the riding of Kent be returned to the county road system.

Highway 78 was one of the first highways in our part of the province that was built as a King's highway. The property owners along its route contributed to the building of this highway. This road "need study" recommended it be returned to the county road system.

It is a backward step, Mr. Chairman, to have provincial highways returned to a county road system. This means that on our Department of Highways' road maps these provincial highways will have a blue mark or a black mark instead of a red mark, and this seems to be a backward step when we hear so much about regional development.

I would like to know from the hon. Minister if it is his policy to return these roads as recommended in this needs study back to the county road system? We hope it is not.

Also, while I am on my feet, when you built Highway 401 in the riding that I represent, there was an interchange built at the communication road in the county of Kent, in the township of Harwich. South off this interchange, towards the town of Blenheim, there is a distance of about four-and-a-half to six miles of county road that it connects up with Highway 3 and the interchange on the MacDonald-Cartier.

I understand the county would like to have this road built as an all-weather road by the department, and I understand, Mr. Chairman, that the Minister's department wants to trade 23 miles of King's highway for this six miles to be taken into the King's highway road system. I think this is unfair.

I would like to know, Mr. Chairman, what is the Minister's policy in regard to this "King's highway road needs study," and if he fully intends to carry out the recommendation in this report?

We hope he does not, and it will be a backward step in rural Ontario if he does. We pay the same gasoline tax in that part of the province as any other part of the province; we pay the same licence fee for our licence plates. We hope, Mr. Chairman, that the Minister will tell us whether he intends to carry out the recommendations of the "King's highway road needs study."

**Hon. Mr. Gomme:** Well, this is entirely a matter of negotiation with the county. In all these cases that the member refers to there is an area of road that we are going to take over as highway in place of the part that we give back to them. The 23 miles that the member refers to is in excellent condition—I mean it is there, it is well built and everything else, and the part that we were going to take over requires complete reconstruction. We were not going to give back anything to anybody that was not really a first-class road and we have never done anything like that.

**Mr. Spence:** Mr. Chairman, I might say to the Minister he is right in his statement, but to refer to 23 miles of King's highway—and that county has to maintain the upkeep of that highway. I must say, Mr. Chairman, it is in good repair. But to refer them back, or to offer a deal, 23 miles for six miles, this is fantastic. When our gasoline tax has reached the saturation point of 18 cents a gallon and our licence fees have skyrocketed, I would say it is drastic to ask a county to take back King's highway, even in excellent repair. This is a backward step to rural Ontario, when we have rural development and recommendations that we are going to do something for rural Ontario. If his intentions are to continue this—to refer back provincial highways in good repair—there is still maintenance and this falls on the land owners, the property owners, who are already overburdened with taxation.

**Hon. Mr. Gomme:** Mr. Chairman, we were going to take over some other roads besides

that particular four or five miles, it was not just a case of those figures which the member referred to. This is the area of negotiation we are in.

**Mr. Spence:** Mr. Chairman, I must have been misinformed, but I was told that The Department of Highways wanted to trade six miles and return 23 miles of provincial highways. This is a backward step. This puts a blue mark on our road map in the province of Ontario, Mr. Chairman. We live near the biggest entry port of tourists of any part of the province of Ontario, that is Windsor. When our tourists come over the border they get hold of the road map and they see a blue mark or a black mark, whichever it might be, and this is second grade road. I would say that the tourists travel the red marks.

We had hoped that you would change your views and give consideration to the rural areas. They like a few of those tourist dollars, too. I would hope that you would give great consideration to this.

**Mr. Chairman:** The member for Welland South.

**Mr. R. Haggerty** (Welland South): Thank you, Mr. Chairman. Would the hon. Minister inform the House on that portion of Highway 3 6.7 miles west of Fort Erie—will he commence construction of the four-lane highway in 1968?

This is of great concern to the property owners along this road. The gas companies have laid new lines, the electric utilities have put in new poles and have left the road in a horrible condition. It is most fortunate that we have had little rain so far this year.

Would the Minister inform the member for Welland South when the construction stage of Highway 3 west of the gas line to Dunnville is to be completed? This road has a large number of hazardous curves that do not meet the standards of road safety today. On April 21, there was a fatal accident at the town line between Humberstone and Bertie township. A young lad lost his life. There have been a number of fatal accidents east of Port Colborne and I refer to the Ott curve. Highway 3 carries a large number of trucks and motor vehicles from Buffalo to Detroit. It is a major road in southern Ontario—a road that needs a great deal of new construction to bring it up to the safety standards of the province and to reduce the number of highway accidents.

**Mr. Chairman,** I asked a question in this House on March 28, 1968, on the question

of a tunnel in the city of Port Colborne. The Minister's reply, and I quote:

There is no major change in the canal alignment at Port Colborne, so there is not the same urgency at this location.

I wish to bring to the Minister's attention that in the relocating of the Welland canal the construction work begins within the city limits of the city of Port Colborne. One of the major roads, county road number 12 will be cut off, leaving only Highway 58 carrying all the traffic to the north—to the city of Welland, to the city of St. Catharines, where many persons are employed in industry.

There is no consideration given to the motorists who have to cross the bridge at lock number 8. There are 8,000 ships that pass through lock 8 at Port Colborne. In the 259 navigation days, April 1 to December 15, there is an average of one ship every 45 minutes passing through the bridges—two bridges at Port Colborne.

In a recent study on traffic in the city of Port Colborne it is predicted that with the increase of ships using the canal system, in approximately two years motorists will have only about four hours of each 24 hours a day to cross the bridge.

**Mr. Chairman,** when the new channel is completed and with some improvements in twinning locks in the canal system, this canal will become an expressway for the boats at Port Colborne, and bridges at the entrance to the Welland canal will be up almost all the time, creating a rather frustrating condition to the persons having to go to their place of employment. Many motorists are delayed from 20 to 40 minutes in many cases. Only a dozen vehicles cross the bridge and then the gates are lowered and the bridge is up tying up traffic for miles on Highway 3 and on the streets in the city.

I make an urgent appeal to the Minister for the construction of a tunnel in Port Colborne, and it should be completed at the time of the completion of the opening of the new canal. I think it is in 1972 when they plan to open this new portion of the canal.

**Hon. Mr. Gomme:** Well Mr. Chairman, in regard to the contract on Highway 3, we expect to let that one this fiscal year. And re the Port Colborne, we are negotiating with the St. Lawrence seaway authority to build the east side route to replace the city road 12A from Port Colborne to Welland.

**Mr. Haggerty:** Mr. Chairman, may I have a little further explanation on 12A? Where is it going to be relocated?

**Hon. Mr. Gomme:** We are negotiating with the St. Lawrence seaway authority now on this. I cannot give you any more information than that at the moment.

**Mr. Haggerty:** Will there be a replacement of another road? This road will be cut right off and will serve no purpose whatsoever.

**Hon. Mr. Gomme:** There will be a relocation of the road, I am advised.

**Mr. Haggerty:** Well, would the Minister permit one more question?

Of the amount of toll money that is raised on the two bridges, the Welland canal and the one at Hamilton, could this money not be spent in providing other tunnels along the Welland canal system? I think there is \$1,300,000-odd a year that is revenue to the province. Could this not be allocated to other tunnels along the Welland canal system?

**Hon. Mr. Gomme:** Well, this money that is collected goes into a consolidated revenue fund. It is not allocated for some certain purpose.

**Mr. Haggerty:** Well, the question is, Mr. Minister, should it not be? I mean this is the purpose; you are collecting this toll actually to provide facilities over the canals, are you not?

**Hon. Mr. Gomme:** This has never been the policy of the Treasury.

**Mr. Haggerty:** Could it be?

**Hon. Mr. Gomme:** We could inquire of the Treasury on that sir.

**Mr. Chairman:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you Mr. Chairman. On April 1, I asked the hon. Minister of Highways several questions pertaining to the Trans-Canada Highway, especially as it passes through my part of the country, northwestern Ontario. He told me, at that time, that he might be in a position to answer these questions at a later date and I believe he suggested vote number 907. I would be prepared to reiterate those questions quickly for him, if he would like.

Inasmuch as I have just driven to the Lakehead some 900 miles both ways in the past week, and having covered the complete mile-by-mile stretch of 433 miles from the Sault to the Lakehead twice in the past week, believe me I find these questions asked at that time, far more pertinent now because the state of

deterioration of the highway between Marathon and White River is very, very saddening.

I think I indicated in my remarks before that the Trans-Canada Highway that traverses northwestern Ontario is nothing but a piece of patchwork. It would seem to indicate that the standard of construction used in our part of the country is just not good enough, as compared for example, with say Manitoba and some of the western provinces.

The quality of construction does not seem to hold up under the rigors of our climate. I asked what the department was doing about improving this standard of highway construction. Am I on the wrong vote, Mr. Chairman?

**Mr. Chairman:** No, proceed.

**Mr. Knight:** It was very striking to me that that 57-mile stretch from White River to Marathon was in a horrible state of deterioration. Yet the other 57-mile stretch further to the north from, say, Marathon to Schreiber was in much better shape.

I was just wondering whether it had something to do with the two different contractors. The terrain seems to be about the same and yet there is such a difference in the manner in which the highway has held up in these two different places. So my first question had to do with standard, what is the department doing about that? I could ask the other one after.

**Hon. Mr. Gomme:** I am advised first on the particular road that you refer to that there is quite a substantial maintenance contract to improve that road; to bring it up to the standards of the other one you referred to. Does the hon. member want the specifications of Trans-Canada Highway work that we work to, is that the question?

**Mr. Knight:** I want to know whether The Department of Highways is satisfied that the standard of construction of the Trans-Canada Highway as it traverses northern Ontario, especially above Sault Ste. Marie, from Sault Ste. Marie to the Manitoba border, whether the standard of construction there is satisfactory because apparently the highway is just not holding up.

What I want to know is whether The Department of Highways is concerned about this; whether it has any way of improving that standard of construction; or whether it is afraid perhaps to spend the money to bring it up to the standard that it should be so that it would last rather than have to be repaired every five or six years?



**Hon. Mr. Gomme:** The standards for the Trans-Canada Highway are the same in the south as the north. It is the soil conditions and the extreme weather up there that cause the problems.

We certainly are concerned about it, and we are doing all possible to bring this up to the very best standard we can. But I could give you the specifications of trans-Canada standards if you wanted that. It is the same for everyone.

**Mr. Knight:** Well, I am kind of surprised to hear the hon. Minister say that the standard is the same in the south as it is in the north. Surely the climate, the rigors and the conditions are not the same.

There would be much more traffic, of course, in the south, but in the north there is the problem of heaving and the very severe climate. I cannot understand what you mean when you say that the standard of construction is the same in the south as it is in the north, because there is no sense in that at all. Do I understand the hon. Minister correctly, Mr. Chairman, when he says the standard is absolutely the same in the south as it is in the north?

**Hon. Mr. Gomme:** Mr. Chairman, that is the negotiated agreement with the federal authorities.

**Mr. Knight:** Let me ask this. Has The Department of Highways carried on any consultations at all with the state of Minnesota, which for example is sort of like our sister state to our particular area? Their highways, at least from my observations, seem to stand up much better to the rigors of almost the same climate. Have there been any consultations with The Department of Highways and the state of Minnesota?

**Hon. Mr. Gomme:** We are negotiating with them all the time to get their experiences, and they are trying to learn ours.

**Mr. Knight:** And how about The Department of Highways and the province of Manitoba? Once again there is the distinct contrast when you go from Manitoba into Ontario. Their highway seems to be in a better state of construction. It just seems to last better. It always seems to be good in Manitoba.

**Hon. Mr. Gomme:** I am advised that the standards are the same in Manitoba.

**Mr. Knight:** But the results are not the same. And it seems to me that inasmuch as this artery, the Trans-Canada Highway, is

actually the economic life-line for our part of the country, then something has got to be done. Because the results are just not what they should be. The highway is in a horrible state of deterioration. It is going to cost a lot of money undoubtedly to repair it, and that will be after numerous accidents have taken place and interference with traffic will have occurred.

Getting on with the second question I had asked, Mr. Chairman, it had to do with the subsidization by the federal government for the cost of construction of the Trans-Canada Highway. I had asked the Minister how long the agreement with the government would last for these grants on the Trans-Canada Highway, and he said until 1970, I believe. I had suggested at that time that perhaps the completion of the Trans-Canada Highway and the updating of the standard of construction on this highway should be placed in a position of top priority, because the Minister at that time admitted that he had no guarantee that the federal government's subsidy would be renewed after 1970. I wondered when The Department of Highways would plan to place the Trans-Canada Highway at the top of its priority list, especially where northwest Ontario is affected?

**Hon. Mr. Gomme:** We are working towards that. I would like to advise the hon. member that the sections of the trans-Canada paved and up to Trans-Canada Highway standards in Ontario at the end of 1968 will be 1,309 miles; and under construction, 43 miles. The rest is paved but not up to Trans-Canada Highway standards.

We are doing everything we can to try to get this done—this is 103 miles. We have no reason to believe that the agreement will not be renewed. We are still attempting to do it in the time that we have.

**Mr. Knight:** Mr. Chairman, the other question; when does the department plan to name Highway 17, which is the Trans-Canada Highway, Highway 1, as it is in most other provinces?

**Hon. Mr. Gomme:** We have no plans for that, Mr. Chairman.

**Mr. Chairman:** The member for Wentworth.

**Mr. I. Deans (Wentworth):** Dealing again with Highway 8, I have had a number of requests from the people in that area over the last week. I would like to know if you intend to take action on any of the problems

that I outlined to you on April 4? Two or three of them could be resolved with very little difficulty—perhaps one would be a little more difficult—but the one dealing with the beauty salon—I wonder if you could tell me now whether you intend to allow them to have the access that they requested?

**Hon. Mr. Gomme:** Since the hon. member asked that question I have asked that it be looked into. I do not have that answer, but I will certainly see that it is looked into. The job is not quite completed. I think the member realizes that and I will see that they are certainly properly looked into before it is complete.

**Mr. Deans:** This has been going on for some time, you realize, and I am getting a little reluctant to accept that kind of an answer. We have been trying to get a definite answer for months now, and while I recognize that it does require some looking into, I believe the looking into has been done. I understand from the people who live there that the engineer from that area has been there and looked the problem over, and appears to have taken a negative approach to it. Now I say he appears to—he might not have.

I would very much like before these estimates are over to find out what you intend to do with these problems. They may be small and, in terms of the millions that we are spending here, they may be insignificant, but to the people who operate the businesses, they are very important.

**Hon. Mr. Gomme:** The engineer has not reported to me. But we will send our design engineer out and get that information for you as soon as possible.

**Mr. Deans:** Thank you very much.

**Mr. Chairman:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, regarding the construction of Highway 404—the hon. Minister said on April 4 he would enter into early negotiations with Metro Toronto to reach an agreement on a schedule for construction of 404 north from Steeles Avenue and the completion of the Don Valley parkway. I was wondering if the department has yet commenced these negotiations, as I understood from the Minister they would be commencing very shortly.

**Hon. Mr. Gomme:** Mr. Chairman, I think the hon. member must realize that both

myself and my staff have been here every day waiting to get on with the estimates, and we certainly have not started on those negotiations.

**An hon. member:** All you have to say is yes or no, that is all.

**Mr. Deacon:** I would have thought that perhaps during the Easter recess some progress might have been made, because we really do want to be sure that construction can start within the two years' estimate that the Minister gave us.

Has the department placed in these estimates provision for acquisition of the balance of the properties—still required for the construction of Highway 407 across the north end of Metro Toronto, as the acquisition of properties in a rapidly building up area is an increasingly burdensome matter. I was wondering if provision is in these estimates for completion of the purchase of these properties.

**Hon. Mr. Gomme:** This should come under the property vote 909, but we have not started that acquisition yet.

**Mr. Deacon:** Mr. Chairman, I know the Minister has started, and I will be glad to bring this up at a later vote if you wish. I am sorry that I have it in the wrong category, but I would like to know if provision is being made for the balance of these properties in the estimates, because land values are rising very quickly.

**Mr. Chairman:** The member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, I wanted to direct a question to you, if I might. There has been great discussion thus far in connection with compensation for injurious affection. Am I correct in assuming that you are prepared to accept a discussion now on the question of expropriation activity? Is this more appropriate under 909? I do not want to be shut out.

**Mr. Chairman:** Vote 909 will be the appropriate spot. The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** Mr. Chairman, I have a number of questions, and the first one is fairly short. I would like to ask the Minister if he might comment on the fact that The Department of Highways makes all grants for roads, bridges and culverts, under a single heading, whereas The Department of Social and Family Services makes



available its grants for general welfare assistance alone under these 13 different headings. Now am I correct in this statement? And if I am correct in this statement, would it not be helpful to the members of the Legislature to see more of a breakdown in the published accounts or the estimates?

**Hon. Mr. Gomme:** Mr. Chairman, I could give a breakdown of the subsidies to counties, townships, cities and towns and Metro and such things as that, if that is what the hon. member wants.

**Mr. T. Reid:** Mr. Chairman, I am referring specifically to the breakdown of roads, bridges and culverts into more than a single heading. Mr. Chairman, I am referring to the Smith report, volume 2, page 410, section 4.

**Hon. Mr. Gomme:** We do not have that breakdown here, Mr. Chairman.

**Mr. T. Reid:** I was wondering if the Minister might comment on another statement in the Smith report, page 411, under road grants, referring to development and present structure of those road grants. The Smith report says that the first grant for county roads was enacted in 1901, when the contemporary system of road grants can be traced from 1915 and the predecessor of the present Department of Highways, The Department of Public Highways, was created.

Within the next two years, three kinds of subsidies were instituted. The first provided for provincial payment of 60 per cent on the construction and maintenance of provincial county roads, the predecessor of today's Kings highways. The second made available 40 per cent on construction and 20 per cent on maintenance of suburban roads, that is to say, roads linking cities and the outlying country. The third authorized 20 per cent on construction and maintenance of county roads.

The Smith report continues that these three road categories have remained a part of the fiscal structure to the present day.

Later on in the Smith report, as I am sure the Minister knows, the authors of the report question the rationale of this type of diversification of grants and they recommend, as the Minister knows, an integration formula, an integration of percentages of construction maintenance.

I was wondering, Mr. Chairman, if the Minister would care to comment on this recommendation of the Smith report and what he is prepared to do in terms of ration-

alizing the road grant system to make it much more understandable to the layman and to the municipalities.

**Hon. Mr. Gomme:** Mr. Chairman, we have made our recommendations to the Treasury on what we think of the recommendations in the Smith report and until those are accepted and adopted, I do not think that I should make any further comment on it.

**Mr. T. Reid:** Mr. Chairman, am I to understand then, from the Minister's reply, that for the current year he does not intend to rationalize the grant structure?

**Hon. Mr. Gomme:** No, it is not effective for this estimate.

**Mr. T. Reid:** So we continue with the haphazard structure that started in 1901?

Mr. Chairman, I would like to turn to another aspect of the grants. I am referring particularly to item number 2, in vote 907, development roads under The Highway Improvement Act, section 90, and so forth, worth \$22 million. I think the Smith report statement on the government road grants are most revealing and again I would like to remind the Minister of the recommendations and I would like to have him comment.

The Smith report says, in volume 2, page 420—there are numbers of sections, I will not quote at length—Mr. Chairman, referring to Ministerial discretion, the following comments: They start by saying:

if we may paraphrase a famous saying we are of the opinion that in Ontario, Ministerial discretion is great, has been increasing and ought to be reduced. The ground on which we take this stand is the principle of certainty which surely applies as much to grants as to a tax. The greater the degree of Ministerial discretion—

the Smith report continues:

—the less a municipality can make its financial decision in the light of anticipated grant revenues whose yield is calculable and can be counted upon in advance and the more a municipality is tempted to jockey for Ministerial favour.

and that is a direct quotation from the Smith report.

The report continues by saying that development roads—in other words the item number 2 in vote 907—"development roads are a particularly prominent example of what in our view constitutes an undue measure of Ministerial discretion." Then they go on and



they explain the terms in which the Minister can make these grants.

I should point out, Mr. Chairman, I am not in any sense implying anything more than the Smith report implies about Ministerial discretion.

The Smith report goes on to make the recommendation, of which I am sure the Minister is aware, and the recommendation in the bold, black type at the top of page 421 of volume 2, says that development roads should be designated by the Minister on the sole criterion of population scarcity and the list of roads so designated should be tabled annually in the Legislature.

I was wondering if the Minister could comment on the Smith report recommendation, with regard to Ministerial discretion and development roads, and whether he feels that it would be better for the development of Ontario that more rational, less subjective criteria be used in his decision on these grants; also when is he going to move on this very important recommendation of the Smith report?

**Hon. Mr. Gomme:** Mr. Chairman, I might say that whatever Smith says in that report, I have not found it just as open and closed as that. I think that if the hon. member realized what had been in the county needs study, which was one of the bases for setting up development roads, he would realize that the Minister does not have as much discretion as either Smith or himself implied. At the present time, the department is carrying on its arrangement with the county road system in the province as prescribed under the publication, "County Roads in Ontario", which is also referred to as the 1965-69 county roads programme. The data from this programme was developed under the 1964 needs study of the individual counties. The validity of the data will not extend beyond 1969.

During 1968, with the co-operation of the counties, we are updating the data needs of the system. When the data from this study is available it will be used to develop the programme for the years 1970 to 1974 inclusive. The lead time required to complete the study means that it must be underway this year.

Then county development roads—under the 1965-69 county road programme, those counties whose defined needs are high in relation to ability to pay, can earn direct aid. County development roads are the method by which this direct aid flows to the county road sys-

tem. A request from a county for development road aid is subject to three basic criteria.

First, the county must earn the direct aid. Second, the road must be classified as a county road and third, the road must be critically deficient. And with these three classifications, it does not leave much room for the Minister to change his mind and put them wherever he likes.

**Mr. T. Reid:** Mr. Chairman, just to follow up on my previous remarks, am I, and we on this side of the House, or nine-tenths of this side of the House, to understand that the Minister has directly stated that he disagrees with the analysis of the Smith report with regard to its comments on Ministerial discretion and disagrees with the recommendations? I think it is highly significant, if this is so.

**Hon. Mr. Gomme:** Mr. Chairman, I have not said anything of the kind. I just brought the member up to date with the policy that has been used for development roads in the past, since the county needs road study was started.

**Mr. T. Reid:** What I understand, Mr. Chairman, from the Minister's remarks, and we can both verify this later in *Hansard*, is that he is saying that this independent study leads to a different analysis than this other study he mentions, and leads to a different recommendation. I think this is quite significant because it is the first time, to my knowledge that a member of the government's front bench has stated a view on the Smith report, and he has disagreed with it. That to me is—

**Hon. Mr. Gomme:** Mr. Chairman, I want to emphasize again that I have not disagreed with it. Maybe the policy disagrees with what Smith says, but this is the policy that we developed and have used ever since the county needs study came into effect and this is the way it has been developed during these years.

**Mr. G. W. Innes (Oxford):** Mr. Chairman, I would like to ask the Minister a question with respect to Highway 403, which, as you know, has been under construction since 1961, and is intended to link up with Highway 401. I would like to ask the Minister at what location it is to meet 401 and at what time they anticipate completion of the rest of that portion of 403.

At the moment there are several property owners that are of the opinion that 403 will make it difficult for them to carry on some of their operations and I think in respect to the taxpayers that we should give them some indication when this road will be completed.

**Hon. Mr. Gomme:** The Brantford bypass was started in 1963 and completed in 1966. The total cost of that construction was \$4.8 million. Work is expected to continue within the five-year planning period on the proposed section from the Brantford bypass to Highway 401 at Woodstock, a total distance of 20.4 miles. The total cost of that has been estimated at \$12.5 million. The 7.9-mile section from the Queen Elizabeth Way—that is the Freeman interchange westerly to Aberdeen Avenue, Hamilton—is open to traffic. The cost to construct this section was \$17.2 million.

Work started in 1965 on the section from Aberdeen Avenue to Duff's Corners, Highway 2, and completion is scheduled for 1969. The remaining section from Duff's Corners to Brantford has been programmed for construction in the near future.

At the easterly end—Toronto to the Queen Elizabeth Way—work is expected to start on the first section from Highway 27 to the QEW at the 9th line in Oakville within the five-year period.

**Mr. Innes:** Further to that, Mr. Chairman, could the Minister tell me what properties, and how many properties, are purchased along the route from Brantford to the Woodstock termination point? There are several property owners there who are quite concerned as to where this is going to go.

**Hon. Mr. Gomme:** This comes under the item of property purchases, Mr. Chairman, and we will try and have it ready by the time that comes up.

**Mr. Martel:** Mr. Chairman, I want to pursue this criteria used for road construction in northern Ontario. I want just to quote from the nickel basin planning study, which was sponsored by the Ontario Department of Municipal Affairs and central mortgage and housing corporation dealing with the nickel basin. And under the section dealing with transportation, I quote:

Without the benefit of a detailed engineering analysis, the final comment which might appropriately be made in connection with the quality of roads and highways in the study area is that, generally speaking,

they are deficient. The combination of difficult terrain, severe winter frost, intense use, insufficient funds and poor design add up to a consistently low standard of street, road and highway surface throughout the area.

In answer to, I believe, the member for Port Arthur, on the criterion used for highways, the Minister stated that the same criterion was used in southern Ontario as in northern Ontario. Here is just another example of this not being sufficient to meet the problems of highways in northern Ontario.

I am wondering if the Minister and his staff would consider looking into the prospects of a new criteria, based much more on the climatic conditions, as opposed to the number of cars using the highways, which is apparently part of the criteria now presently being used, in order that we might have highways which will stand up.

**Hon. Mr. Gomme:** I was referring to the standards of the Trans-Canada Highway, as negotiated with the federal government. We also do take into account the frost penetration and we design for axle loading. We are taking our past experiences as the main guide for use of the soil engineers to try and improve the standards all the time.

**Mr. Martel:** Mr. Chairman, I was wondering if the Minister had considered the suggestion I made some time ago—to make available to him this article from the Russian studies which are making roads hole-free and bumpless, according to this report, by the removal of the capillary action which draws water up and heaves the roads. Would he like me to submit this to him?

**Hon. Mr. Gomme:** Yes, we would like anything that would give us information to benefit our road construction, Mr. Chairman. If the hon. member would send it to me we will certainly look it over and see what we can get out of it.

**Mr. Martel:** In pursuing this business of criteria, I would also like to know what criteria is used when determining where the department will build a highway and when. I am thinking now of these five-year reports that I hear about. I cannot find out—and I have asked for a five-year report—when the five years starts and when it ends. It is easy to ship off a letter to someone saying, "it is in our five-year study," but when does the five years begin? When does it end? And

when do we know if we are part of this five-year plan or if we have missed the boat this year?

**Hon. Mr. Gomme:** We are always updating these. The five-year study would be this year, plus four more.

**An hon. member:** You are a school teacher, you should know.

**Mr. Martel:** I should really, Mr. Chairman.

**An hon. member:** Four and one makes five.

**Mr. Martel:** It is a mathematical question, Mr. Chairman. But it still does not answer my question. Here is my point. I now have a paper in front of me regarding Highway 64 and on June 30, 1967, "Highways Minister George Gomme advised Cosby, Maitland and Markland work on the highway would be done in the next five years." I have another letter here: "Our present five-year construction programme includes work on all provincial highways in the Sudbury area. Priority has been assigned to the various projects on the basis of comparative need." Well, what are the comparative needs? When do the five years begin?

**Hon. Mr. Gomme:** I am sure that letter would be dated and that would be in that period—from then on.

**Mr. Martel:** Mr. Chairman, I might just pursue this then. This highway that I am talking about was first promised in 1966 and this is 1968, and it is part of the five-year plan. When are we going to get it?

**An hon. member:** Three more years.

**Mr. Pilkey:** Yes, five is not up yet.

**Mr. Martel:** This is why I want to know when the five years starts. It is easy to say five years, but we can keep postponing it every year and still say it is five years, but what five years are we talking about, to expect this highway in?

**Hon. Mr. Gomme:** I am advised that there are job programmes in the five-year period from the first date that you have there.

**Mr. Martel:** As I said in my earlier remarks 1971 possibly. I am thinking now of Highway 69 north, which has to be the worst road in Ontario today.

**Mr. Sargent:** Come to Grey county—

**Mr. Martel:** It has to be. When the gas tanks are falling off new cars, it has to be the worst road.

There is not even a sign on it. This is the wonderful part of this—all these potholes and bumps, and there is not one sign on that highway saying there is a bump on it for five miles. I would like to pursue these criteria. How do you choose the location of a road? What criterion is used to determine where the road will go?

**Hon. Mr. Gomme:** I advised the member before—I believe he is talking of Highway 69 north at Sudbury—I was over that road in the winter time and I advised you that we were trying to do something about it and I know we will get something done. But there were complications there as to the water system in the town. Now we have tried to change it, so that we can make a worthwhile contract out of it and I hope we will get something done for you.

**Mr. Martel:** I am pursuing this a little further, though. How do we choose—and now I am making reference particularly to the Timmins highway; this is one of the reasons I wanted a five year plan. Here was a highway that was rushed during the depression. Construction was started. The hon. Leslie Frost said in 1959 that the construction from Capreol to Westree would begin that fall. We have now shifted that highway 30 miles to the south, which is going to be an additional cost to the residents of northern Ontario because you could get almost to the town of Westree, some 60 miles away, via the route behind Capreol.

This is the line I am trying to pursue at the present time. How does this government determine the route that is going to be chosen for a road when one was already there and we have now moved it 30 miles?

**Hon. Mr. Gomme:** Are you referring to the Sudbury-Timmins route—144—and the reason why we changed from the route we had for the other? Well, in the initial planning there were three major routes—route 1, north from Milnet north of Capreol along the Canadian National Railway line to secondary highway 560 at Westree, thence northerly through Gogama to Highway 101 on the alignment common to route 3. Then there was route 2, north from Milnet along the valley of the Wanipitae River to intersect along Highway 560 east of Shining Tree, thence direct north to Timmins. Then there was route 3, north from Benny along the west shore of Lake Onaping to secondary Highway 560, thence to Gogama and northerly to Highway 101 west of Timmins.



These were the three routes that were looked at. Using comparable standards for all three routes, route 2 was estimated to be 81 per cent more costly than the route selected, and route 1, 45 per cent more costly. On this basis alone the route presently being constructed was the obvious selection. In addition it traverses an area which presents the best tourist possibility due to access to large water areas such as Lake Onaping, provides a direct link from Gogama to the Porcupine area, and requires the least amount of new road construction.

**Mr. Martel:** I am no expert on highways, by any stretch of the imagination, but you could get within six miles—or in fact you could get all the way to Westree, which is 66 miles west of Capreol, by one of the other two routes. And it is longer via Benny, I am told. How could there be an 81 per cent difference in the cost when you could already bring in your equipment and get right up the highway? You had to start even from brushing.

**Hon. Mr. Gomme:** Well, Mr. Chairman, these are the figures which our engineers have come up with. It is a case in which, if the hon. member would like to come to Downsview some time, we can show him a breakdown of the comparable figures.

**Mr. Martel:** I would like to get on to one last subject, or a couple more, just before we leave this. And we go back to the Copper Cliff situation once again, and the 21 accidents that occurred in 1967, and back to my original question that I asked the Minister—What is the government doing to alleviate the fog condition? We can build a super highway there but it is not going to help matters any. You are still going to have fog and you are going to have the 21 accidents again that you had in 1967.

**Hon. Mr. Gomme:** I think the hon. member realizes that my answer to the question was what we had done to improve the road, to try to make it as safe as possible. What we can do to remove the fog is another question which I do not think I am able to answer.

**Mr. Martel:** Would it not be possible to cover in some of this creek? We have taken tests through the unions and so on, and at certain points in this creek the water, even at 35 below, goes up eight or ten degrees, which must account for some of the man-made fog. Would it not be advisable possibly

to cover some of this in to determine if this would not alleviate the problem? I do not think it would cost anywhere near what it is costing The Department of Highways for one of these edifices out on Highway 401, and yet there are all kinds of lives involved here. Could we not just take some of that money?

**Hon. Mr. Gomme:** Mr. Chairman, I do not know whether or not we would have any power to go on the private property to do a thing like this.

**Mr. Shulman:** You sure have the power when you want to cut someone's farm in two.

**Mr. Martel:** I do not know how much of this is private property, but I am sure the company who we feel is responsible for at least part of—for creating part of this—would just love to have you come in there and put the galvanized pipe in for them. It would save them doing it.

**Hon. Mr. Gomme:** Am I led to believe that the member says this is the company's responsibility?

**Mr. Martel:** We seem to think so. We have maps where we have taken the temperature at various places in this creek and where it goes up eight or ten degrees. For example, after it gets by the treatment sewage plant at Copper Cliff the temperature goes up eight or nine degrees even at 35 below zero.

And this little creek will not freeze. So when it goes up there must be something coming out of the treatment sewage plant that causes this rise, and this might be what is preventing the creek from freezing. Consequently, when the creek does not freeze we get fog, which endangers the lives of ten thousand men every day.

**Hon. Mr. Gomme:** Well, we had the federal authorities look into this with us, and I think that the member realizes that the things that we did to the road, has reduced the accidents very greatly. If it is the company's responsibility to close it in, I do not know just what action we could do to make them do it. But we could always look into it.

**Mr. Martel:** I think that the department has done a wonderful job. The highway is in good shape, there is good lighting and there is everything, and I want to compliment them for this. But this has been a problem for ten years at least, much longer, and it has not been solved in all of these years, and I think that it is time that it was solved.

They are solving the problem of the 401 not being large enough; you are enlarging it to 12 lanes. You found the solution. But we are not finding the solution to this by just sitting on our hands. We have men who every day, whenever there is fog, must drive through this. They line the police up with flares to stop the cars. And in January of this year there was a ten-car accident. It is no picnic when people, 10,000 workers, have to travel this—coming in from shift and going into work. In a matter of 30 to 45 minutes 10,000 men go over this. As I say, it has been in existence for at least ten years, much longer in fact. I think we should do something about it immediately.

**Mr. Chairman:** the member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** I wonder just where to start in. The Minister has had quite a rough time this last week or ten days, but I do not know how you can get your information unless we get it in a place like this, and I know that you have many appointments when you are out of the House. The question I would like to talk about is pertaining to the Queen Elizabeth Way. The Minister and I have had some correspondence on this problem, Mr. Chairman. But since I have corresponded with the Minister—

**Mr. Martel:** A point of order on the question on the floor—did the Minister intend to make any reply?

**Hon. Mr. Gomme:** Mr. Chairman, I can make no further reply on it. I said that it would be looked into from the basis which the member says, and that is the only reply that I could give him.

**Mr. Bukator:** The Queen Elizabeth Way crosses the Hydro canal in several spots. I was talking with the chairman of the Hydro, George Gathercole, and he tells me that there is an arrangement with the city of Niagara Falls, The Department of Highways, and the Hydro to build three or four bridges across the canal. To give you some of the history—that is, when the canal was built in 1918 or 1919—they cut a swath through the city and they built this new canal with a fence on either side of it. At that time, I understand, Hydro agreed that when bridges were needed they would build them.

They have come to where the old bridges have to be replaced because they need wider ones, and I guess that the Minister knows what I am speaking of. But at one spot I

see that your engineers are working, and you did inform me in one of your letters that the engineers were on the job. I agree with you that The Department of Highways has some of the finest engineers in that type of work, so there is no argument at this point. But as a layman, I would like to make a suggestion to you and your department and to your experts who have looked into this matter.

By way of illustration, when the canal was built in Niagara Falls, New York, they used what they called a cut and cover method. They cut into the bottom of the canal, and they built the concrete walls, and then they put a cap on it similar to these arches that you see here in this House. After the cap was put on the canal, they covered it up with the dirt that was excavated and they have no open canal in that area.

Now, I am not speaking to the Minister about covering the whole canal. But at the Dorchester circle, where you have three bridges, you have the circle where the traffic goes to Toronto, and another bridge that you cross coming into the city, and then you have a pedestrian bridge. There are three bridges within a city block. If bridges are going to be built, and this is my humble opinion, I think that the type of construction that I am talking about—to cover that canal for that distance, whatever it may be, with a cover similar to these arches that I speak of—would be suitable.

Then, at the Mountain road you have the old original creek bed, the clay bed, the clay bank, that they excavated out of the bottom of the canal. And at the McLeod road you have the rock that was excavated, and it would appear to me you could put a cap on that particular portion of highway, where your Queen Elizabeth Way crosses. Instead of three bridges, you could put a cap in for that distance, and then cover it with this waste that is lying there anyhow. I think that it would be a cheaper type of construction.

Why I tell you this, Mr. Minister, through the Chairman, is that I would like to put it on record that I have talked with you, and I would like to put it on record that I have talked with the chairman of the Hydro who was good enough to tell me that they would take a look. If it could be done cheaper, why not build that type of structure? Just recently, within the last few days, another youngster fell into that canal. I find according to the papers that the Hydro was found negligent because the fences were in disrepair. If the fences had been the way that they ought to

be, the youngsters could not have gotten down to the canal bank to fall in and drown.

A piece at a time is better than nothing, and at the Dorchester circle proper, where there are three bridges within a stone throw of each other, they could be eliminated. Put a cap on that and cover it with the waste that I speak of. I would like your opinion on that. Maybe your experts, your Deputy Minister, may know what I speak of. And the least that I would expect from the Minister, Mr. Chairman, would be to have him tell me that they will take a look.

If it does make sense, and I believe that it does, then this type of construction could be done, and would save both The Department of Highways and the Hydro money. The city would have a better construction than with bridges and everybody would be happy. With the survey being made in that area, I find nothing in your projection of construction in the area of Dorchester circle or Main circle that will be done at least within the next year.

With your engineers on that job and with these two hazardous traffic circles that have caused a lot of property damage and taken many lives—many more, I think, than is recorded in your department—I wonder whether you intend to go on with this particular work. So I ask you these two questions: One is, does my suggestion to you make sense? And the other is, when do you intend to get on with the Main circle to eliminate this traffic circle that has taken so many lives, and maimed so many people, and caused property damage?

If I could get answers to my questions, I would feel that at least we are getting somewhere after so many years of my taking this problem up with The Department of Highways. And I know that this Minister cannot be acquainted with every area as well as the people who come from those areas, because we know the problem; we are on the site. But I do believe that more people of the province use that particular portion of highway, Mr. Chairman, because, because they all come to Niagara Falls sooner or later. And I do believe that these two traffic hazards, these two problems that we have to wrestle with from year to year could be eliminated very simply, as I see it.

**Hon. Mr. Gomme:** Mr. Chairman, in this first question regarding covering the canals, we will certainly look into that immediately with Hydro, and see what could be done. And with regard to the Dorchester circle

that the hon. member talks about, I am advised that we are doing the engineering on it now, and this has to be completed before we can call a contract and then we will do so after that.

**Mr. Bukator:** Thank you very much.

**Mr. Chairman:** The leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, I was disappointed some few minutes ago when in reply to a question from the hon. member for Port Arthur, the Minister indicated that the department was going to retain their inflexible attitude toward the naming and numbering of highways. The suggestion that it be Highway 1 as the Trans-Canada Highway is a very good one. Extending this a bit farther, we realize that tourism in Ontario is becoming a major industry, and it seems that there could be a lot more co-operation between the Minister, and the Minister responsible for tourism in making our roads more attractive, even by their name.

The Macdonald-Cartier freeway is one of the big breakthroughs that we have had as far as getting away from the numbering. But I notice in travelling over the new 12-lane section, north of Toronto, that the department is adamantly refusing to use the name itself, and all the new signing is 401. I think the hon. member for Sudbury, a few weeks ago, was criticizing the Minister for not identifying it adequately.

I find that once you get out of the Toronto area there are enough of those great big steel breakaway signs that say Macdonald-Cartier freeway. I have got no particular objection there but they are not using the name in such a way that it is starting to catch on to the extent that it might. It seems to me that The Department of Tourism and Information, in putting out their maps for the province, have more or less regionalized Ontario as far as tourism interest is concerned. You might do very much the same if you were to designate the roads on the maps in a more appealing way.

I think particularly of a combination of Highways 99 and 2 and maybe part of 3 later on—I am not sure of that—which is the old Governor's Road. John Graves Simcoe blazed that road from Dundas right clean through to London, Chatham to Detroit and in those early days it was very much the economic backbone of the province. It was a very widely travelled road. And it is one that would draw the tourists to a great extent off



the Macdonald-Cartier freeway and bring them in to the little towns and smaller communities; the areas where a lot of Ontario history is so interesting and it would be of some importance for the tourist business.

To designate that the Governor's Road, to make something of it would, I think, be a worthy project that the Minister could undertake in conjunction with his colleague.

Now, getting pretty close to home. The highway—I should know its number right off the bat, but it runs along the Grand River around through the largest Indian reserve or near the largest Indian reserve in Canada, the Six Nations reserve—could be extended if you combined the highways in a proper way instead of having them broken up into different numbers, in something that it has been suggested be called the Iroquois trail. This would draw people off the Macdonald-Cartier freeway.

We are piking right through, let us say, from Windsor and Detroit to the Montreal border, perhaps heading up into the northern vacation land. There would be a possibility of development there that I would say would be simple to undertake, but it has been characteristic of this department that they are very rigid in their nomenclature.

I think they resent having a Queen Elizabeth Highway and a Macdonald-Cartier freeway because it breaks the nice pattern by which number 5 follows number 6 and so on.

There is a good deal that you could do in this regard to build up the tourist industry and I make this as a suggestion. As a matter of fact, I remember suggesting in the House a name for what is now the Macdonald-Cartier Freeway, and being severely criticized by some of my colleagues. I thought at the time we might call it the Frost freeway but this was not a very acceptable proposal to this side or to that side.

I still think it might have been a good way to recognize a pretty significant achievement. It has taken a long time, but still it is a very significant achievement. It is one point. It is not a major one, but I think that it could be a useful development and one that the Minister should consider.

The second is this: I was interested in hearing the hon. member from one of Sudbury's ridings talk about Highway 69 and how terrible it was. I can remember some years ago travelling up there with the former, former, former member who was very proud of the fact that he had gone out in the bush with the ten officials of The Depart-

ment of Highways to blaze out the original location of 69 as it began to wind its way up from Parry Sound.

He would be the first to admit that it did not get too close to Sudbury, but at least the spirit was willing there. Whether or not the Treasury was weak I am not sure. But anyway, the member locally was very much involved, perhaps far too much involved, because the winding road as it went around each little hill and hummock was not really very appropriate even for the times.

But I feel that the department has swung far too much in the other direction. The experts move into an area where a highway may be relocated, or a new highway may be laid out on an entirely new right-of-way and the local citizens find out about it when the decisions are made almost inflexibly. Not only the local citizens, but the local members are treated in the same way.

I am not sure whether this is true of all the members in the House, but I find it quite significant. As a specific example, and you may be able to defend yourself pretty effectively on this, I do not know, but the relocation of Highway 24 which runs from Lake Erie right up through some of the more important areas of the province right on up to the Georgian Bay, there have been very significant relocations there.

Some are very difficult to justify on a good common sense basis. The experts may very well have selected the best grades and so on, but where that road runs into Paris, Ontario, for example, you are going to have a severe bottle-neck if the traffic on the road in the future finds itself being led right down through the main street of the town and on out again on a continuation of the road.

It appears that some consultation with local councils, local road superintendents, would have been very worthwhile. I do not want to get too specific in this.

I feel on the one hand, years ago the private member had almost everything to say about the location of the road. That was not an appropriate thing even then.

On the other hand, the department now, seems to act as if there are no representatives in the field elected by the people who should be taken into the confidence in a far greater degree by the department than they are now.

I really do not know what you are afraid of. I hesitate to suggest that it is a political thing. I do not really believe it is, although I do read sometimes in the more minor weeklies where some of my friends on the

other side are making rather dramatic announcements about new culverts and things like that as if it was under their direction that these things were accomplished.

I am not, for a moment, suggesting that we want in on any of that kind of action. If you think there is politics in that, fine. I am not interested and I do not believe it is worthwhile. I do not believe it takes place that frequently, but there is a tendency in this department as well as some others.

Ontario Hydro is another glaring example that I want to raise later on another occasion where the local members should be taken into the confidence perhaps of the department to some extent so that when the local people come on the scene and ask us about the plans of the department we have some inkling other than what comes out in the blue book as to what the programme is in the future, where the locations are going to be, what the dates of building are going to be. I do not think this would interfere with your land acquisition.

There are two suggestions I put to you as practical ones that I think you might act on.

**Hon. Mr. Gomme:** I believe I said to the member for Port Arthur that we would consider it. I did not say it would not be changed to No. 1, but we have no plans to change it to that now.

There is another thing in naming highways; in my short experience in the department I have had letters from various people wanting parts of the highway named for some local reason, some great historian or someone else who has done so much for the community. We have resisted this for the simple reason that the function of the highway, of course, is more than just for a local region. Even though you would choose a name that would be suitable to one community, it might not be suitable for the next one.

All the functional plans that we have for highways for the last five years have been checked with the municipalities before the final decision is made. I believe it is our policy that all members are notified of it too.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, the Minister has been good enough to supply us with his lovely book "The Highway Construction Programme" and I would like to ask a few questions about it. Before doing so, the member for Sudbury East asked a few questions of

the five-year plan which has rekindled my interest in that particular little matter.

So I would like to get this clarified in my own mind, and perhaps in that of some of the other members in the House. Earlier today I had asked about the matter of inflation in this department and how the estimates which had been put out on a 20-year plan had managed to triple.

I understood from the Minister's reply—if I misunderstood, I will be glad to be corrected—that figures were not available for a five-year plan as to the future expenditures.

I understood from his reply to the member for Sudbury East, that this five-year plan began on the date of the letter which the member had read which was back in 1966. If the plan began two years ago, does the Minister not think that if they are working from the plan, they should have some figures in it after two years?

So I ask you again, if the five-year plan began two years ago, what are the estimates for future highway expenditure and construction; and if it did not begin two years ago, when did it begin and when can we expect those figures?

**Hon. Mr. Gomme:** One of our problems is this, that we are only voted the money year by year, for the work of the department. We bring these in and take the figures from the plans which we use, but we cannot tell you what we will spend two years from now, because we would not be voted that. We might take an estimate of it. But when that year comes, of course, then we have to ask for that amount of money, and have it voted.

**Mr. Shulman:** I must refer the Minister once again to a book which was put out some years ago, called "The Ontario Department of Highways and Plans for Ontario Highways". Here we have for year after year, 20 years ahead, estimates of what is going to be spent. Am I to understand now that the present Minister is unable to make such estimates? Has the system changed in that at that time money was voted 20 years ahead, and we now only vote it one year ahead? Are you not able to make plans, because you do not have the money voted?

**Hon. Mr. Gomme:** These are very broad plans that we have been casting ahead for 20 years.

**Mr. Shulman:** It certainly is broad, but it is very specific. The actual figures are in here, and if the Minister has not read it, I would like to commend it to him, because

here we have actual figures, in thousands of dollars, and not very round thousands of dollars either.

Let me give you an example: On page 49, if we use the 10-year catch-up period which the Minister has suggested is being used, the total per year over 10 years is \$183,433,000 right down to \$3,000. So that is not so broad, that is pretty specific.

What I want to know is, if they are able to be that specific over 20 years, can you not be reasonably specific, can you not give us some figure over five years? I still do not have an answer as to when the five-year plan began.

**Hon. Mr. Gomme:** As I tried to explain, Mr. Chairman, we work on the five-year plan. One year has passed and we add another year to it, and this is why we are always five years ahead looking at the plans.

**Mr. Shulman:** All right, we have a sort of a sliding five-year plan, would that be a fair way to describe it?

Well, as it slides, can you let us have the figures as you set them up a year ago, and we will accept that one year later you may have slid them a little bit. But as you set them up a year ago or two years ago, as the member for Sudbury East suggested, if you had a sliding five-year plan there must be some figures in that plan. How much two years ago did you say you were going to spend this year on highway construction?

**Mr. O. F. Villeneuve (Glengarry):** I would fire all the engineers and hire the genius from High Park.

**Mr. Shulman:** Good idea.

**An hon. member:** That would not be a bad idea.

**Mr. Shulman:** They had me hired already, they fired me.

**Hon. Mr. Gomme:** Well, Mr. Chairman, I am advised it has never been the policy to make these figures public, they are for the internal use of the department.

**Mr. Shulman:** Mr. Chairman, that surely is not acceptable when the Minister himself knows that figures have been made public and we have them here. Just this afternoon the Minister got up and said he had figures for southwestern Ontario and southeastern Ontario and he was prepared to make them public. How can he say one thing in the afternoon and come and say exactly the

opposite in the evening? That surely is not acceptable to the House.

**Hon. Mr. Gomme:** These that I referred to this afternoon were the area studies for a 20-year plan. We have those.

**Mr. Shulman:** Well, Mr. Chairman, if you are going to supply the area studies it is not too difficult to add them together and then we will have the information which you feel we should not have. So would the Minister be willing to have his Deputy add them together and supply them to us?

**Hon. Mr. Gomme:** We do not have all these area studies completed, Mr. Chairman. I mentioned three that we had completed that I would make available, but we do not have them for all the province.

**Mr. Shulman:** Then let me ask the Minister a question. You have a five-year plan and a minute ago you suggested it was not your policy, I believe, to make this public. Two years ago when this particular highway was mentioned, and the letter was written, referred to by the member for Sudbury East, did you have a five-year plan? I am just asking for a yes or a no, if this is possible. Did you have a five-year plan which outlined the amount of money you were going to spend on construction of highways in the next five years?

**Hon. Mr. Gomme:** Yes, we had, Mr. Chairman.

**Mr. Shulman:** Thank you. Now we come to the question which I was fighting for all the time. In this plan which you had in 1966, how much did it say you were going to spend in 1968 for highway construction?

**Hon. Mr. Gomme:** We do not have that figure here, Mr. Chairman, but I am sure we can get the exact figure.

**Mr. Shulman:** Well now—

**An hon. member:** Does that make you feel better?

**Mr. Shulman:** Yes, it makes me feel much better, especially if I can get the figure here. Are we going to have that figure before this vote, because obviously this is an important figure.

If you have an estimate that the figure was going to be \$100 million and you spend \$200 million, there is something cockeyed wrong. I think there is something cockeyed wrong in this department, that is what I am trying to



get at. Will you supply that particular figure before this vote is taken?

**Mr. Villeneuve:** Why do we not have a man like that—we would not need anybody, he could run the whole thing.

**Hon. Mr. Gomme:** We do not have that figure here, Mr. Chairman, but we can get it for the hon. member.

**Mr. Shulman:** But are we to have that figure before the vote is taken?

**Several hon. members:** No.

**Mr. Chairman:** I think the Minister has replied that he can get the information, but I do not believe we can withhold the vote indefinitely.

**Mr. Shulman:** Mr. Chairman, I do not wish to withhold the vote indefinitely. However, we are proceeding along and there is a great deal more to be said. Will he get that information for us overnight so it may be supplied before the vote is taken tomorrow? And if necessary, I am quite prepared to talk as long as it is necessary for the Minister to get the information on this particular subject.

**Mr. Chairman:** I would point out to the member for High Park that we cannot tolerate repetition.

**Mr. Shulman:** Mr. Chairman, I am sure you will agree—

**Mr. Chairman:** Order, please! The member has asked this question on numerous occasions, he has directed a great number of questions to the Minister, the Minister says he does not have it, but thinks he can get it. If he happens to bring it in before we have exhausted all the other speakers and we have put the vote—if he has the answer, fine, and if he does not, then the vote will be put.

Does the member have more questions?

**Mr. Shulman:** Oh yes, quite a lot yet.

Well now, Mr. Chairman, I do not wish to show any disrespect to the Chair, but I think this is a very important matter and if necessary, without repetition, I assure you we will discuss highways for a long time until this figure is produced.

I want to talk about money, because if there is one department where there is a lot of fat that could be cut off it is this particular department.

**Hon. Mr. Gomme:** Mr. Chairman, I want this to be known to the House—that is only that member's opinion.

**Mr. Shulman:** Well, I think, Mr. Chairman, you may find there are one or two other members who agree with this particular point.

**Mr. Sargent:** Mr. Chairman, on a point of order. It is pretty important to a lot of outlying members in this House that they have local problems to bring up to the Minister and find out the answers for their areas. I think it is poor manners on the part of anyone to take the majority of the time in the House, to play politics and filibuster.

Highways are very important to the outlying parts of the province, Mr. Chairman, and when one member takes most of the time of the House to flog a dead horse I think it is time we should get on to things that are important to those of us in the outlying areas.

**Mr. D. C. MacDonald (York South):** Mr. Chairman, speaking to the point of order, if the hon. member would like to drop in one day a week and then chastise those who are doing the business of the House, I think his remarks are wholly out of order. For the last two or three weeks he has been absent most of the time and he just drops in.

**Mr. B. Newman (Windsor-Walkerville):** Look at your own members.

**Mr. MacDonald:** If the hon. member for High Park has a number of issues he wants—

**Mr. Villeneuve:** Obstructionist.

Interjections by hon. members.

**Mr. Nixon:** Mr. Chairman, I will speak on that point of order. We have not had anything very interesting here for quite a while. The point that is made by the leader of the NDP is that we are working on something of supreme importance. That may be as far as he is concerned, but the hon. member made the threat to the Chairman of the House here, that he was prepared to talk in this House until certain answers were forthcoming.

**Mr. Villeneuve:** That is right. Obstructionist.

**Mr. Nixon:** All right. That is so. But the point that is made by the member for Grey-Bruce is that there are many other members who want to use the time of this committee to examine the affairs of this department as they pertain to their part of the province as well. Surely we are not going to stand for any sort of activities that will keep the other members from participating in this debate.

**Mr. MacDonald:** On a point of order, Mr. Chairman, the leader of the Opposition has no right to judge in advance what the hon. member for High Park is going to raise.

**Mr. Nixon:** Why should you raise the point?

**Mr. MacDonald:** This Tory-Liberal coalition emerges here so often. I know it.

**Mr. Villeneuve:** Obstructionist.

**An hon. member:** Filibustering.

Interjections by hon. members.

**Mr. MacDonald:** This Tory-Liberal coalition emerges any time it suits your purpose. The hon. member for High Park, Mr. Chairman, I submit, has got the floor, and if he begins to repeat questions it will be your responsibility to say that he is repeating. When he is finished, then it will be time, if the hon. member from Owen Sound has deigned to stay with us, that he can ask his questions.

**Mr. Chairman:** I would say to the member that I have been endeavouring, as Chairman, to see to it that all members of both opposition parties receive fair time. I know that the member for High Park did take considerable time this afternoon and then this evening, for example, the members of the Liberal Party have had more speakers than the members of the NDP. I do try to observe the members as they rise in their places.

I would also like to point out at the same time to the member for High Park that he has taken a great deal of time. Some of the members in his own party have been attempting to get the floor and I would hope he would use discretion to the extent of the questions he directs to the Minister. I simply pointed out to him, that according to the rules of the House, we cannot permit repetitive questions or irrelevancies.

The member for High Park has the floor.

**Mr. Sargent:** Mr. Chairman, on a point of privilege. The hon leader of the New Democratic Party has made some remarks that I was away the past two weeks. I was down several times last week, but he was not around at all. The week before, I was busy in my constituency—

**Mr. MacDonald:** Last week the House was not even meeting.

**Mr. Sargent:** No, I found that out. But I do not think he has any right to take any

member of this House apart for whether or not he is in the House.

**Mr. MacDonald:** Is that right?

**Mr. Nixon:** That is right.

**Mr. Sargent:** And do not forget that.

**Mr. Chairman:** Order!

**Mr. Shulman:** Mr. Chairman, earlier today I stopped although I had a great deal more material so other members could speak. I certainly would not wish to interfere with any speeches that are important from the other side. I have a great deal more pertinent material which I wish to present in any case. However, I will leave it until the end of the debate on this particular vote. I will take my seat at the present time so the members to my right may say what they wish; and after they are through, I would be happy to speak.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Thank you, Mr. Chairman. This is probably worse than that. There is a wee bit of intelligence down there.

**Mr. Chairman:** On vote 907.

**Mr. Sargent:** I would like to ask the Minister if any member of the Legislature has that report, at least insofar as his area is concerned? If not, why not? Why does he not have it first?

**Hon. Mr. Gomme:** We have not got those completed so far as the areas are concerned, Mr. Chairman.

**Mr. Sargent:** I think it is most important, Mr. Minister: this is a highway planning study of southwestern Ontario. The member for Windsor—

**Mr. Chairman:** Will the members please direct their remarks through the chair?

**Mr. Sargent:** My remarks will be very brief in this regard, Mr. Chairman. I want to say first of all I do want to congratulate the government for the personnel they have in the Owen Sound division of The Department of Highways.

This gang are doing a good job there, but I do think that we need more recognition with regard to the joint study submitted by the counties of Grey and Bruce to the Minister showing the need for a main highway leading north through Grey and Bruce. I do

not know when that programme is going to be underway but somewhere along the line I heard you say 1969 is projected. Is that right?

**Hon. Mr. Gomme:** I am not quite aware of what the hon. member is asking. Is this Highway 10 or which one are you referring to?

**Mr. Sargent:** Mr. Chairman, last fall, the Grey and Bruce joint study on roads showed the need for a main highway leading to the peninsula from central Ontario. The study bore out the fact that out of 53 counties in Ontario the counties of Grey and Bruce stood 49th and 51st among the low income groups of the province.

The motivation for this study was, as my leader pointed out a few minutes ago, that tourism being the industry that is for us, this would solve our problem in the low income area. We are the lowest—the end of the line in Ontario; Grey and Bruce counties are the poorest in income in every part of our economy, whether it be labour, farm or business. So the motivation for this study was to show the need for a main highway leading north. Somewhere along the line we have had no answer from the Minister as to when we are getting that main highway.

My main point in asking now is, in your programme of roads to resources—or whatever you call it—up in northern Ontario, we have a need for roads to resources in our area. If it is in the hopper, when can we step it up?

**Hon. Mr. Gomme:** I think I realize now. The area study which you have a question on is not completed for your area yet, but will be completed in 1969. This is a study, and it is not completed yet.

**Mr. Sargent:** I am not getting what I want. When are we going to get the road?

**Hon. Mr. Gomme:** We are waiting to see what the study recommends.

**Mr. Sargent:** As I pointed out, we cannot wait that long. I think it is a shocking state of affairs. I think this is an exercise in futility or frustration or something; never once have I ever seen any change brought about by this side of the House, and the fact is, it is making the elected process a joke.

We talk to infinity about the needs for our area and once the member for Niagara Falls says you agreed to give a concession on

some small thing that would not mean anything insofar as capital moneys are concerned. But we ask you in a positive way.

We have the need, we have shown it in our studies. We spent our money in bringing this study to you, and you say now you are going to do another study. You have not even answered our study yet, but you are going to make another. And so maybe five years from the time you make that study, we will get the road. It will be too late then. So let us talk about when we are going to get our road up there.

**Hon. Mr. Gomme:** Mr. Chairman, I wonder if the hon. member is talking about the visit the chamber of commerce had with me. They talked about a four-lane road from this area up to the Grey-Bruce peninsula. Is this the one you are referring to?

**Mr. Sargent:** No, that was—

**Hon. Mr. Gomme:** I am trying to equate it with the study that you refer to.

**Mr. Sargent:** Mr. Chairman, that was part and parcel of it, but the Grey and Bruce county councils made a joint study and a submission to you. There has been no acknowledgment, to my knowledge, of that.

**Hon. Mr. Gomme:** In that case the county councils, are you talking about the county needs study and development of roads in the area; is this what you refer to?

**Mr. Sargent:** No, sir. This is a main highway servicing the Grey-Bruce peninsula passing up Hanover way.

**Hon. Mr. Gomme:** I think again I come back to the chamber of commerce that came down to see us. They were talking about a four-lane highway and we have not got plans for that as of the present time. This is when they were told that the area study was going on. This takes some time and it will be completed next year. Surely that will show us the place where we should put a highway. Now they did not have any study when they came to see us. It was a suggestion they had for opening up the area and so on, but this is as far as I know of a study that came from them.

**Mr. Sargent:** I will apologize to you. If you have not seen this study then you could not have answered it but there has been a joint study made and it was made in a submission to you. If you have not studied



it then you cannot answer it, but I will get it to your right away.

I want to say that we have a great Bruce peninsula up there, with millions and millions of dollars of potential development that cannot be opened properly until we have proper access to it. So roads to resources are our need, being the poorest area in all this province as far as incomes are concerned.

Mr. Chairman, I have a large Ford dealer in my area. The largest in Canada, I believe—in Ontario, anyway—and he has repeatedly asked me why he cannot get any of The Department of Highways' business, as far as trucks or rolling stock is concerned and we have a top—

Mr. Chairman: This is not within vote 907.

Mr. Sargent: Are we not talking about capital costs, sir?

Mr. Chairman: Vote 907, construction and capital projects.

Mr. Sargent: Well, this is a big capital expenditure. I am talking dollar bills.

Last year, Mr. Chairman, I talked to some of the top brass in Ford and General Motors on the policy in paying commissions on highways equipment, trucks, automotive purchases. I was told it was on a low-bid basis. We will agree that is acceptable, but when certain dealers in each area—

Mr. Chairman: I must point out to the member that he is entirely out of order. This has been covered in vote 905. Vote 905, whis is purchasing and other services, equipment and supplies, and so on, and the matter of—

Mr. Sargent: Mr. Chairman I will say that this man still cannot get any moneys, any commissions, because they go to the Tory dealer.

Mr. Chairman: Vote 907, construction and capital projects.

Mr. Sargent: One question then on closing, Mr. Chairman. I should know this but, what is the cost of two flashing lights and a bell at a rail crossing? What is the share breakdown between the municipality and the DHO?

Hon. Mr. Gomme: Is this the railway crossing protection flasher that you are referring to? This is 80 per cent paid by The Department of Transport in Ottawa and then the balance is shared between the municipality with subsidy in their normal rate from us.

Mr. Sargent: Do I understand that on all rail crossings with flashing lights and bells, 80 per cent of the capital costs is paid by Ottawa and yourselves and 20 per cent by the municipality?

Hon. Mr. Gomme: Eighty per cent by Ottawa and the rest is shared by ourselves and the municipality—if it is on a municipal road, that is.

Mr. Sargent: What happens as far as a city is concerned?

Hon. Mr. Gomme: The same with normal subsidy from us.

Mr. Sargent: Twenty per cent between you?

Hon. Mr. Gomme: Yes.

Mr. Sargent: Ten per cent each?

Hon. Mr. Gomme: Whatever the rate of subsidy is, of the 20 per cent, half is paid by us and the rest by the municipality.

Mr. Sargent: Thank you.

Mr. Chairman: The member for York South.

Mr. MacDonald: Mr. Chairman, I have one brief question. What are the salvage prospects for that \$18 million prospective white elephant in the skyway at St. Catharines? As I understand the situation, once the canal has been twinned and you have a tunnel under the canal, that the bridge is going to become redundant? I am a bit curious as to the research that was done and as to co-operation between the federal and provincial governments when one level of government spends \$18 million in building a bridge and then, a very short time later, another level of government comes up with the twinning of a canal which, I would imagine, had been envisaged ever since the St. Lawrence seaway had been opened and indeed even contemplated. So my question is, what is the future of the skyway and what salvage prospects are there?

Hon. Mr. Gomme: If the present location for the tunnel is approved—the present location of the canal is approved—the bridge, of course, as you say, will have no further use and the federal government is going to pay for the cost of removing it. But they also subsidized us on the tunnel that is built.

Mr. MacDonald: Well, fine on subsidizing of the tunnel. You say that the federal gov-

ernment is going to pay for the cost of removing it, but who is going to pay for the original \$18 million outlay? Is there a continuing bonded indebtedness, or is Ottawa, in effect, going to buy the bridge? I think there is bonded indebtedness.

**Hon. Mr. Gomme:** They will replace the same number of lanes under the canal which was on the bridge and there is no bonded indebtedness against the bridge.

**Mr. MacDonald:** What are we collecting tolls for then? Is this just to add to the general revenue of The Department of Highways?

**Mr. Sargent:** Why not?

**Hon. Mr. Gomme:** Well, the general revenue comes from the consolidated revenue fund.

**Mr. Sargent:** The House should find these things out.

**Mr. MacDonald:** The tolls collected on the bridge, Mr. Chairman, apparently have no relationship at all—if I interpret the Minister's comment correctly—have no relationship at all to the cost of the bridge and the payment of the bridge. They merely add to the highway reserves and the bridge costs and everything else is a separate item.

**Hon. Mr. Gomme:** That is right, Mr. Chairman.

**Mr. MacDonald:** Queer business—an \$18 million white elephant.

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid:** Mr. Chairman, I have several questions. The first one is: does the Minister believe that municipal status in Ontario is an index of the kind of road contained within a municipality's boundary?

**Hon. Mr. Gomme:** Mr. Chairman, I think probably that question should go on the order paper.

**Mr. T. Reid:** Mr. Chairman, I would like to elaborate on what is meant by this, since it is dealt with at length in the Smith report. It is highly pertinent to the present discussion.

At the present time the rate of grants seems to be a function of the type of municipal status in Ontario. For example, provincial highways connecting links to villages and towns have a different rate of subsidy than

for the provincial highways connecting links between cities and separated towns. One is 90 per cent and the other one is 50 per cent. There is classification by suburban roads, by county roads, by township roads, towns and villages, city roads, and so forth. These all have varying rates of subsidy by the provincial government to the local authority. Now the point that is made very, very clearly in the Smith report—

**Mr. Chairman:** The member is quite in order with his question, but he has continually referred to the Smith report. I respectfully point out to him that the Minister from time to time has said that he will give full and due consideration to the Smith report, so that his questions should not relate to the Smith report, which has not yet been studied by the department. His question about subsidies was quite in order. But let us leave the Smith report out.

**Mr. T. Reid:** Mr. Chairman, I will just refer to my own notes on this matter, rather than to the Smith report, since the criticisms in the Smith report should not pre-empt criticism by Opposition members. The point is simply this: that municipal status seems to be the criterion on which grants are made.

The level of grants made by the province to the municipalities vary from 90 per cent to 50 per cent. Now the understanding is that municipal status is not even a rough index of the kind of road contained within a municipality's boundary. The type of thing I mean here when I refer to "kind of roads" is the following.

There are two types of roads, basically—roads that primarily benefit the users of those roads, and roads that primarily benefit property. For example, the throughway class of road primarily benefits the users of the road. The others types of roads tend to benefit property. The point is that if you were to have a rational system a set of rational criteria on which to decide the level of grants to various municipalities—you should try to work out the costs and benefits according to user, *viz-à-viz* according to the benefits to property. At the present time, the use of municipal status does not reflect the needs within a municipality for these two different types of roads.

Let me give one example, Mr. Chairman. The undeniable fact is that municipal status is a virtually meaningless index to anything, including roads within the municipality's jurisdiction. Such entities as Burlington and

Oakville, for example, have an urban designation—town—that enclose substantial portions of rural territory. Again Toronto township, in Peel county, has a population greater than those of 25 cities, and Nepean township has more people than 14 Ontario cities. Therefore in terms of population you have townships with a greater population than that of many cities. As for separate towns, which are classed in the Minister's department with cities, for road grant purposes—all have populations below the minimum 15,000 required for incorporation as a city. The population of the smallest separated town, St. Mary's, was 4,598 population in 1967, I believe, is exceeded by over 70 townships.

These examples could be multiplied almost endlessly. But the simple point, Mr. Chairman, which I wish to convey to the Minister, is that municipal status is hardly a guide to a municipality's urban or rural nature, population, or anything else. And that is the purpose of my question to the Minister. His road grants in this province are based on municipal status. Municipal status is virtually meaningless in terms of the nature of the town, in terms of the types of roads in that municipality, particularly the type of road that can be classified as a user road primarily, or a road that benefits property primarily.

I would also like to point out how stupid it has been to maintain the criterion of municipal status for road grants over the last 25 years, since this government has been in office with the following comment. It is an elaboration of the question I put to the Minister which he wanted put on the order paper and on which there has been a great deal of research.

The argument is this: that the municipal status criterion for deciding on the level of grants to various roads is a strong deterrent to a town, or township, acquiring city status once it has become urbanized. It greatly stiffens the resistance of outlying settlements to annexation by a city and complicates the implementation of annexation decisions. An equitable system of road grants, Mr. Chairman, geared to the relative benefits that property and users derive from roads, is plainly precluded if grants are made in accordance with municipal status.

Thus, I would like to conclude with those remarks, Mr. Chairman, about the almost complete uselessness of using the criterion of municipal status on which to base the percentage of the provincial grants to municipalities, and which is reflected in vote 907, where the classification of the various grants

is broken down by municipal status. With this background I would again like to ask the Minister: does he believe that municipal status in Ontario is an index to the kind of road contained within a municipality's boundaries? And by "kind of road" I mean this—there are two types: first, roads that primarily benefit users and, secondly, roads that primarily benefit property.

**Hon. Mr. Gomme:** Mr. Chairman, although the member says they are his own words, they sound quite a lot like the Smith report to me. I have tried, on repeated occasions, to tell him that this report is not in effect law at the present time. We are making our presentation to Treasury as to our views on changing the status of roads and subsidy and everything else, and, until that comes up, I am not prepared to give an answer to that question.

**Mr. T. Reid:** Mr. Chairman, I would just conclude with another short question and the Minister will have it on record, as will the members of this House. My final question, Mr. Chairman, is this. Do municipalities have the right to appeal the classification of any road: (1) to The Department of Highways; (2) on to the Ontario municipal board, which would have the right to instruct The Department of Highways to conduct further investigations?

I simply repeat that the present system of road grants in this province is inequitable. It means that the municipalities cannot plan their future growth and I would like to ask the Minister if there is a system of appeal, or whether his hand is the hand of the man upstairs.

**Hon. Mr. Gomme:** There is no appeal, because there is not a classification, but the member must realize that there is negotiation with us if there is a change in the status from a municipal street to a connecting link, or such things as that. Then they have the opportunity, if it qualifies, of a different subsidy.

**Mr. Chairman:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, I have one or two small items. With regard to Bloomfield road access in Kent county, Mr. Chairman, and to the hon. Minister, have there been any definite plans made with regard to this road? It has been used as one of the access roads, a westerly access, to the city of Chatham. This road has



not been kept up by the county—I think there have been some negotiations—would the Minister care to comment on that at this time?

**Hon. Mr. Gomme:** It is our intention, Mr. Chairman, to take this over.

**Mr. Ruston:** Thank you, Mr. Minister. Mr. Chairman, I wonder if the Minister could answer as to the policy on a road that has been owned by a municipality for 50 or 60 years, but never was used for traffic. Would it be the policy of the municipality to pay a subsidy on this road if the local municipality opened it up?

**Hon. Mr. Gomme:** Yes, we would pay a subsidy on that.

**Mr. Ruston:** Thank you. On development roads, these are in some cases done by counties, or could be done by local municipalities, am I correct? I believe there is no appealing the Minister's decision, at the present time, if I am correct, with regard to this. In some cases I have had representation with regard to development roads. These are roads probably used by one, two, or three municipalities, but not necessarily a county road, and, in my opinion, they would probably be development roads. If one, two, or three municipalities made representation to the department, could there be consideration given of some of these roads as to new construction?

**Hon. Mr. Gomme:** All these requests are always considered very carefully by us and looked into. I am sure that the cases that you refer to will be too.

**Mr. Ruston:** In the case of grants for townships, towns, villages—as I say, there is quite a variation. In townships, for instance, the grant now is 50 per cent. Has the department ever considered the possibility of paying 75 per cent on new construction only, and not maintaining? I believe that new construction, new roads, is what we are going to have to get into. Of course, we know that it costs money, but we also know that when they are finished, in most of the areas, they are good for 20 years. So has the department ever considered the possibility of increasing this grant for new construction only?

**Hon. Mr. Gomme:** Of course, the subsidy varies with the different municipalities, when you refer to the 75 per cent. This again is the area of subsidization which will be dealt with when we are dealing with the Smith report.

**Mr. Ruston:** Thank you.

**Hon. Mr. Gomme:** You are welcome.

**Mr. Chairman:** The member for Perth.

**Mr. H. Edighoffer (Perth):** I am very interested in Stratford, the festival city, which is very interested in moving their many tourists into the area in a hurry. I notice on the construction projects, here—and I believe that it is number 190-63-3, a new area. Is this area being cleared for a two-lane or four-lane highway?

**Hon. Mr. Gomme:** There is initially two, but an ultimate four.

**Mr. Edighoffer:** An ultimate four, and may I ask, Mr. Chairman, where will this road lead to in an easterly direction?

**Hon. Mr. Gomme:** From the Kitchener-Waterloo expressway to New Hamburg.

**Mr. Edighoffer:** It will tie in with that? Thank you.

**Mr. Chairman:** I would also like to ask what improvements are planned for this Highway 7 westerly, from the New Hamburg diversion to Stratford—when will this road be reconstructed?

**Hon. Mr. Gomme:** I cannot answer the exact time but it is not in the current year's estimates.

**Mr. Edighoffer:** Thank you.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman:** When do you plan reconstruction of Highway 3 from the city of Windsor boundary out to Essex, and second from the city of Essex or the bypass of Essex, to Leamington?

**Hon. Mr. Gomme:** We are starting on the Essex bypass this year, and then we will continue.

**Mr. B. Newman:** The Minister is aware that his highway planning study for south-western Ontario gives high priority for the Windsor to Essex route, and we certainly had hoped that nothing would delay the construction of the highway from the city of Windsor right to the bypass; are there plans in the immediate future for that construction?

**Hon. Mr. Gomme:** Well, we certainly have plans for the immediate future for it.

**Mr. B. Newman:** May I ask the Minister how far in the future is the immediate future; give me a year?

**Hon. Mr. Gomme:** I am advised that it is programmed and the engineering is being done on it, and that is as far as I can tell you.

**Mr. B. Newman:** Well, that still does not answer the question. Your book, on page 60, says Highway 3 from Windsor to Essex including the Essex bypass, should also be one of the first priority group, as many sections are considered deficient under present conditions. Surely after having conducted a study like this, you would see that this is taken care of post-haste.

**Hon. Mr. Gomme:** We are doing the Essex bypass this year.

**Mr. B. Newman:** Well, this is not the only thing that the study recommends. It recommends Highway 3 from Essex—including the bypass; it did not say the bypass only. Mr. Chairman, is is next year, is it the year after, is it last year?

**Hon. Mr. Gomme:** Mr. Chairman, I tried to explain that. The engineering is being done, and when that is completed we will—

**Mr. B. Newman:** I know, but, Mr. Chairman, we hear year after year, that the engineering is being done, and we never get a date from the Minister. Surely the Minister and his department can programme a thing and tell us when it is going to be done? What is he waiting for?

**Hon. Mr. Gomme:** The biggest thing that we are waiting for, of course, is money, sir.

**Mr. B. Newman:** Well, why do you not tell us in the first place that it is money that is holding it back? But you alibi your way around the thing. What is the matter; are you afraid?

**An hon. member:**—do not like to talk about money.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. B. Newman:** No, I have another one here. You know we get the money such as this from this government. Ring road will probably start in 1967; this is 1968, Mr. Chairman, and where is the ring road? The Minister had promised me only last this is before the election that the ring road is going to start early. But now the planning—

1971 is when they really plan on building this road—or even starting it again—

**Mr. Nixon:** Yes, and they will announce it again.

**Mr. B. Newman:** Yes, they will announce it again, just before the 1971 election, and it is a 20 year project at that.

**Mr. Pilkey:** Good for 2,000 votes.

**Mr. B. Newman:** Not in the Essex county area; not in Essex, it is pretty—

**Hon. Mr. Grossman:** Is that the hon. member's riding?

**Mr. B. Newman:** No, I have no highways in my riding, so I am not speaking for my riding. I am speaking for the citizens of Windsor.

**Mr. Singer:** It is for the good of the people of Ontario.

**Mr. B. Newman:** Yes, for the good of the people of Ontario.

**Mr. Chairman:** On vote 907.

**Mr. B. Newman:** Yes, Mr. Chairman, there is a very interesting headline on the April 10 issue of the Windsor *Star* which says "Grit Vote Penalizes Area—Reeve. The Department of Highways Said Indifferent."

Now, this should not come from this government which is supposed to be the government of the people. The *Star* reported:

Amherstberg: Town reeve Arthur Dufor has charged that the area has been penalized for voting Liberal in the last provincial election. His remark was spurred by a letter from Highways Minister George E. Gomme which indicated an apparent indifference on the part of The Department of Highways to a town request for the reconstruction of a stretch of Highway 19 between Amherstberg and LaSalle.

The town asked that the project be given immediate consideration, but Mr. Gomme's letter gave little reason to believe that this would be the case. He had said that his department cannot ignore the economic aspects of the problem of assuming the costs that should be borne by other parties, and noted that records show that there is a trend to lower traffic volumes on the roadway.

Planning to reconstruct the road, Mr. Chairman, was initiated in 1960 which would ordinarily have allowed adequate time to pre-

engineer a progressive programme of reconstruction commencing in 1963.

The article goes on, and I would like the Minister, Mr. Chairman, to disavow the comments here that the Essex county area is going to be penalized by the government simply because it is not fertile Conservative territory.

**Hon. Mr. Gomme:** Mr. Chairman, that certainly is not so. As regards that piece of road the member refers to, we have a problem down there with the sharing of the costs with one or two of the companies and we have been working on that. We are still trying to reach an agreement with them. The road had been programmed but we could not start until that was complete. The member referred to the E. C. Rowe expressway, and he knows full well that it was after the election that we went down and discussed that with the council. We have allocated money for the acquisition of property and the work will go on right after that.

**Mr. B. Newman:** Mr. Chairman, I am quoting a headline that is three years old: "Ring Road Starts Probably in 1967". Your predecessor had come along and said that it would start in 1967, so you can see that when you fellows from that side of the House talk about highways in various parts of the province, you are talking politics and not highways.

**Hon. Mr. Gomme:** That is not so, Mr. Chairman, as the member knows full well, for he was at the meeting. It is a joint programme between the city of Windsor and ourselves, and it was not until we went down there after the election that Windsor agreed to the building of the road and the sharing of the costs the way we laid it out with them that day. As soon as they were ready we started.

**Mr. B. Newman:** Well, Mr. Chairman, I will have to read the comments here. I hate reading this because this will show just exactly what was said. The headline is Toronto, and the original heading was "Ring Road Starts Probably in 1967"—Then: "E. C. Rowe Job Given Top Rating. Committee Gets Pledge from Minister"—by Don O'Hearn, Toronto. It reads:

Construction could start on E. C. Rowe ring road by the spring of 1967. This assurance was given today to a large delegation from the Windsor area by Highways Minister Charles S. MacNaughton.

I am not going to read any more. That was three years ago, Mr. Chairman, so that would

be 1965. I attended the meetings at which the Minister explained the proposed plans for the E. C. Rowe ring road and I concur with his remarks as far as that is concerned, but why do we have Ministers of this government coming through and making comments like this for political reasons only? They knew at the time the comment was made that they could not possibly construct the road. And this is one of the reasons why you fellows are not successful; turn around and do what we ask you to do and you will take all of the seats in the riding. Fail the people and they in turn take it out on you.

**Hon. Mr. Gomme:** Mr. Chairman, the member knows full well that the concept of the development was completely changed in that time, from that of a ring road to an expressway, and this was brought about by the city consultants.

**Mr. Singer:** We cannot believe the Minister.

**Mr. B. Newman:** Mr. Chairman, this is my last comment. I have heard this so often from that side of the House that I take it with a grain of salt.

**Mr. D. A. Paterson (Essex South):** Mr. Chairman, could I clarify one statement of the Minister? The Minister indicated that the department is having continuing negotiations with regard to the problem of the bridge at Amherstberg with the New York Central Railroad and the board of transport commissioners. Are the negotiations continuing?

I believe the last letter I had from the hon. Minister two or three weeks ago indicated this matter was dormant. I wonder, has the department re-opened negotiations with the board of transport commissioners in this regard?

**Hon. Mr. Gomme:** Well, I think I was right in the letter, but on the other hand we are immediately proposing to get into negotiations with them again. It is not something that has been dropped.

**Mr. Stokes:** Mr. Chairman, I have two questions for the Minister. I was wondering if he would care to comment on the condition of Highway 584, which is a gravel road between Geraldton and Nakina. I asked him a question in the House about the condition of the road, some ten days ago, when it was closed—due to mud and bad conditions—to the extent that the school bus was not able to take the high school students from Nakina to Geraldton for two or three days.



The other question is on the condition of the highway from Caramat over to Highway 11. I see on the map here, that it is Highway 625, from Caramat to Long Lac, or the junction of Highway 11. From Caramat easterly it is an industrial road maintained, I understand, by the woodlands department of American Can. This could be taken over by the Minister's department and it would provide access to Highway 11 for the people of Stevens and indeed, Manitouwadge. Now, the road is impassable just about this time of the year, unless you have a four-wheel drive vehicle.

Another road, which I understand is really not considered a highway at all, is the only access to the outside world that the people of Armstrong and Gull Bay have. I cannot call it by number because it does not have a number, but I was wondering, in your roads to resources programme or your development roads, whether you would consider looking at those three roads, gravel roads or highways that I have mentioned, and indicate whether you would be prepared to do something. Because in the north, particularly with the redistribution or consolidation of school districts, it is going to mean that a great number of our children are going to have to be using these roads.

They are gravel roads and it is absolutely imperative that you keep them in the best shape possible to provide the utmost in safety for our children. As I say, one of the roads, I do not think, is the responsibility of The Department of Highways, but I was wondering if The Department of Highways would consider taking it over, particularly the road from Armstrong down through Gull Bay and along down to Highway 17, where it intercepts the highway down there between Hurkett and Dorion on the north shore of Lake Superior; and the other one, a continuation of the industrial road from Caramat over to Manitouwadge.

Some of our children are travelling 50 to 60 miles each way, or 120 miles a day, by bus. And I was wondering if the department had considered any capital expenditure on these roads in the forthcoming year. I see nothing about it in the blue book and I wish the Minister would consider taking over the road from Armstrong down to Hurkett and seeing that the road from Nakina to Geraldton or Highway 584 is upgraded and possibly taken over in conjunction with American Can to upgrade the road between Caramat and Manitouwadge.

**Hon. Mr. Gomme:** Well, in regard to Highway 584, Mr. Chairman, I advised the

hon. member when he asked the question in the House that we were immediately doing special maintenance on the road and I am sure that has been done to bring it up to satisfactory standards.

As he mentioned, the other two roads and resource roads come under The Department of Mines; they are mining and access roads and they have changed the name of them now. We are doing a contract this year on the Armstrong to Spruce River road. Is this part of the area that you are referring to?

**Mr. Stokes:** Yes.

**Hon. Mr. Gomme:** We expect to do seven and a half miles of that as the first contract, this year.

**Mr. Stokes:** You mean you are going to connect Highway 800 with the Armstrong road?

**Hon. Mr. Gomme:** This is what we intend to do.

**Mr. Chairman:** Is vote 907 carried?

**Mr. Shulman:** No.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Is everyone else finished, Mr. Chairman?

**Mr. Martel:** Mr. Chairman, I am just curious, having listened to all the members wanting to know about specific problems in their own areas, if this department would now consider giving copies to members of the plan so they would know what progress is being made continuously in Ontario in the development of the roads.

I think we have seen here that there is a need for the members in the House to know what has been accomplished—and I do not mean a blue copy there that just tells you about one year—I am talking about a five-year plan where you see the progress being made on some progressive scale, rather than just something that is handed to you from year to year where you really cannot tell anything that is going on.

**Mr. Chairman:** On vote 907?

**Mr. Shulman:** Mr. Chairman, as I was saying, I would like to talk about money, the amount of money that is being spent by this particular department. I am going to speak from a different viewpoint than that of the members whom we have heard speak-

ing before because I think this department is spending too much money and I think this is the one place where we could make massive savings, and this year is the year we should be making massive savings.

Now, courtesy of the Minister of Reform Institutions, I have been doing some travelling the last few weeks and from this particular little book I have been carrying along with me, I have been trying to see as many of these areas that are going to be constructed as possible. And I thought if I am going to be criticizing construction in other areas, I should start in my own area, so I have tried to visit all of the black-lined road-way work on page 33 of the highway construction programme.

On Saturday I travelled with the member for Lakeshore (Mr. Lawlor) along Highway 7, and a delightful highway it is. We travelled along the area which is scheduled to have work done on it, and it is a good highway; we do not need this work down here, it is not an emergency. Sure it would be nice to have and we can get it done later on when there is money available.

First of all I want to talk about actual expenditures and second I want to talk about priorities. There is so much urgent work in northern Ontario that should be done instead of work here on Highway 7 or Highway 11, which is not urgent. Your priorities are wrong, your expenditures are too high.

Yesterday I tried to travel along as many of these areas as I could that are listed here on page 33, and really I am at a loss to understand the Minister's method of priorities. Surely in the Toronto district we can survive with our highways as they are for another year. I think his priority system is all cockeyed. There is certain work that should be done up in northern Ontario; it is essential.

And certainly, down here in the area surrounding Metro there are minor inconveniences, and when money becomes available and we are out of this financial pinch later on, this could and should be done. But surely, with the Budget brought in by the hon. Provincial Treasurer (Mr. MacNaughton), this year is not the time to be making this construction and doing this particular type of construction.

I am now going to go on to a large number of highways but before I do so I would like to ask the Minister if he has a system of priorities and how he worked out his priorities. Because it is quite incomprehensible to

me, with my limited knowledge of northern Ontario, and I am sure it is completely incomprehensible to the members from both sides of this House who come from northern Ontario, to see millions of dollars being poured into the 401 while you are so negligently up there.

**Hon. Mr. Gomme:** Well, this is done by traffic volumes and congestions and the general need in the area.

**Mr. Shulman:** I am sorry, Mr. Chairman, I could not hear. There was some noise.

**Hon. Mr. Gomme:** It is done by traffic counts and congestion on the roads and the general need for the improvement, the accident rate, and so on and so forth.

**Mr. Shulman:** Let me explain further. Of course your highways—

**Mr. Singer:** Do you suggest cutting back on 401?

**Mr. Shulman:** Yes, certainly.

**Mr. Singer:** I am sure he does. I just wanted to hear him say it.

**Mr. Shulman:** What is your question?

**Mr. Singer:** Does the member for Yorkview agree to cutting back of the widening of 401?

**Mr. F. Young (Yorkview):** Highway 401 is all finished in Yorkview.

Interjections by hon. members.

**Mr. Shulman:** I think, Mr. Chairman, there is a great deal of parochialism in this particular House, an unbelievable amount—particularly facing me. And I think somewhere along the line we must decide the merits of these particular areas on the need and not on whether it is in my riding and I want a new highway through there.

**Mr. J. H. White (London South):** Is this sermon in order?

**Mr. Shulman:** It is on the subject.

**Mr. Villeneuve:** Dear doctor!

**Mr. MacDonald:** Oh, have you come to join us again?

**Mr. Shulman:** Now, the Minister has spoken on the matter of traffic volume. And of course if the highways are bad you are going to have a low traffic volume, and the highways in northern Ontario are bad. The whole logic does not follow. There is no logic

in saying the highways have a low traffic volume, therefore we are not going to improve them. As long as you keep the highways poor you are going to have a low traffic volume. This is not the answer.

Of course you have a much higher traffic volume, of course there are traffic jams on 400 and 401, but this is not really the point. The point is we can manage on Sunday night, as the Minister of Mines (Mr. A. F. Lawrence) has pointed out. On the odd Sunday night there is congestion of 400 or 401. Certainly there is congestion, certainly it is a nuisance, an annoyance. But it is not an essential. And this year you and your department should be working only on essentials. I do not know if you talked to the hon. Provincial Treasurer, but he has informed us there is a financial pinch, and in your department you are spending money at a fantastic increase year after year.

I presume there is a plan—you must have some plan of priority. You said it has to do with traffic volume and accidents. Do you have some plan which has been made by your department showing that in a certain highway there is a certain traffic volume and a certain accident rate? Do you have a plan of this type? Because if so, I am going to ask you about specific highways; if not, I think the House should know it. If you have a plan I would like to have a "yes" answer to that.

**Mr. E. P. Morningstar** (Welland): Mr. Chairman, I might say it is very interesting what the hon. member has to say and I would strongly suggest that the Minister of Highways take this into consideration and give him a position in his department. I think he would be very helpful indeed with some of his recommendations.

Interjections by hon. members.

**Hon. Mr. Gomme:** In southern Ontario it is basically traffic that it is based on and in northern Ontario it is need for the roads to open up areas, and this is what we work on.

**Mr. Shulman:** Well, would the Minister agree with me that some millions of tourist dollars are lost by poor roads in the north?

**Hon. Mr. Gomme:** No, I would not agree, Mr. Chairman.

**Mr. Shulman:** I think you will find that the members from northern Ontario would not agree with you. However, in southern Ontario it has to do with the traffic volume, is that correct?

**Hon. Mr. Gomme:** This is partly correct, Mr. Chairman.

**Mr. Shulman:** All right, well let us come to Highway 7, because that is the one on which the member for Lakeshore and I had the pleasure of travelling on Saturday. What is the reason, would the Minister please inform me, that Highway 7 is having the work done on it extending from Brampton almost down to Woodbridge.

**Hon. Mr. Gomme:** The traffic count on that particular road is 8,300 a day, which warrants a four-lane road and that is what we are building. That traffic count was taken in 1966.

**Mr. Shulman:** Am I to understand that you feel that a traffic count of 8,300 a day is so heavy for that particular road that it would be called—and I use your definition—sufficient with that count that it would be called "intolerable"?

**Mr. Sargent:** That is a conservative riding.

**Mr. S. Lewis** (Scarborough West): That is the point.

**Mr. Shulman:** We will get to that.

**Hon. Mr. Gomme:** The road is not fit to carry the traffic that is on it. It is not wide enough; the shoulders are not wide enough.

**Mr. Shulman:** I must again come back to this book. I am sorry to keep showing it to you but in this particular book you have made a definition of "tolerable" and "intolerable highways". Is that particular area of Highway 7 intolerable?

**Mr. Lewis:** It is to Bill Davis. He really does not like it so we will change it.

**Hon. Mr. Gomme:** Well, the only thing I can say, Mr. Chairman, from a capacity reason it is not tolerable and that is why we are building it.

**Mr. Martel:** What about 69 north? What would you classify it as?

**Mr. Shulman:** All right, I will put the question officially—how would you classify Highway 69 north—"tolerable" or "intolerable"?

**Mr. S. Apps** (Kingston and the Islands): Mr. Chairman, I do not think this has any bearing.

**Mr. MacDonald:** It all depends on your own point of view.



Interjections by hon. members.

**Mr. Chairman:** Order, order! The member is attempting to determine the basis of priorities and in that respect I would think he was in order.

**Hon. Mr. Gomme:** The count on 69 north is 1,800 a day, Mr. Chairman.

**Mr. Shulman:** Apparently the Minister is missing the point. You have said in this book, which I draw to your attention again, that highways are divided into tolerable and intolerable. Is it a tolerable highway or an intolerable highway?

**Hon. Mr. Gomme:** I do not have the definition of that, Mr. Chairman.

**Mr. Shulman:** Will the Minister, at his convenience, supply that definition to me?

**An hon. member:** No.

**Mr. Sargent:** It is a pretty important thing.

**Mr. Villeneuve:** I would not put up with that.

**Hon. Mr. Gomme:** I do not know whether it would be possible to give a definition of that, suitable to the member, Mr. Chairman. We could try.

**Mr. Shulman:** Thank you, Mr. Chairman. Perhaps there is some confusion. Since the time this report was put out, has the policy been changed and are you no longer classifying roads as intolerable and tolerable? Has there been a change in the department's policy?

**Hon. Mr. Gomme:** All I can say, Mr. Chairman, since I came into the department I have not heard it described under those terms.

**Mr. Shulman:** Has the Minister read this particular report?

**Hon. Mr. Gomme:** I have, Mr. Chairman.

**Mr. Shulman:** Well, did you read the description using those terms in the report?

**Hon. Mr. Gomme:** I am talking about roads described since I came into the department, Mr. Chairman. I have not heard those terms.

**Mr. Shulman:** In the five year plan, how do you describe roads that urgently require reconstruction or construction?

**Hon. Mr. Gomme:** I have tried to explain our system of priority. I have done that on several occasions as to the need for it.

**Mr. Shulman:** But you have been unwilling to supply the plan. Inasmuch as you are unwilling to supply the plan I have to ask you about specific roads.

So let us come again to Highway 10. Coming from Orangeville south to Highway 24, is that Highway in urgent need of construction or reconstruction?

**Hon. Mr. Gomme:** This highway is not being reconstructed, Mr. Chairman; it is just being resurfaced.

**Mr. Shulman:** Why does the work need to be resurfaced? I drove down that particular highway. Perhaps the Minister could tell me why the need for the resurfacing.

**Hon. Mr. Grossman:** Because the surface is bad.

**Hon. Mr. Gomme:** We believe the surface is worn out, Mr. Chairman. If we do not repair it now, we would come into heavy construction later on.

**Mr. Villeneuve:** Put him on the construction.

**Mr. Martel:** Why do you not get off the farm and go—

**Mr. Shulman:** Highway 11, Mr. Chairman—

**Mr. Lewis:** Wait. Do not leave 10 and 24; ask him if it is because of being the Minister of Education's riding.

**Mr. Shulman:** I am sure it is not because of being the Minister of Education's riding.

**Mr. Sargent:** That road leads to Owen Sound—

**Mr. Lewis:** I just asked a question—I do not mean to be provocative.

**Mr. Shulman:** Highway 11, from Richmond Hill to Newmarket; can you tell me what is being done there and why?

**Hon. Mr. Gomme:** It is four lane reconstruction because the capacity is not sufficient to carry the traffic.

**Mr. Shulman:** What is the capacity, Mr. Chairman?

**Hon. Mr. Gomme:** 11,000 per day.

**Mr. Shulman:** Now may I ask the Minister, what is the cut-off figure? Where do you

decide that a highway of that width requires reconstruction? Is it 8,000 or 11,000 or 5,000?

**Mr. N. L. Olde (Middlesex South):** That is scientific knowledge.

**Mr. Villeneuve:** Simple question by a simple man.

**Mr. Martel:** Takes a simple man to know.

**Hon. Mr. Gomme:** We believe this is a case on Highway 11 where, probably, it should have been done a year or two ago. But we did not do it. We certainly have to do it now with that type of traffic on it.

**Mr. Shulman:** I guess the Minister did not hear my question. My question was, what is the cut-off figure? What number of cars per day decides the Minister that a highway has to be reconstructed? Is it 5,000 or 8,000 or 11,000? What is your figure?

**Mr. Lewis:** It is frustrating, Charlie, but the answers will come.

Interjection by an hon. member.

**Mr. Lewis:** Contain yourself. I know we should be asking you, but contain yourself.

**Hon. Mr. Gomme:** When the figure is 5,000 and rising and we have to reconstruct the road, we reconstruct it to four-lane standards.

**Mr. Sargent:** Mr. Chairman, on a point of order. I would like to ask the Minister, if the member for High Park will allow me, do the economics of an area not figure in where a highway will go? The most important thing we need is access to our areas and you are talking traffic; we are talking need up our way and you have the right to say that the number of cars going over a highway is the yardstick, sir. I think the need of an area is the most important thing. That is what we are trying for our way and you are talking traffic.

**Hon. Mr. Gomme:** It should be quite clear. As I explained before when we get this area study finished we can look at your area and see the need, yes or no.

**Mr. Sargent:** Thank you.

**Mr. Shulman:** I am delighted by that interjection. We did not hear anything about need when you were talking about the way you decide which highway should be reconstructed. Is need a factor? If it is a factor, this is not one of the things you mentioned. If need is a factor, what is its ratio? Why is it 10 per cent, 20 per cent?

What factor is it in your decision to reconstruct the highway?

**Hon. Mr. Gomme:** Mr. Chairman, I have used this word "need" before and I have tried to explain it in different ways. Naturally the need varies and I have tried to explain the different ways in which we look at the need.

**Mr. Shulman:** Try once more. Would you explain it to me?

**Hon. Mr. Gomme:** I think that is impossible, Mr. Chairman.

**Mr. Shulman:** It is too bad, but we will try again. Let us go up to Sutton.

**Mr. Sargent:** Who is paying for all the expenses on this trip?

**Mr. Shulman:** Unfortunately, it is coming out of our own salaries. Anyway, we drove up to Sutton. Can the Minister explain what is the count up there and why the reconstruction is necessary up near Sutton?

**Mr. J. Jessiman (Fort William):** Try Moosonee.

**Mr. Shulman:** We will get there, too. I just want the information. He will not give it to me. You heard the discussion this afternoon.

**Hon. Mr. Gomme:** This was a dangerous intersection into the provincial park. The traffic there in 1966 was over 4,000 a day, Mr. Chairman, but it was the curve on the road and the intersection that were the main reasons.

**Mr. Shulman:** Are you just reconstructing where the intersection is or are you reconstructing a much longer area?

**Hon. Mr. Gomme:** We are doing a longer section but it is basically for this reason we are doing it.

**Mr. Shulman:** How long is that section, Mr. Chairman?

Interjection by an hon. member.

**Mr. Shulman:** You will see the point when you hear the length.

**Hon. Mr. Gomme:** 2.8 miles, Mr. Chairman.

**Mr. Shulman:** Is it 2.8 miles? Are you doing 2.8 miles because there is a dangerous intersection? Surely not, Mr. Chairman.

**Hon. Mr. Gomme:** As I said before, Mr. Chairman, this is one of the factors.

**Mr. Shulman:** Now again we must come back to count. You said when the count was over 5,000 and increasing you would reconstruct the highway. Now here it has a count of 4,000 and you are reconstructing 2.8 miles of the highway. If there is an explanation, I would like to hear it.

**Hon. Mr. Gomme:** I think I said, Mr. Chairman, when it was 5,000 and rising we construct a four-lane. This road we are doing is only a two-lane.

**Mr. Shulman:** What is the count that is necessary in a two-lane for reconstruction?

**Hon. Mr. Gomme:** As I pointed out before on this particular road you asked about, traffic at that time might not necessarily be the reason we have reconstructed it. I have pointed out other reasons.

**Mr. P. D. Lawlor (Lakeshore):** You were answering the question a moment ago.

**Mr. Shulman:** Perhaps the Minister did not hear my question. The question I asked was, what is the number which on a two-lane highway will decide the Minister to reconstruct?

**Hon. Mr. Gomme:** There is no number on that, Mr. Chairman. There are so many other needs that enter into it that are used.

**Mr. Shulman:** Then can I ask the Minister why number is used on four-lane highways, but not on two-lane highways?

**Hon. Mr. Gomme:** Of course it is a simple question. It is the capacity of the road, Mr. Chairman.

**Mr. Shulman:** Does not the capacity depend on the number of cars on the road?

**Mr. Lewis:** Why is the Minister of Transport (Mr. Haskett) hiding during this discussion?

**Hon. Mr. Grossman:** By the looks of most of your colleagues they would like to be hiding too.

**Mr. MacDonald:** You people should be hiding.

**Mr. Chairman:** Order!

**Hon. Mr. Gomme:** I think I have answered it, Mr. Chairman.

**Mr. Shulman:** Oh, dear, I do not think so, but perhaps we shall go on to something else.

Interjections by hon. members.

**Mr. Shulman:** Very good. All right. Well then let us begin at the beginning of this book, on page 11.

**An hon. member:** Eleven?

**Mr. Shulman:** We are redeveloping the Queen Elizabeth Way and Highway 27 complex. Once again, on this particular highway I ask you in this time of financial crisis, as was laid out to us by the hon. Provincial Treasurer, do you feel it is necessary to go ahead with the reconstruction of the Queen Elizabeth Way this year, as an intolerable situation, if I dare—may—use that word, or could this not be let go for a year until our financial squeeze is relieved?

**Hon. Mr. Gomme:** We feel it has to be done this year, Mr. Chairman.

**Hon. Mr. Grossman:** He will get an argument from some of us on this side if he does not.

**Mr. Shulman:** Would the Minister feel that there is a greater priority on this particular highway than on Highway 69?

**Hon. Mr. Gomme:** Well, Mr. Chairman, it is quite evident there is from the traffic viewpoint, because there are over 75,000 cars a day using this route.

**Hon. Mr. Grossman:** Ask the member for Hamilton East (Mr. Gisborn) when he gets back.

**Mr. Shulman:** Well, what about Highway 403? I drove on Highway 403 yesterday. It is a lovely highway, it is one of the nicest highways in the whole province, but is it really necessary—on page 12—that we continue this 15.9 mile freeway, which is a very expensive business? It is \$2 million this year. Is it really necessary that we spend that \$2 million this year, when the hon. Provincial Treasurer has told us of the great financial squeeze that we have and we should put off all but absolutely essential projects?

**Hon. Mr. Gomme:** Yes, we feel it is absolutely necessary, because it is mainly the draining of the granular base and paving for what has already been built.

**Mr. Shulman:** Is that going to cost \$2 million?



**Hon. Mr. Gomme:** That is right, Mr. Chairman.

**Mr. Shulman:** Very expensive! Well, let us go to page 13, Highway 417 west of Ottawa. The value of this new work is estimated in excess of \$4.3 million. I would be very pleased, if you would explain to me the necessity of spending that particular \$4.3 million this year, particularly when we have such a financial crisis upon us as was pointed out by the hon. Provincial Treasurer.

**Hon. Mr. Gomme:** This is similar to the one to which I referred before. It is the granular base and the paving and grading contracts over what was done previously.

**Mr. Shulman:** I do not think you read your book. It says here, this contract will also include relocation of Corkstown Road at Moodie Drive; south service road from county road number 9 easterly 2.4 miles; and Moodie Drive from .1 mile south of Highway 17, southerly .6 miles. Included in this contract are structures at Acres Road, Moodie Drive, and the Canadian National Railways. So it is not just grading. A good hunk of that \$4.3 million is certainly involving relocation. Is that relocation really necessary this year?

**Hon. Mr. Gomme:** Yes it is, Mr. Chairman.

**Mr. Shulman:** Why?

**Hon. Mr. Gomme:** The structures and so on and so forth have been built on it, and we have to continue with the work as we have it programmed.

**Mr. Shulman:** Am I to understand the Minister to say that the work is necessary because you started it? Is that what the answer is?

**Mr. Villeneuve:** Do not bother to answer that one.

**An hon. member:** Are you finished?

**Mr. Shulman:** Oh no. I did not hear the answer.

**Hon. Mr. Gomme:** This is a continuation of the western end of the Ottawa Queensway and we built the structures and such things last year. This is a continuation of that work and the traffic warrants the construction of this facility.

**Mr. Shulman:** When is Highway 543 going to be done?

**An hon. member:** It will be done by four o'clock.

**Hon. Mr. Gomme:** It is in this year's programme.

**Mr. Shulman:** Now let us come to page 14. This is Highway 417, Ottawa to the Quebec border. This is a new freeway, but it is going to run south of and parallel to Trans-Canada Highway a distance of 63 miles, at a cost of \$1.1 million.

You cannot blame this one on work that was done last year, because you started on this one, this year. Please tell me—and if you can explain this, it will be a great surprise to me—why in the world you have to spend in excess of \$1 million this year, when the Provincial Treasurer has pointed out to us that we are in a great financial squeeze this year?

**Hon. Mr. Gomme:** Well Mr. Chairman, this is one of the projects that were produced from the area study and we feel that this work is necessary.

**Mr. Shulman:** Does the Minister feel that this parallel and duplicating highway is essential this year?

**Hon. Mr. Gomme:** Yes, Mr. Chairman.

**Mr. Shulman:** What is the traffic count on the Trans-Canada Highway from Ottawa to the Quebec border immediately north of your new highway?

**Hon. Mr. Gomme:** The traffic in 1966 was in excess of 8,000 per day.

**Mr. Shulman:** Well now, surely the proper thing to do would have been to reconstruct that highway rather than build a whole new highway.

**Hon. Mr. Gomme:** This would not have been feasible.

**Mr. Shulman:** Why?

**Hon. Mr. Gomme:** Mr. Chairman, I think that we could send the member an area plan of that region which probably would explain a lot of these things.

**Mr. Shulman:** Thank you. If the Minister is going to supply the plan which is what we have been asking for for the last week, it will save all of these questions. Am I to understand that the Minister will supply us with this plan? How far ahead does this plan go? Is this the five-year plan?

**Hon. Mr. Gomme:** I believe it is the 20-year plan, Mr. Chairman.

**Mr. Shulman:** For what areas are we to receive this plan, because if we are going to get them for the whole province, I will sit down now, and you can have your vote.

**Hon. Mr. Gomme:** As I explained before, Mr. Chairman, the whole province has not been completed so it is impossible for me to provide that. But I told you this afternoon that I would provide you with some that were ready. This will be one of them which I will get for you.

**Mr. Shulman:** Would you mind telling me which ones you will supply us with so that I will not ask duplicate questions?

**Hon. Mr. Gomme:** Mr. Chairman, from memory I think that this afternoon I said southwestern Ontario, southeastern Ontario, Niagara, and the Ottawa one.

**Mr. Shulman:** Thank you, Mr. Chairman. Before I leave that, this new highway disturbs me a little bit. How much land did you have to buy to build the new highway; would it not have been a little cheaper to rebuild the old highway? It seems to me—I am not sure whose riding that is—but there seems to be a lot of expense going in there for no reason at all.

**Hon. Mr. Gomme:** Mr. Chairman, we did a study on reconstruction of the existing road and we found that the cost of that acquisition of property was going to be a great deal more because it is in a built-up area than it will be in the mainly rural area where we are building the new road.

**Mr. Shulman:** Do you have those figures available, Mr. Chairman?

**Hon. Mr. Gomme:** No, I do not have them here, Mr. Chairman.

**Mr. Shulman:** Would you get them for me at your convenience? Would the Minister supply those at his convenience?

**Hon. Mr. Gomme:** I am sure that those will be in the study, Mr. Chairman, when we get it to the member.

**Mr. Shulman:** Will those figures as to the other land that you did not buy be in the study?

**Hon. Mr. Gomme:** If they are not, we will do our best to get them.

**Mr. Shulman:** Let us go on to the Gravenhurst bypass which is on page 27. This is a new route so it is not a matter of continuing the work. Apparently one of the reasons you go on is because you have started. This is a proposed new route which will start south of the town, sweeping northeasterly across Gull Lake to rejoin the present highway some distance northeast of Gravenhurst. I can assure you that the people in Gravenhurst are not overjoyed with this new highway.

Would the Minister explain to me why, in this year of financial squeeze it was necessary to build this new highway to take business away from the people in Gravenhurst?

**Hon. Mr. Gomme:** Mr. Chairman, this is an extension of the present four-lane facility to the north. The traffic warrants this new construction.

**Mr. Shulman:** I am quite sure that the traffic warrants this, but is this essential to be done this year?

**Hon. Mr. Gomme:** Yes, it is, Mr. Chairman.

**Mr. Shulman:** I must say, your essentials are very broad. I understand that somewhere in Ontario there is a place called Pembroke, and, on page 21, you are building a new highway—reconstruction of a section of Highway 17 from Mattawa to Pembroke. Is that one of the places where we do not worry about money? This is going to cost in excess of \$2 million, and I ask you, is it really essential this year in our great financial squeeze for you to spend this \$2 million?

**Hon. Mr. Gomme:** Yes, we feel that it is very essential, Mr. Chairman.

**Mr. Shulman:** Why, Mr. Chairman?

**Hon. Mr. Gomme:** This is one of the alternate Trans-Canada routes that is built by the province. It is a main truck route from Quebec to Ottawa through to the north and the west.

**Mr. Shulman:** Is it over-taxed?

**Hon. Mr. Gomme:** This piece of road is particularly deficient from a condition viewpoint.

**Mr. Lewis:** How can that be? Was your predecessor not competent?

**Mr. Shulman:** I am almost through, you will be delighted to hear. Just one final question. For the areas of the province on

which you have not completed the studies that you are going to supply to us for the next 20 years, will you supply the parts of the study that you have completed?

**Hon. Mr. Gomme:** Mr. Chairman, we would not have parts of a study. We really do not have them until they are completed.

**Mr. Shulman:** The Minister must have some plan for the rest of the province other than these three areas. Do you not have a plan for the highways of the north, the highways that are built up there? This is of primary interest.

**Hon. Mr. Gomme:** As I said before, I do not think that we can produce this until we have it all finished.

**Mr. Shulman:** There must be some plan for the north. Do you know what highways you are going to build next year up there?

**Mr. Chairman:** I think that the Minister has replied to the member that they do not have the plans complete, and they cannot give you part of it.

**Mr. Shulman:** I must say that I am a little disturbed that we have a plan for 20 years ahead in southwest Ontario, but we do not have a plan for one year ahead in northern Ontario. It appears that northern Ontario is being somewhat neglected.

**Mr. Chairman:** On vote 907. The member for Scarborough East.

**Mr. T. Reid:** Mr. Chairman, looking at the estimates for 1968-1969 for the various items in vote 907, and comparing the actual expenditures for 1966-1967, my calculations give me the following results: That the estimates for the current fiscal year for "development roads" is 11 per cent greater than the amount actually spent in 1966-1967 for development roads; the similar increase for roads to "unincorporated townships in northern Ontario" is 15 per cent; the increase for "municipal subsidies" is between 11 and 12 per cent. And the increase in "sanitary projects" is, I believe, 14 per cent.

So we find the various items, except for item 1, are increasing at different rates, 11 per cent, 15 per cent, 11.5 per cent, and 14 per cent. I was wondering if the Minister might give us some idea of why these rates are different so that we may have some idea of what his priorities seem to be.

**Hon. Mr. Gomme:** We feel there were different needs in different areas and this is

why it was worked out that way, Mr. Chairman.

**Mr. D. Jackson (Timiskaming):** I am quite surprised at the priorities, too, when they say they are going to repair roads because there is a little bit too much traffic over them, or they are going to rebuild roads because the traffic has increased.

I would like to point out that Highway 573 is almost impassable. I drove over it last Thursday. It is a 50-mile-an-hour zone and I drove at 30 miles an hour. I would like to point out something else on the map; it is put down as a straight highway and I can assure the Minister it is not very straight. The only way he could possibly get a straight line is because the car stays in the air most of the time.

I would like to ask the Minister when he intends to do something about Highway 573?

**Hon. Mr. Gomme:** We intend to maintain it to the very best standards possible. This road is only bearing about 100 cars a day but eventually I suppose it will be completely reconstructed.

**Mr. Jackson:** Mr. Chairman, this road—the Minister says he is going to maintain it "to the very best standards." Over the last two years—and I have had ample opportunity to drive over it—there has not been anything done to it; in fact I have never even seen a grader on it or a piece of gravel put onto it. You say there are only 100 cars a day; I would like to ask the Minister how he expects any more than 100 cars a day over a road that is almost impassable?

**Hon. Mr. Gomme:** I cannot understand why there would be no maintenance on it and I can assure the member that if there has not been, there will be.

**Mr. Jackson:** Thank you. To go on from there, Mr. Chairman, they are going to build a new bridge on the Larder highway. This bridge has been out for some time. But there are three other bridges in Timiskaming. There is one on Bear Creek in Harley township; there is one on the Marquis road in Marquis township, and there is one in Pense. The one in Harley township has been out for three years; the one in Marquis has been condemned. It is unfit for travel. You cannot drive a heavy vehicle over it. The one in Pense has been out so long that no one can remember when it did go out. When is the Minister going to fix those three bridges?



**Hon. Mr. Gomme:** I think these are all municipal bridges, Mr. Chairman. If so, the request should come from the municipality on a cost-shared basis.

**Mr. Jackson:** Mr. Chairman, it has come from the municipalities many, many times and the department has given them one excuse after another, and this is just another excuse.

**Hon. Mr. Gomme:** Mr. Chairman, this could not be so. If the municipality has come in with a construction bylaw, I am sure it would be approved by the department.

**Mr. Jackson:** Some time ago in this House I mentioned the Chaput Hughes bypass and I asked the Minister if he had considered consulting with The Department of Municipal Affairs on the economic advantage of building a road to the south of Highway 66. He told us at that time that he had not consulted The Department of Municipal Affairs. I spoke to the district engineer and he told us it was too late to do anything about the highway because it had already been planned and it was going to be built this year. And yet in the highway construction programme for 1968-1969 it is not mentioned at all, and it is not shown on the map. Will the Minister tell us when they are going to build that highway and whether he will consult with The Department of Municipal Affairs?

**Hon. Mr. Gomme:** Mr. Chairman, it is not on this year's programme but the question of location has not been settled yet and when that is settled we will be able to programme it.

**Mr. Jackson:** Mr. Chairman, when speaking to your district engineer I was told without any ceremony that it had been settled and they would not change their mind. Now this is a direct contradiction.

**Hon. Mr. Gomme:** Well, I am not aware of what the district engineer said, but the location of it is not settled yet, Mr. Chairman.

**Mr. Jackson:** Mr. Chairman, will the Minister tell us, or give us a reasonable guess or estimate as to when he feels it will be settled and who is making the decision?

**Hon. Mr. Gomme:** We do not think that the arguments put up by the municipality are valid but we are still open to talk it over with them. But the south location, according

to our estimates, was much more expensive than the north.

**Mr. Jackson:** I would just like to point out, Mr. Chairman, the facts on it. By putting the highway to the north of Highway 66, it will go immediately past the entrance to a school, which will make it necessary for over 400 children to cross that busy thoroughfare every day to go to school.

By The Department of Highways' own admission it will cost \$100,000 more to put it to the south of Highway 66, and I would like to know if the Minister considers \$100,000 is more important than the children's lives?

**Hon. Mr. Gomme:** No, Mr. Chairman, you could not put a price on the children's lives, but they are crossing the road now. But I might say to the member, and I think he knows, that is one of the areas on which the discussion is based.

**Mr. Jackson:** Mr. Chairman, the reason they are reconstructing this road is because of the dangerous situation for the pedestrians as well as traffic. I cannot understand why the Minister says the children are crossing the road today. Does that not put some onus on him to change it and make it safe?

**Hon. Mr. Gomme:** We think in constructing as we are we are making it safer. But as I say, I have used the term "constructing" in relation to our plan, but we are still negotiating with the people up there.

**Mr. Jackson:** Mr. Chairmin, would the Minister tell me who they are negotiating with? I have been in touch with officials of Teck township; I have been talking to The Department of Highways in the area, and as far as I am concerned and as far as they are concerned, it is settled.

**Hon. Mr. Gomme:** We have never said that it is settled and we will discuss it with Teck township again.

**Mr. Jackson:** I will convey that to Teck township. The Minister also said that roads are built when the need arises and I point out that the recent increase in park fees in our area makes Esker park almost unreachable for most people for two good reasons. First, because the fees are too high, second because there are 16 miles of gravel road in order to get into that park. And we depend on Esker park to draw tourists. Because of our road conditions, they only make one trip and they never come back. Even the local people have

said this year Esker park will not be used because of the road conditions.

Is the Minister considering paving the road into Esker park or at least upgrading the road?

**Hon. Mr. Gomme:** Could the member give me the number of that road?

**Mr. Jackson:** There is no number on it, it is a service road into the park.

**Hon. Mr. Gomme:** I believe then it would not be our road.

**Mr. Jackson:** I will take that under consideration when I deal with Lands and Forests.

I mentioned safety on the highways. Just north of New Liskeard there is a new scale built alongside the road. Beside that scale there are something like 14 lights. Over the last five or six months I have had opportunity to drive down that road at least once a week. I have never seen any of those lights turned on; I have never seen the scale open at night. Yet the town of Englehart has asked for four lights to be placed at very dangerous intersections and they have been refused with many excuses. I wonder if the Minister can tell me reasonably why they have not done anything about it; why they will not instal these lights?

**Hon. Mr. Gomme:** I will have to look into that but I am advised lights could only be turned on when the scales were in operation, but we will look into that.

**Mr. Jackson:** Mr. Chairman, I am speaking about the lights at Englehart. Will the Minister tell me when they are going to put lights in at these dangerous intersections at Englehart and at both ends of the bridge at Englehart where there have been several accidents? In fact, Mr. Chairman, there was one this week.

**Hon. Mr. Gomme:** I will have to get a report on that situation.

**Mr. Jackson:** There is a big gravel pit on Highway 11B at Bass Lake road. The Department of Highways has been drawing gravel to repair the highway. The Minister has stated that he will have it landscaped and cleaned up because of the tourist area. Will the department start on that now or will they wait until winter and let it go another year? If grass is put in now it will grow this year.

**Hon. Mr. Gomme:** We hope to do it this year.

**Mr. Jackson:** Thank you, Mr. Chairman.

**Mr. Shulman:** Mr. Chairman, on item 4—municipal subsidies, \$87,800,000—I would like to ask the Minister what control, and I am speaking of safety at this point, what control does the department keep over the municipalities in the use of these subsidies. Does the department oversee or consult with them as to their safety plans? I am speaking now of things like guard rails, highway slopes, holes, signs. Is this left strictly to the municipalities or is some control maintained in this particular expenditure?

**Hon. Mr. Gomme:** Mr. Chairman, all of our research is available to the municipalities and they have the advantage of using it.

**Mr. Shulman:** The point I am after is whether there is a control maintained by the department? In other words, if they decide that they are not going to use any safety features, are they permitted to go ahead just as they wish or does the Minister insist on certain basic safety features?

**Hon. Mr. Gomme:** No, we do not insist on that, Mr. Chairman.

**Mr. Shulman:** Does the Minister think that perhaps this policy should be changed, inasmuch as the individual municipalities obviously do not have the resources to do the research, or many of them may not even wish to bother with these particular matters? Does not the Minister think that, since there is so much provincial money involved, that certain standards should be set and that the department should insist on these standards?

**Hon. Mr. Gomme:** I stated before, Mr. Chairman, that the municipalities have the advantage of all of our research and at no cost to them.

**Mr. Shulman:** I understand that, Mr. Chairman. What I am asking the Minister is if he does not think that he should insist on certain minimal safety standards. I know that these things are made available to them, but what if they do not use them?

**Hon. Mr. Gomme:** Mr. Chairman, I think there is still an area where the local elected representatives can surely look after their own affairs, with all the advice and assistance which we give them.

**Mr. Shulman:** Unfortunately that is not so, because I come from an area where the local engineers were not competent to do this. They built concrete poles outside of guard rails—on the wrong side, next to the cars. I

come from a fairly large area and one would think that in this particular area they would know better, but they did not. Well now, if they do not know better here, how can they possibly know better in Owen Sound?

Interjections by hon. members.

**Mr. Chairman:** On vote 907. The member for Wentworth.

**Mr. Deans:** Just one quick question, Mr. Chairman. Does the Minister expect that the Queen Elizabeth Way from Highway 27 to the Gardiner expressway will be completed this year? The section that is being reconstructed on the Queen Elizabeth highway.

**Hon. Mr. Gomme:** Would the member give me that question again?

**Mr. Deans:** Yes, gladly. Does the Minister expect that the section of the Queen Elizabeth Way, from just east of Highway 27 to the Gardiner expressway, will be completed this year?

**Hon. Mr. Gomme:** It is to be completed from Kipling to Islington, but not quite the whole way which the member talked about.

**Mr. Sargent:** Mr. Chairman, the other day we had a very distinguished visitor—

Interjections by hon. members.

Some hon. members: Hear, hear.

**Mr. Sargent:** Can the Minister advise at what speeds he is building his roads for?

**Hon. Mr. Gomme:** Mr. Chairman, that varies for the type of road that we build. Anywhere from 50—

**Mr. Bukator:** It all depends on where the police cars are.

**Mr. MacDonald:** I am not certain that this is the appropriate estimate but I have a brief question: Has the department, after lengthy consideration, come to a conclusion with regard to the speed on 401 and other four-lane highways?

**Mr. Chairman:** The question is obviously out of order, but if the Minister wants to answer it he may do so.

**Mr. MacDonald:** Where is the appropriate place for it?

**Mr. Chairman:** Vote 907. The member for Timiskaming.

**Mr. Jackson:** Just one quick question, Mr. Chairman. Will the Minister visit the riding of Timiskaming, so that I can show him some of our bad roads and would he this time drive in, rather than fly in?

**Hon. Mr. Gomme:** Mr. Chairman, I do not recall ever flying into Timiskaming. As a matter of fact, I drove over a good many of those roads last fall, but I do not remember ever flying there. If I return, I will go by car.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** I have a final, brief question for the Minister, Mr. Chairman, referring to item 3, "Roads in unincorporated townships in northern Ontario—\$800,000."

We have \$159 million, plus \$87 million, and other items amounting to \$250 million, of which two-thirds is being spent in southern Ontario. We have \$800,000 being spent in the unincorporated townships. It appears to me—and I would like the comments of the Minister on this—that he is not spending enough money. He is spending far too much money down south and not enough money in the unincorporated townships. I would like his comments on that, Mr. Chairman.

**Hon. Mr. Gomme:** Mr. Chairman, these funds are used for the construction and improvement of roads and bridges where it is beyond the ability of a statute labour board, local roads board, or other group, to make any contribution.

These funds may also be used for projects of a capital nature, toward which a board or group may make a contribution. Allotments on this basis are rare and represent less than 10 per cent of the total, but we also give a subsidy to these local roads boards for construction, but this is only for special projects.

**Mr. Shulman:** How big is the subsidy, Mr. Chairman?

**Hon. Mr. Gomme:** The subsidy for the local roads boards is two for one—two of ours for one of theirs.

**Mr. Shulman:** I am asking how much is being given this year to the unincorporated townships in the form of subsidy?

**Hon. Mr. Gomme:** It is \$1 million to ordinary and \$800,000 capital.



**Mr. Shulman:** Does the Minister think in consideration of a \$250 million in the rest of this particular vote, 907, that this is sufficient for northern Ontario—for the unincorporated townships?

**Hon. Mr. Gomme:** We do, for that particular purpose.

**Mr. Jackson:** Mr. Chairman, I would like to point out to the Minister that the bridge at Marquis, which I mentioned is out, and the one in Pense which is out, are both maintained by statute labour boards. If the money is available, why are those bridges not rebuilt or repaired?

**Hon. Mr. Gomme:** I will look into that, Mr. Chairman.

**Mr. Chairman:** The member for Sudbury East.

**Mr. Martel:** Mr. Chairman, I asked before why Highway 144 to Timmins is being paved at 20 feet, when the minimum tolerable width in the 1956 plan was 24 feet?

**Hon. Mr. Gomme:** Mr. Chairman, the pavement widths depend on the classification of the road and the traffic volume. Arterial road and traffic from 3,000 and up is 24 feet; for collector road and traffic from 1,000 to 3,000 it is 22 feet; and local and low traffic, less than 1,000 is 20 to 22 feet.

Vote 907 agreed to.

On vote 908:

**Mr. Chairman:** The member for Wentworth.

**Mr. Deans:** Mr. Chairman, vote 908—salaries. Does this include engineering staff?

Whose salaries does this \$8,463,000 pay? I do not mean the individuals, I mean generally.

**Hon. Mr. Gomme:** This pays the salaries of the staff of these two branches numbering 1,173 people.

**Mr. Deans:** Does this include engineering staff?

**Hon. Mr. Gomme:** Yes.

**Mr. Deans:** I wonder if you would explain why we have to spend an additional \$5.5 million on consultant fees. Is the department not sufficiently large to do its own work?

**Hon. Mr. Gomme:** No, we are not, Mr. Chairman.

**Mr. Deans:** Why is it that this year then, the consultant fees are up about \$1 million?

**Hon. Mr. Gomme:** Consultant fees are up due to additional road design, but also due to the increased cost of work on which the consultants are paid a percentage fee for design.

**An hon. member:** They have probably got a union too.

**Mr. Deans:** Would it not then be more intelligent to expand the department in order to carry on this work, rather than to continue to pay about—we will say 20 per cent, for an easy figure—a little more—20 per cent in additional costs this year?

**Hon. Mr. Gomme:** Mr. Chairman, we use these consultants for a lot of special projects and, of course, the advantage is that if we get a great deal of work designed and ready to call we do not use them maybe as much next year if we do not have the need and then our expenses could be down. They are only on a call-for-work basis.

**Mr. Deans:** I do not happen to have the figures for the last two or three years. I have last year's, of course. Could the Minister tell me if there has been a year when the consultant fees have gone down recently—within the last five years for example?

**Hon. Mr. Gomme:** I do not believe there is a time in the last five years, Mr. Chairman.

**Mr. Deans:** Would this then not justify increasing the size of the department and thereby having at your fingertips the proper people to do the work, rather than paying outside interests on a percentage basis?

**Hon. Mr. Gomme:** One of the other problems is that some of the consultants have specialists in their fields. We are not able to get enough of these at times to do the work that we want to do and this is why we have to take them.

**Mr. Deans:** There is one thing. I think you would agree that the province—the government of the province—is by far the largest road builder in the area. Surely, it would be most sensible for them to have in their employ the best people.

**Hon. Mr. Gomme:** Mr. Chairman, we have.

**Mr. Deans:** Then why do you need the consultants?

**Hon. Mr. Gomme:** Mr. Chairman, as I explained before there may be special projects

that we would need them on. For instance, one that comes to my mind now is tunnel work. This is something that we may not run into very often and we might not have engineers who would be best to do that.

**Mr. Deans:** Does it seem reasonable then that we would have a staff costing \$8.5 million and spend more than half of that additionally for consultant fees? Now I can understand that if one was to require consultants for a specific job and was going to pay out the money for one job. But to pay out almost as much, almost two-thirds, of the total cost for salaries for this department in consultant fees seems a little ridiculous and this is an ongoing process. This goes on every year.

If it were once, I could understand it, but to do it year after year after year, I think, is a little ridiculous. Surely we must now be in a position where we can see that we are going to require the assistance of these people continuously. Therefore we should set up a department to facilitate this.

**Mr. Lewis:** Why are we sitting at this hour of the night?

**Hon. Mr. Grossman:** Ask yourselves.

**Mr. Lewis:** On a point of order! Mr. Chairman, why are we sitting at this hour of the night?

Interjections by hon. members.

**Mr. Lewis:** The Prime Minister is anxious to intervene. Why do we not adjourn for the summer and come back in the fall so that this kind of absurdity does not occur?

Interjections by hon. members.

**Mr. Lewis:** Why prolong the day until 10 and 12, Mr. Chairman? On a point of order. The analysis of the estimates is perfectly appropriate. It could be done in the spirit of obvious equanimity on all sides; I say to you, Mr. Chairman, that this Legislature need not sit until ten after midnight at this point in the session. I urge that on the Prime Minister.

Interjections by hon. members.

**Mr. Chairman:** Order! Order! Order! We are dealing with vote 908.

The member for Grey-Bruce.

**Mr. Sargent:** Mr. Chairman, the stand that the member for Wentworth has taken is very important to us at this point because I believe that in the area of the total Budget, the government will spend possibly—pick a figure—

\$15 million, \$20 million, \$25 million this year on consulting.

Interjection by an hon. member.

**Mr. Sargent:** Well, if I am wrong within \$5 million to \$10 million tell me. It does not—

**Mr. MacDonald:** A round figure, very round.

**Mr. Sargent:** We are starting off at a good point with \$5,500,000 in this budget right here insofar as consultant fees—

Interjections by hon. members.

**Mr. Sargent:** \$5,250,000 for consultants' fees. In every area of government we have this leaning on outside help, creating a great drain on the budget of the people of Ontario. I would suggest that somewhere along the line it is important that we know at one time how much money you are spending in a given year on consulting.

There is a great area of—how do you say it in the nicest way—there is a great area for looking after your friends. We sit here, most of us making about \$1 an hour for the time we put in here, and—

**Hon. S. J. Randall** (Minister of Economics and Development): Worth every nickel of it!

**Mr. Sargent:** —and unless you are the leader of the Opposition or get paid outside sums of money from unknown sources, and like the member from the New Democratic Party who takes it upon himself to criticize people for not being in the House. Unless we are in a position like he is to have outside sources of money, we cannot afford to let our businesses go; we have to look after our businesses, too, and be in the House the same time to try to do our job.

I think there is a great area of concern in the amounts of money that the government is spending on consultant firms. For one time, we should ask the government to furnish to the people of Ontario the list of the firms who are acting as consultants in every department and the rate of scale they are being paid.

To me, it was a shocking thing we had in centennial year when one sign was put up in front of this building at a cost of \$70,000 for a thing that was torn down a few months later. These things go on unknown to the people of Ontario. Here we have a department spending \$5,500,000 on advice and I think it is a shocking thing that we do not know the rate of pay they are getting and

who they are. Do they tender for these jobs or do they get them through friends in the department?

It is late now, but this is a very important thing, and I want to know as a taxpayer in Ontario, your right to spend that amount of money on consultants. I want to know the yardstick you use and how they get these jobs and who they are. For once we should have a complete revelation given to the people of Ontario on just what does go on in consultant fees.

**Hon. Mr. Gomme:** Mr. Chairman, I might give this piece of information on hiring consulting engineers. Due to the fact that we do not staff the department to undertake all of our work, because of the fluctuating work load, the geographical changes in the amount of work each year, we award to firms of consulting engineers the overload of our design and planning work, in soils, foundation material analysis and reporting.

There are also consulting organizations who are recognized as experts in specific fields of engineering, such as illumination, and their services are used because of their special talents. There are very many consultants presently operating in the roads engineering field in Ontario. We employ a small number of these consultants for our work in planning of road and bridge design.

We have kept the number that are used to a small group, about eight in the planning, 15 in road design, and 25 in bridge design. It is felt that once these consultants have done work for the department they are knowledgeable about our standards and requirements and can operate more effectively for us. We are not having to constantly break in new groups and can attain more uniformity in our design procedures.

We are also able to select from consultants who we feel are best suited to undertake the specific jobs and can use certain specialists in various areas to best advantage. We do on occasion add new consultants to the group who undertake our work, if they have successfully operated in other areas and have special skills which would be used for our advantage.

The fee paid to consultants is based on the schedule prepared by the association of professional engineers of Ontario. Basically, there are two fee systems. First, the cost plus system for projects where there is no end-product, such as an engineering concept, on which to base a percentage fee. The consultant is paid his costs plus a fixed percentage. This system is used in such areas as traffic studies.

Second, a percentage fee system for projects, such as engineering contracts, which will have a finite value. A sliding scale of percentage as defined by the engineers' association is applied to the final cost of the contract and the consultant is paid accordingly. Consultants are seldom employed by the department for construction supervision, as this work is almost always done by the department staff.

Many large engineering-oriented organizations employ consultants in a similar way to that used by the department. We have employed this system for about 15 years and it has proven effective to serve the needs of the department.

**Mr. Sargent:** Mr. Chairman, this does not say anything—it just says that the engineers set their own fees. Well, somewhere along the line there has to be a stop put to it.

**Mr. MacDonald:** I think you are filibustering, but we will listen carefully.

**Mr. Sargent:** If he can say something more intelligent, let him get up and say it.

**An hon. member:** Sock it to him.

**Mr. Sargent:** If you replace nothing, it is still nothing. You have not established the fact that you will furnish a list of the firms, the amount of money they are receiving, because I think that with the amount of fees you are paying out to these people, they are making even more than the doctors are, and the lawyers.

**Mr. Jessiman:** Ask the member for High Park.

**Mr. Sargent:** They run the country pretty well! If the Minister will furnish a list of the people last year who were consultants and the amount of money they received, and break it down, we will have an idea what we are paying for. And maybe they are making more than the judges are, the \$500 a day, we do not know that.

**Hon. Mr. Gomme:** Mr. Chairman, this would all be in the public accounts. The member could get it there, but I could—

**Mr. Sargent:** If you were a chartered accountant, you could not read this hodge-podge here. And I would like to have it broken down, Mr. Chairman. If there is nothing to hide, let us have the list of the consulting firms, the amount of money they have been paid. Have they been paid more



than judges—\$500 a day? It is a good place to start.

**Hon. Mr. Gomme:** I think, Mr. Chairman, if that was put on the order paper, we would get all information for him.

**Mr. Sargent:** Are you hiring any American firms as consultants?

**Mr. Shulman:** You should be asking if he is hiring any Canadian firms.

**Mr. T. P. Reid (Rainy River):** Is he hiring any non-Conservative firms?

**Hon. Mr. Gomme:** I cannot answer as to any specific one. There may be one, but I think most of these companies have American association, but they are not American companies.

**Mr. Shulman:** Are there any Canadian firms?

**Mr. Sargent:** You said in your report there that you had continuing associations with these people over the years, and I imagine once they are on the list, they are on there forever. How does a person break into this game if you have a continuing operation?

**Hon. Mr. Randall:** Because of the—

**Hon. Mr. Gomme:** I would be glad to help if the member has any names of firms he wants to put on the list, if there is such a thing as being put in the proper place.

**Mr. Sargent:** That was not my point. When are you going to start taking them off? That is the point.

**An hon. member:** Are there any you want taken off?

**Hon. Mr. Gomme:** I suppose if we find they are not capable of doing the work. But as I mentioned in the report there, that we go by their experience and what they have done for us, and we usually take new companies on. Maybe they start and have done some work for the municipalities and we have seen their work is good and know their capabilities, and then we take them on our list.

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid:** Mr. Chairman, on the same point, I would like to ask the Minister a few short questions. If I understand the Minister correctly, he said that the amount spent on consultant fees sort of varies in a lumpy manner from year to year; that in the coming

year he might have to have it to almost \$5.5 million whereas in other years it might go much below this.

Judging from the record, Mr. Chairman, the actual amount expended on consultant fees for the fiscal year ended March 31, 1967, was \$4,145,000 and the increase over a two year period is \$1.3 million, which is quite a percentage increase. My suggestion to the Minister, Mr. Chairman, is that it was high three years ago and is going up, which is the point that my colleague noted. When is it going to stop? When are you going to rationalize this? The Minister might comment on this again, because if it comes on this time next year, and this particular estimate is up by another 13 per cent, then you will be in the dog house, if we refer you to the remarks you made just now.

Another question is this: what kind of consultants are you hiring? The Minister referred in his remarks, Mr. Chairman, to engineering firms, and he stressed this three or four times, if I counted correctly. Surely, if we are concerned with highway development within a community, taking the entire Ontario community, he should be hiring many more different types of people, substituting perhaps community planners for some of these engineers, who do not understand what an expressway does to a community when it slices through it, and cuts into community groups and community relationships.

Perhaps also he should have more economists to advise him on the economic effects of some of these highways that he is contemplating and commissioning consultants for. Therefore, I would like to know a great deal more about these consultants.

I would like to know the firms specifically included in this estimate and how much they are going to receive. I would like to know the system whereby you decide which consulting firms to hire. For example, do you have tenders, or is it simply very private consultation and you select the people that seem to be the best. Is there open competition for this type of thing? So there are three questions, Mr. Chairman:

1. I would like the Minister to comment again for the record—for those who will be referring to his remarks now over the next four years to see if he keeps in tune with what he says this year about the increase that he sees over the next years in consultants' fees—whether he sees his department hiring more people to replace these high price consultants:

2. I would like to know more about the types of consultants he has; and,

3. I would like to know a great deal more about his method of selecting these consultants.

**Hon. Mr. Gomme:** Well, Mr. Chairman, we have the different types of engineers. We have them for functional planning and traffic and area studies, for bridge designs, road designs, and then just general engineering and other surveys which we might need. I also would like to point out that in this figure are fees for subsidy to consultants to municipalities. It is not all just our work. Then I think the next question you asked was whether I could give you the assurance the figure would go up and down. I cannot give you that. It varies from year to year and naturally the greater amount of work we have to do the greater need we have for these people. The selection is done by what we call a selection committee of the senior engineers of our own department.

**Mr. T. Reid:** Mr. Chairman, just a comment on that. The Minister undoubtedly has read many of the studies about the social effects of highways within a community. We sort of know, for example, that in West Hill, in my own area, when you do something to the Kingston Road so people cannot cross it, you might be busting up the West Hill community, and the thing that just continues to surprise me when I talk to experts in this field who are engineers, is, through no fault of their own because this is their discipline, their total lack of awareness of what a highway can do to human relationships in a community when you just cut across it, when you slice through it.

I would like to make a recommendation to the Minister that he might really consider hiring people in his own department, or perhaps, re-allocating some of the money he has now for consultants' fees, away from the engineers and have some really good studies done on the social consequences of expressways slicing through a growing megalopolis. I would be much more reassured if the Minister could tell me that he at least has done this type of social-political study. I see it in my own riding. I see what you have done to church groups. I see what you have done to church congregations—you have cut them off from the church in a real physical sense. I have seen what has been done to a local teachers' association by the 401 meeting the Kingston Road down the West Hill area. It just busts up a community. I think that in

our society today we must do all we can to preserve these communities which are functioning within a growing megalopolis throughout Ontario.

I would recommend to the Minister that he hire this type of consultant, as well as the hard-nosed engineer who really just wants to get traffic flows moving and to get traffic from A to B as quickly as possible.

**Mr. Sargent:** Mr. Chairman, I do not suppose that I will get from the Minister a list of consulting firms and the amount of moneys paid, and the rates of pay. He said it was in the book. If he would tell me where to find it I would be glad to look in the book for it.

**Hon. Mr. Gomme:** Mr. Chairman, I would say to the hon. member that if he would put all that on the order paper I will get it for him.

**Mr. Sargent:** I think the member for High Park is right when he says that now is the time we should know what we are talking about. We do not know what we are talking about. We are just talking in vague figures. I have been reading this book for four years and I still cannot get to the bottom of it.

For instance, it says, "Raikes, R. C. and party—\$9,229.22." Never once in this House have I found out what Mr. Raikes and party spent \$9,000 on. If I had asked the Deputy Minister, Mr. McNab, to tell us what Mr. Raikes and party spent \$9,000 on—how do you find these things out?

**Hon. Mr. Randall:** Put it on the order paper.

**Mr. Sargent:** I want to know now. I want to know when I am talking on these estimates now. I do not want to wait until six weeks from now. It will all be forgotten and never be brought up again.

So, in essence then, Mr. Chairman, will you look at any page in the travelling expenses in this book and see any account. Here is one for B. L. Madden and party—\$7,000. What do Mr. Madden and party spend \$7,000 on—how do we know what they spent that on? That is what we are here for, to find out, and we cannot find out.

**Hon. Mr. Gomme:** Mr. Chairman, I am not familiar with the names the hon. member is using.

**Mr. Sargent:** It does not matter; take any name.

**Hon. Mr. Gomme:** I presume that you are reading from the list of our own engineers who work in the field in engineering. This would pay the expenses of that man and the group that are with him wherever they are sent in Ontario. This would be for the period of the year.

**Mr. Sargent:** I am sorry to flog this point, but when you say, "Mr. Raikes and party," that is a big ball of wax. What does that cover? Entertainment at the Westbury hotel, or booze, or what is it?

**Hon. Mr. Gomme:** I want to assure you, Mr. Chairman, all these accounts are properly audited and none of them get by unless they are really ones that should be authorized. This is the living expenses and—

**Mr. Sargent:** Supposing they do not get by, what happens?

**Hon. Mr. Grossman:** The auditor would not okay them; you could not issue a cheque.

**Mr. Sargent:** Do you want to bet?

**Hon. Mr. Grossman:** Yes. You could not issue a cheque if the auditor did not agree.

**Mr. Chairman:** The member is referring to the public accounts, I am sure, for the year 1967. We are dealing with the estimates.

**Mr. Sargent:** I will close off by asking the Minister then to provide us with a list of the consultants, the amount of moneys that have been paid and the rates of pay. Let us have an idea what we are paying for and what we are getting for our money, because I cannot find it in here. You could not find it in here yourself.

**Mr. Deans:** Just to follow up on what the member has said. Is it not possible for you to tell us how many consultant firms you hire every year? Do you not have those figures available now?

**Mr. Shulman:** You only hire eight for planning. Can you not give us those eight names?

**Mr. Deans:** Surely those must be available now. We do not have to wait—you would have them, I would hope.

**Hon. Mr. Gomme:** I do not have those names here, Mr. Chairman, but we have them in our office at Downsview.

**Mr. Deans:** No, could you tell us how many—I do not want the names today, I realize you have not got them, just how many there are.

**Hon. Mr. Gomme:** I gave that figure, Mr. Chairman, I believe it was in the area of 19.

**Mr. Deans:** Nineteen separate firms?

**Hon. Mr. Gomme:** No, it is more than that. We have kept the number—eight in planning, 15 in road design, and 25 in bridge design, which would be a total of 48 firms.

**Mr. Deans:** Did I understand you to say earlier that you use many of them over and over—that you do not tender for jobs—that you just go back to the ones you used previously?

**Hon. Mr. Gomme:** No, we do not tender for this. But I referred to the fact that they were chosen by the selection committee of senior engineers in our department.

**Mr. Deans:** Then it is on the basis of past performance?

**Hon. Mr. Gomme:** And their ability, yes.

**Mr. Deans:** This I would think would be more reason why we should expand the department. Could I ask then another question? Do the names appear somewhere in the public accounts?

**Hon. Mr. Gomme:** Yes, they would be in that, Mr. Chairman.

**Mr. Deans:** Then under what heading would they appear? I have looked through them very carefully trying to find them. I wonder if you could tell me.

**Hon. Mr. Gomme:** They are under "materials and supplies".

**Mr. Deans:** Oh, I see, so they would be hidden—not hidden—I mean they would be some place in the mess of names there. In the matter of travelling expenses—if I could go to that for a moment—is this dealing only with those people who are in the regular employ of the Ontario government?

**Hon. Mr. Gomme:** Yes, Mr. Chairman, this is in addition to the expenses of the 189 employees who travel regularly. This provides for the cost of six origin and destination survey parties and 35 field survey parties.

**Mr. Deacon:** Mr. Chairman, I am impressed by the statement of the Minister that he needs to have these consultants for specialized work such as the tunnel project that he mentioned. But, it is difficult for me to accept his contention that we need them to such an extent for the fluctuations in the amount of the work being done or in a lot of the work, such as bridge design and traffic intersection,



that he describes. It seems to me that we are, by far, the biggest builders of roads in Canada. As a result, we must have well-qualified, well-trained staff and, perhaps a 5 per cent amount for consultant fees in this regard might be more acceptable. This is a very predictable item in the light of the increasing trend in the expenditures of the department and the work being done, and it seems completely out of line for us to be spending such a major portion of our fees in consultant work, rather than on staff salaries.

Surely we should be spending more in, perhaps, higher pay scales to attract the best people, instead of having, with these private firms, to pay overhead plus their higher salaries? Surely we should be sending them on courses and on training programmes and creating an atmosphere where we can combine the fact that they are working for us with the type of incentives that would generally bring the best people around us. Government is not necessarily a dead end, and I am sure that there is little need for us to be expending 60 to 70 per cent of our money on consultant fees, when really it should be in the order of 10 to 15 per cent maximum in this item 908.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. Bukator:** I was interested in this debate on consultants and engineers on different projects. I am wondering whether this department is not saddled with a large expenditure for engineers and consultants that you have absolutely nothing to do with. This would be a question that I would ask of you.

I know of some bridges that have been built, with my experience, with county work for some ten years. I understand that the municipality pick engineering firms that they want. Let us say that a township wants to build a \$1 million bridge. They find a consulting or engineering firm that they want to do that job, and so the county council passes a resolution to appoint these people and they work on a percentage, according to the tariff set up.

I am almost telling you how to answer this, but I would like to know how much of this goes on, and how much it does fluctuate in dollars, and how little you have to do with it as a Minister in this government. I am thinking of a bridge built in Fort Erie for which the local firm of engineers were hired. I, too, know that the province paid 80 per cent of the cost of the bridge in a town or township. You pick up 80 per cent of that engineering cost on that bridge also, do you?

There is a subsidy in the city of 33½ per cent and that city can pick their own firm of engineers. Now if you put these dollars into a lump sum, or if you were to reveal the names of those engineering firms to us—for instance, a new bridge was built in the village of Chippawa where I live. I think a firm of Proctor Redfern were appointed, and they are a Toronto firm.

The county council—I do not know Norris Whitney or what riding he represents; he could not keep his mouth shut until after I got through speaking but at least he is making his speech now while I am speaking. I would like him to speak after I get done.

I would like to get this clear, I think that we in the Opposition are blaming this Minister for a large expenditure for engineering that I do not believe he has a thing to do with or say about. I believe that the municipalities pick the firm. You pay 80 per cent of that particular—I wish you would put me right on this—or 33½ per cent or whatever the case might be. Is that amount of money paid also for the engineering firms? Now if I can get that correct then I think that I am half way home.

If you were to reveal the list of the ones that The Department of Highways hires to do special jobs for them, and if I were to put the question on the order paper, then give us the amount of dollars that you are compelled to pay for municipalities that you have absolutely nothing to do with. When it was mentioned that there are going to be tunnels under the Welland canal, the federal government came into the picture. I would like to ask this question of you; the federal government has worked hand in hand with the provincial government and The Department of Highways. I know that they have worked well on some of the projects. Since that has happened, I imagine on occasion the federal government has hired the engineering firm to do the job, and you have paid your portion. Is that so? The federal government hired—I am talking about the tunnels under the Welland canal.

Interjections by hon. members.

**Mr. Bukator:** Yes, and some of the bridges also. The canal is over the tunnel.

**Hon. Mr. Gomme:** We hire the consultants and the federal government would pay the subsidy on it at the same rate that we do the other one.

**Mr. Bukator:** What is the split when you work out a contract or an agreement with the

federal government? Is it a 50-50 proposition or what?

We are way ahead of the game; the tunnels are being built by very good engineers and good contractors.

**Mr. Kerr:** Good government.

**Mr. Bukator:** Yes, the federal government did a good job on that—good government.

**Mr. Sargent:** Thanks, George, you get an assist there.

**Mr. MacDonald:** You would think the department would find out what is going on before they spent \$18 million in taxes.

**Mr. Bukator:** To make my point if need be, I will put this question on the order paper. What I am trying to say to this House, and for the benefit of some of the new members, is that many hundreds of thousands of dollars, yes, millions, are spent on engineering firms that this government pays for but they have absolutely nothing to say about it because the municipality or the county hires those engineers.

If that is so, then I would like to know how much the province pays to their consultants and how much you are bound to pay for other municipalities when you had absolutely nothing to do with hiring? I am trying, I think I am, to help the Minister with a problem for the benefit of members of this particular House that are new here.

**Mr. Sargent:** I am not new here.

**Mr. Bukator:** I am not saying this for Eddie Sargent. He has been here longer than I have, but there are some.

**Mr. Sargent:** But I am against him.

**Mr. Bukator:** I am not making reference to you. I have heard many arguments on this particular matter.

**Mr. Kerr:** Do you want that tunnel or do you not?

**Mr. Chairman:** Has the member for Niagara Falls put a question to the Minister?

**Mr. Bukator:** I would like to be satisfied in my own mind, and I will ask the question as we go along here, if I can get by without too many interjections. But this time of night we still have only 23.25 hours to finish this day out, so we might as well stay with it. I would much rather do this for a few nights if you want to get on that subject for a few moments.

Interjection by an hon. member.

**Mr. Bukator:** I would sooner do a few more nights of this particular type, and get out of here in the middle of the summer at least. I do not want to stay here until fall. This is only one man's opinion.

Interjection by an hon. member.

**Mr. Bukator:** Mr. Chairman, to complete my remarks, I know of many projects in the county of Welland that have been started by the municipalities, where the government paid a grant to them and has nothing to do with the hiring of engineers. I do not think that in my 20 years of experience have I ever heard of the provincial government stepping in and saying, you should not or ought not to hire that particular firm of engineers.

Whoever they have hired, you have paid your subsidy to them. If this is so, then I am satisfied and I hope that there are others who have heard me tonight who are satisfied also. But I would like to know the difference. What you must do and what you do, and who you hire and the portions that are added that are not your job of hiring, but you must pay. There might be a 50-50 split. I do not know, and I would like to have that figure.

**Hon. Mr. Gomme:** Mr. Chairman, as the hon. member says he is going to put this on the order paper, we will be glad to get the answer. But it will take considerable research to get the figures of the engineers hired by municipalities, but we will get them.

**Mr. Deans:** Mr. Chairman, this county needs study. When was the last county needs study done? What county is this going to cover? All of the counties, or just specific counties?

**Hon. Mr. Gomme:** The 1964 county needs study was carried out jointly by the counties of Ontario and the department. This is what provided the estimate of the 10-year monetary need of the county road system.

**Mr. Deans:** I am just trying to find out—it came up with a 10-year programme of some kind. It was done in 1964—why are we now conducting another one?

**Mr. Shulman:** Answer that one, Charlie.

**Hon. Mr. Gomme:** My understanding of this was a five-year plan and the present one is to update it for the next five years.

**Mr. Deans:** And this was commenced in 1964.

Hon. Mr. Gomme: That is right.

Mr. Deans: And when was it completed?

Hon. Mr. Gomme: I cannot answer the time as to when they were completed because they were finished at various times by the consultants. But it was based on the 1964 figures and they were all, when they were completed, to be used in that period of time from '64 to '69. Now they are revising it at the present time, so they have new figures ready to start in '69 and carry on another five-year period.

Mr. Deans: I understood you to say they were completed by the consultants. Why then are we spending \$400,000 here for them when we spend \$5,500,000 for consultants? These are conducted by consultants. They are not conducted by the department, as such. I understand. Is this correct?

Hon. Mr. Gomme: That is right, but this money is set out for a specific purpose. I think of you realize that it is a special project this year, there was none spent on this last year or the time previously.

Mr. Deans: Then have you made use—and this may be kind of silly—have you made use of the previous study?

Hon. Mr. Gomme: Oh, very much. I gave you a statement on the development roads and the system that is used for the needs of the municipalities and the county-needs study. I gave you all that a little while ago. I do not know whether or not you were here.

Mr. Deans: Yes, I was here. I have not moved.

Hon. Mr. Gomme: Well, do you recall me giving you that and the purpose for the county-needs study and why they were done and how our allocation of development roads was one angle of it?

Mr. Deans: Yes, I recall you answering, not to the satisfaction of the questioner, but I can recall the question being answered. Thank you.

Mr. Chairman: The member for High Park.

Mr. Shulman: Mr. Chairman, through you to the Minister, why is the cost of the traffic and functional planning studies up by 66 per cent in two years?

Mr. Kerr: Because everything else is up.

Mr. Shulman: Sixty-six per cent—this is the department of inflation.

Mr. Jessiman: It is a millionaire Marxist.

Mr. Martel: Could you define Marxist?

Interjections by hon. members.

Hon. Mr. Gomme: I am advised this is because the number of urban studies are more this year.

Mr. Shulman: Well, I gathered that the reason the cost is up is because there was more. I am asking why you have increased it by two-thirds in two years.

Hon. Mr. Gomme: There are more studies, Mr. Chairman.

Mr. Shulman: We understand that you are spending more money by doing more studying. Why are you doing more studies? Why must you increase it by two-thirds?

An hon. member: Good question. Good question.

Hon. Mr. Gomme: As I pointed out, the number of urban studies—that would mean the cities—require greater plans of these things and this is why it is done.

Mr. Shulman: You keep saying there is more expense because there are more studies and I keep asking you why are there more studies.

Hon. Mr. Gomme: Mr. Chairman, I have already got through telling the hon. member that the urban studies which the cities want are greater in number than before.

Mr. Chairman: The member for Grey-Bruce.

Mr. Shulman: I am sorry, Mr. Chairman, I am not quite finished.

Hon. Mr. Randall: You are finished now but you do not know it.

Mr. Shulman: There is some \$5.5 million for consultants' fees here. We have heard quite a bit about consultant fees. Would the Minister agree with me that the largest bulk of that is coming under the heading of planning?

Mr. Kerr: Planning and design.

Hon. Mr. Gomme: Mr. Chairman, the greater amount of it is for road designs.

Mr. Shulman: There are three headings as I understand it: planning, road design and bridge design. What is the breakdown under



those three headings? How much goes for planning?

**Hon. Mr. Gomme:** There is \$600,000 for functional planning; \$430,000 for traffic and area studies; bridge design \$830,000, road design \$3,150,000.

**Mr. Shulman:** Inasmuch as one-third of the total salaries and fees over the past number of years have gone to consultants, could the Minister not increase his staff so as to reduce the cost of these expensive consultants?

**Mr. Chairman:** This question has already been put to the Minister.

**Mr. Shulman:** It has been asked but not answered.

**Hon. Mr. Randall:** Sure it has.

**Mr. Chairman:** Yes, it has been. This is purely repetition.

**Mr. Shulman:** All right, let me go on to the next question.

**Hon. Mr. Gomme:** Mr. Chairman, I have already answered that question.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Chairman, finalizing this just before this vote goes—I lost my spot here—under this county-needs study—

**Hon. Mr. Randall:** Watch those specs.

**Mr. Sargent:** You are in good shape tonight. Under this county-needs study, does \$400,000 cover the 53 counties in Ontario? The whole ball of wax as it were?

**Hon. Mr. Gomme:** I think there are only 37 counties in Ontario, Mr. Chairman. That covers them.

**Mr. Kerr:** Grey and Bruce are out.

**Mr. Sargent:** We are 52nd in the list of low wages—

**Mr. Pilkey:** You ought to get the UAW—

**Mr. Sargent:** The bitter truth is, and all kidding aside, that the property taxpayers of Ontario are subsidizing the automobile. It is a known fact that the property taxpayers are subsidizing the automobile across Ontario regardless of the income of gasoline tax in yearly expenditures. This is a net result, and you have this amount of moneys that are being expended on \$8 million in salaries; \$5 million for consultants' fees.

I think that somewhere along the line the boss has to cut back and this is a good area for it. And I would ask you then, if there are 37 counties in Ontario, as by your figuring, is it broken down? How do we know we are getting our share of this amount of moneys, in planning \$400,000?

**An hon. member:** You want to know if the counties are broken down?

**Mr. Sargent:** We are broken down.

**Hon. Mr. Gomme:** I am sure your county will be getting its share because this money is for consultant fees to subsidize the counties that do the work.

**Mr. Sargent:** Is one firm doing this job?

**Hon. Mr. Gomme:** The county has the choice.

**Mr. Sargent:** How many firms are doing the county-needs study then? How many firms are doing the county-needs study?

**Hon. Mr. Gomme:** The counties have the choice of their own consultants for the needs study.

**Mr. Sargent:** And so they have how much money to spend?

**Mr. Kerr:** \$400,000.

**Mr. Sargent:** I want to know how much money Grey county or Bruce county has to spend of this amount of money.

**Hon. Mr. Gomme:** Well, of course, we subsidize the amount that they ask. This has not yet been set. This is the amount that we are setting up in anticipation of paying what your county and the other 36 would ask for.

**Mr. Chairman:** The member for Welland South.

**Mr. Haggerty:** Thank you. Perhaps I can get the answer to the question I asked before on the tunnels in Port Colborne. Is it under the planning stage at the present time? Is it on the drawing board?

**Hon. Mr. Gomme:** Only the functional study been made as to the location of it.

**Mr. Haggerty:** Could you tell me when work on the project would commence?

**Hon. Mr. Gomme:** We have not the date when that would be commenced.

**Mr. Haggerty:** Would it be completed at the time of the opening of the new canal? That is a five-year forecast.

**Hon. Mr. Gomme:** I could not answer that.

**Mr. Chairman:** The Minister does not have the date.

**Mr. Haggerty:** Mr. Chairman, I have one other question which deals with the county-needs study. In Welland county it was just completed in 1967, adopted by county council, and this was a 10-year forecast. I know that the department has come along and said again, "We want another needs study in Welland county". I think it cost the county somewhere around \$17,000 or \$18,000 at that time for that study, and I can see again that this year they are going to go out possibly and raise some more money through the mill rate, spend another \$15,000, and I still do not know where it is going to lead them.

After this study was completed in 1967, the county was not aware that a study was being completed on the Queen Elizabeth Way, dealing with all the overpasses and flyovers in that area, Niagara riding, the Welland South riding. And now you come along and say, "Here, we need another needs study in Welland county." The county does not know where the railroads are going to be relocated.

At the present time there is a railroad running from Fort Erie to Port Colborne, and Port Colborne to Dunnville. There are rumours that this will be deleted from the railroad system, and that perhaps all the railroads will lead into the tunnel at Welland. So the railroads will have to be fed east and west into Port Colborne, into the Niagara district in this area. Without the complete studies of where the railroads are going to be located, without the complete studies of where the railroads are going to be located, without the complete studies on the Queen Elizabeth Way, how can you complete another study in Welland county? And at the expense of the taxpayers.

I presume that this is to be pretty well all through the province—the 39 counties—that it would just be a repetition of what has taken place in the past three years. These studies were, I think, based on a ten-year forecast and it is only three years since they have been completed—some less than that, within a year.

**Hon. Mr. Gomme:** Mr. Chairman, they were an estimate of, I suppose, the ten-year

monetary needs, but this particular study is just an updating of the past one. I do not think it will be too expensive for the counties to take up and, on the basis of this, we find out the needs of the county and with what we have to provide them.

The other thing the member referred to about the area study: we are negotiating with the seaway now, as to the tunnel and the railways and all these things. The counties have the advantage of getting this information when they need and if they need it.

**Mr. Haggerty:** Mr. Chairman, I think the counties—and I am speaking of Welland county—have been trying for three years to get this information. They still have not got it today, and this is what is holding up road construction in this area.

**Hon. Mr. Gomme:** Of course, I said, Mr. Chairman, that we were negotiating with the seaway authority to get the location of these. When they are finalized, the county can have the information.

**Mr. Deans:** I just wanted to ask a question.

Why is there a 30 per cent increase in consultant fees? Did you spend more than last year's estimate, by any chance? We have \$4,145,000 last year, this year we have \$5,460,000. It is about 30 per cent. Did we overspend last year or is there some reason why it is so high? Why has it increased by so much?

**Hon. Mr. Gomme:** No, we did not overspend last year, but we are asking for this amount of money in anticipation of more work being done this year.

**Mr. Deans:** I hate to go back, but is this in view of the financial position of the province?

**Mr. Kerr:** More roads.

**Mr. Deans:** I am taking that into consideration. This is important, it is important at a time when people are short of money, and you are raising additional money through unwanted tax, that we do not overspend in any department.

**Mr. Chairman:** Order! Will the member please address his remarks to the Chair?

Interjections by hon. members.

**Mr. Nixon:** Mr. Chairman, perhaps I should have risen on a point of order. It is now 1 a.m. If the House leader is consider-

ing a motion for adjournment, I can assure him we will support it.

**Mr. White:** On a point of order, with great respect, I draw your attention to *Hansard* of April 7, 1938, at which time Mr. Hepburn, seconded by Mr. Nixon from Brant, adjourned the House at 1.30 a.m.

**Mr. Nixon:** That is just as pointless as—  
Interjections by hon. members.

**Mr. Nixon:** You are going to go on with this, are you? Yes. Okay, well, the House leader is going to go on with this, so I would like to ask the Minister of Highways if there is a new policy this year in the approval of the special construction bylaws the counties are passing with regard to previous county need studies?

To help the Minister, I would say that there have been a number of complaints from counties in my constituency who write to me about these matters—usually copies of letters that they have sent to the Minister and his Deputy—saying that they feel that the regulations this year have been tightened considerably, so that they cannot proceed with meeting the county needs that have been brought to their attention through provincial studies in years gone by.

**Hon. Mr. Gomme:** Is the leader of the Opposition talking about supplementary by-laws?

**Mr. Nixon:** To meet their needs, yes.

**Hon. Mr. Gomme:** But, Mr. Chairman, is he referring to supplementary bylaws?

**Mr. Nixon:** Yes.

**Hon. Mr. Gomme:** Well, we wrote to them and asked them to present these to us in lots of time. Earlier I gave the information to the House today that we are hoping that we can give them the answers by May 15.

**Mr. Nixon:** Is there any difference in the procedure in years gone by? Why should they be somewhat exercised about your attitude this year?

**Hon. Mr. Gomme:** I think, in the years gone by, it had grown as a custom that they, in some cases, did some of this work and then came along to us and asked for the money. This year, so we could have some control over the expenditures, we want to give them the approval first, before they do the work.

**Mr. Nixon:** You mean under your predecessors, the custom had grown up in having the money spent before approval for the grant had been given?

**Hon. Mr. Gomme:** I do not want to say under my predecessors—I might as well admit that last year it was like that.

**Mr. Nixon:** You permitted some of this expenditure to take place, for which you were responsible and the expenditure had already occurred before you approved it? Is that right?

**Hon. Mr. Gomme:** That is right, and now we want to give the approval before the expense.

**Mr. Nixon:** Well, I wonder if you could tell us how much money was spent without your approval?

**Hon. Mr. Gomme:** I do not think any was spent without our approval.

**Mr. Nixon:** Your approval after the fact, then.

**Hon. Mr. Gomme:** There may be some small cases that were like that, but not too many. I could not give you—

**Mr. Nixon:** It must have been a significant amount for the Minister to be aware that his policy this year is so different from the policy that was followed by his predecessors and by himself before he got hold of the department.

You know how serious it is in The Department of Municipal Affairs, for example, if any municipality were to spend a plugged nickel without the permission of the municipal board and the Minister and everybody else who have their fingers in these municipal responsibilities. It often requires a private bill to go through the Legislature in order to set these things straight.

Now in The Department of Highways it apparently has been all right for these expenditures to be made without proper appraisal and approval by the Minister, and he has admitted that. I think that it is an inconsistency in the expenditures in years gone by. Unfortunately, we were not able to detect it but we would like to know on this side why the amount was inconsiderable by the provincial auditor's findings. It is strange that the provincial auditor did not turn up a thing like that which was enough, at least, to come to the attention of the Minister and his advisers.



**Mr. Chairman:** Is vote 908 carried?

**Mr. Bullbrook:** No, not carried at all, Mr. Chairman. I signified to your predecessor that I wished to speak.

I would like to direct to the hon. Minister a question in connection with his announcement with respect to the controlled access facility, Highway 402, from Sarnia. I believe that the Minister mentioned that the initial design study is beginning and I would hope that it is this year. Am I correct in assuming that it is this year?

**Hon. Mr. Gomme:** Mr. Chairman, we have done the functional study and we have announced the route. We are now starting the engineering.

**Mr. Bullbrook:** Perhaps I could group some preliminary questions for the Minister so that he can educate me so that I might educate my constituents.

Over the past several weeks and since the Minister's announcement, I have had many letters in connection with the possible routing of this highway. I passed some of the letters on to the Minister's department and I have now established a policy of passing them on to Mr. Gascoyne. I believe, of the London branch.

I believe that the situation now is that the design study is at such a stage that it is premature to identify with any degree of specific, say, within feet, the location of the highway. Could the Minister advise me how long before we might be able to tell these people where the highway will be located? That is one question.

**Hon. Mr. Gomme:** That is what the present engineering is doing.

**Mr. Bullbrook:** Doing right now?

**Hon. Mr. Gomme:** Yes.

**Mr. Bullbrook:** Am I correct in saying that it is going to be undertaken throughout the fiscal year 1968? This is contemplated in these estimates that we are looking at now.

**Hon. Mr. Gomme:** Yes, the engineering is to be done in 1968.

**Mr. Bullbrook:** Will the Minister advise me approximately how long it will take for this particular phase, which is being studied now, to be completed?

**Hon. Mr. Gomme:** It will be approximately two years before we will be ready to call the contracts.

**Mr. Bullbrook:** Does the Minister anticipate, in view of the comments made previously by the hon. member for London South, in connection with the routing of the highway at or near the city of London, any delay in the overall plans with respect to this facility?

**Hon. Mr. Gomme:** No, we do not, as the city of London are making their own study as to the movement of it within the city.

**Mr. Bullbrook:** I would like to relate myself, if I might, Mr. Chairman, to comments made with respect to the hiring of consultants. Much has been said in this House tonight through which I sat most indulgently, and listened to a great deal of comments which were, with the greatest respect, in my opinion, entirely out of order.

We were subjected to this for some five hours. I hoped when I came here to serve the people of the province of Ontario and in particular, the people of the Sarnia riding, and that I would be able to involve myself in debate on a higher level than which has taken place tonight.

In connection with the question of consultants' fees, item 5 under vote 908—"Traffic and functional planning studies—The Highway Improvement Act—\$775,000"—could the Minister advise whether that expenditure is an expenditure by the ordinary personnel of his department or by hired consultants?

**Hon. Mr. Gomme:** It is partly by our own people and partly by the municipalities who have hired consultants.

**Mr. Bullbrook:** Could the Minister assist me in perhaps giving me an approximate breakdown of the percentage paid to hired consultants?

**Hon. Mr. Gomme:** We will have to get that figure, Mr. Chairman.

**Mr. Bullbrook:** Aside then, from an expenditure made of a nature from \$1 to \$775,000, we have expenditures made by this department, Mr. Chairman, in an overall planning and design budget of \$16,324,000, of almost \$6 million in connection with the hiring of independent professional services available to this department. How much has been spent in connection with this?

I hope that I do not unduly bore the House with respect to my perhaps reiteration of what has been said by other hon. members. Some of the concern that must

come to the members of this House in connection with the hiring of these people—as I understand the basic background, as set forth by the hon. Minister in connection with the hiring of these professionals—is the fact that there are special occasions and special design occasions that necessitate their being hired.

Now the thing that disturbs me as a member in analyzing a percentage outlay to professions, are the comments the hon. Minister made in connection with how we establish the fees paid to these people. First of all, as I recall, he said that there are two methods of approaching it. If there is a finished product, then we can work on a percentage of design, a percentage of total capital costs and we will pay the consultants on that basis.

Secondly, he said that if there is no end product in view, as I understand it, we can pay them on a cost-plus basis. I hope I did not hear anybody say, "Out of order" because if this is out of order, we have been out of order all night. I am referring to the question of payment to consultants under vote 908.

Mr. Chairman, in relating back to my comments, we have in effect the Minister telling us of some specialty of requirement, some deficiency in planning and design, because in effect if there is a special requirement for the need of outside assistance, we can assume logically that there is not that professional availability within the department. I think this is a matter of logic.

**Hon. Mr. Randall:** Not on a permanent basis!

**Mr. Bullbrook:** Not on a permanent basis is a point well taken.

Interjection by an hon. member.

**Mr. Bullbrook:** Something that I want to get into is the question why is it not on a permanent basis. Because if you look into the estimates of this department every year there is a continual elevation of the need for the acquisition of outside consultant fees. I just want to read to you if—

Interjection by an hon. member.

**Mr. Bullbrook:** If I might, Mr. Chairman, I want to read to you the constitution of the design branch from the content of the summary of report of the annual report of the Department of Highways for 1967. This is the design branch, cartographic section, road design division, bridge division, bridge plan-

ning section, bridge design section, bridge control section, municipal bridge section; photogrammetry division; stereoplotting and control section; engineering surveys division—that is in design alone.

In planning, there is traffic and planning studies division; planning studies section; traffic control section; traffic characteristic section; highway safety; functional planning division; head office functional planning section; regional functional planning subsection; programme division; advance programme section; urban programme section; scheduling section; special studies section, northwestern region section.

The point I wish to make is this. If we are involved with a planning and design total capital expenditure of approximately \$16 million, and we have available the establishment of a planning and design department or divisions within the department, how can I accept as a member, without some elaboration and some intelligent and knowledgeable elaboration, from the Minister, how can I be expected to vote intelligently on behalf of the people of Sarnia on 908?

All I have been told tonight is, in effect, that we have tunnels and things like that, on which we must secure some outside special assistance.

I suggest, Mr. Chairman, that this is not an adequate reply in connection with this amount and the expenditure because it comes back to this. Naive we might be, sir, but stupid we are not.

I say this to you, it does not require any great economist to evaluate this; that if you establish professional assistance within your own department to do this same job, and you do not pay them on a cost-plus basis, you pay them on a cost basis, and—

Interjections by hon. members.

**Mr. Bullbrook:** You do not, well then if we are correct in assuming that it costs you more, then why not the feasibility of contracting out everything in connection with planning and design? This is the point, you cannot have it both ways. My hon. friend says, in effect, it costs you more to do it yourself. Well if he can prove that to me, then I suggest to him again logically, let us contract everything out, let us dispense with these divisions that I took the time to read out in connection with planning and design in the department itself. I ask for an elaborate—

Interjections by hon. members.

**Mr. Bullbrook:**—explanation for the members of this House tonight, before the Minister requests a vote on 908, to satisfy us as to why this great proportion of this expenditure is paid for outside professional fees.

**Hon. Mr. Gomme:** Mr. Chairman, I tried to explain it on several occasions, I guess I do not get through to the members. We hire these consultants, as one thing I mentioned, for some special projects. Part of this money for consultants is used as subsidy for consultants to the municipalities. We also use them to assist us where there is an overload of work and we have not staff enough to do it.

There has been a problem in the past of getting experienced staff, and when we have found that we were not able to do all the work then we have given it to consultants to assist.

**Mr. Bullbrook:** Well, I say this respectfully, that it is entirely evading the question. You talk about the acquisition of adequate staff. The very consultants whom he hires have acquired the adequate staff. Are we saying, in effect, that this department is so inefficient that it cannot attract appropriate people—is this what we are saying?

Interjections by hon. members.

**Mr. Chairman:** Vote 908; the member for Scarborough East.

**Mr. T. Reid:** Mr. Chairman, through you, concerning again the consultants aspect item of vote 908, I would like to ask the Minister whether any of the money that he is expending on consulting fees include the study of the total transportation requirements of the province of Ontario?

I have heard him talk about tunnels under canals, and bridges; I have not yet heard him talk about airports as far as I know. I would like to know whether his department, or the government, has commissioned a study either within the government itself, or by hiring consultants, sir, concerning the relationship between highway development, air development, water transportation, rail transportation.

In terms of air transport we have recently passed an Act, I believe Mr. Chairman, concerning grants to municipalities for the construction of local airports. We are now getting into various types of water transportation, for example, the hovercraft. In rail transportation for passengers and for

cargoes. We are getting into rapid transit systems and into other forms of rail transportation.

My first question, as I have several more, has to do with this: Is this government, either under the present Minister of Highways or in some other branch of the government, conducting a study for the total transportation needs of the province, showing the substitute ability, if you like, between rail and air transport, hovercraft transport, on water and so forth? Or are we just locked into a narrow concept of an outdated department in the sense of being confined only to highway transport as opposed to total transport in the province of Ontario?

**Hon. Mr. Gomme:** We are mainly concerned with roads, but you refer to airports, and some of the other things that come under another department. We are working with them all the time so that we are aware of what the transportation needs are.

**Mr. T. Reid:** Well, Mr. Chairman, I am interested in knowing whether this consultation with other government departments is more than just consultation about what they are doing, about what they intend to do; whether it is an interrelated plan of development for the transportation needs of the province for the next quarter of a century?

For example, air transportation is a substitute, both for passengers and cargo, for road transportation; recently the GO train, which I enjoy taking I must say, has become a substitute for some highway transportation. It might even be, if it was further developed, a very large substitute for a proposed east end expressway; it might even do away with the need for establishing an east end expressway, in the department, if there is a rapid expansion of the GO transit system. I am very concerned with this question of interrelationship between various aspects of transportation.

In the United States, Mr. Chairman, under Governor Rockefeller in New York state, the state has carried out a highly integrated study, which they are implementing, where it is clearly marked out that under certain conditions highways can be substituted for air transportation.

I would ask the Minister whether, since he is spending so much money on consultants, if he is considering the possibility that a really good study might show that certain highways are unnecessary providing there was transport development in other areas.



**Hon. Mr. Gomme:** Well, Mr. Chairman, the member refers to the GO train, and so on and so forth around this area. This came about by a complete study of the transport needs of the area. This is how this thing came about, and we are making the studies in other urban areas along the same lines.

**Mr. Chairman:** The member for Scarborough West.

**Mr. T. Reid:** Mr. Chairman, could I continue with my questioning on the same point?

I am encouraged by the fact that there was an integrated study done for that particular aspect of transportation in eastern Toronto. I am encouraged by the fact that not only was the GO train included, but the subway, railways and highways were included. This is great.

I would only say I hope this marks the beginning of a much broader study for the total transportation needs of the province, not just in highways. I am really saying, sir, that the Minister's department is out of date, that he should have in his department, not just highways, but other forms of transportation and it should be under his guidance that the government explore all these avenues for the total transportation needs through an integrated plan for the province of Ontario over the next 25 or 50 years.

If the money you are spending on consultant fees does not include such a study, I would recommend to the Minister, that he reallocate some of that money to such a study.

**Mr. Chairman:** The member for Scarborough West.

**Mr. Lewis:** Mr. Chairman, just by way of an observation, I might say to the always compelling member for Sarnia, that the quality of debate in this Legislature inevitably deteriorates when the Prime Minister begins his annual and petulant war of attrition, which is always the pattern—

**Mr. White:** You have set a new low right now.

Interjections by hon. members.

**Mr. Chairman:** Order, order! Vote 908 please.

**Mr. Lewis:** I am on vote 908. We have been on vote 908—

**Mr. Chairman:** Your remarks are entirely irrelevant to vote 908. Will you please stick to vote 908?

**Mr. Lewis:** What it takes three hours to accomplish after 10, takes half an hour on any other occasion.

**Mr. Chairman:** The member is entirely out of order. Vote 908.

**Mr. Lewis:** I want to make the point in a friendly and amicable way, Mr. Chairman, that there are more rational ways of ordering the business of this House to facilitate its completion.

**Mr. Chairman:** Order! The member is out of order.

**Mr. Lewis:** Including that of vote 908. Now, Mr. Chairman, perhaps I should ask through you to the Minister, directly on vote 908, on much of the subject matter of the evening and pertaining to what has been said a trifle earlier, if, in fact, a pattern has emerged? A pattern must have emerged, over the last three to five years, of the kinds of consultative requirements of this department, of the various types of consultative engineering or community planning facilities which you have prevailed upon over that period of time. If the pattern has developed, surely it then becomes predictable? Surely it would be possible for the Minister to tell the House how much more of the moneys he can allocate to beef up the quality of his own department and to depend rather less in the future on consultants from outside? Surely there must be some kind of intelligent appraisal of that need?

**Hon. Mr. Gomme:** We are hoping and expecting, Mr. Chairman, that we will be able to get more engineers. The situation has not been good up until now, but we are gradually getting more.

The other thing that the members have to realize is that if we get enough additional staff we have to have capital grants to build buildings to get space for these people to work. There are a lot of other expenses that would have to come in, probably before we got staff enough to do the amount of work which is now done by consultants. But it is our hope that we can increase our own staff when the trained people are available.

**Mr. Chairman:** Vote 908. The member for High Park.

**Mr. Shulman:** The Minister has mentioned earlier that one of the ways the consultants are paid is on a cost plus basis. Would the Minister please explain what is the plus percentage?

**Hon. Mr. Gomme:** It is cost plus 50 per cent, I am told.

**Mr. Shulman:** Fifty per cent? Fifty? Mr. Chairman, now the inflation in this department becomes very clear. Now we know where all the money is going and why. Fifty per cent over cost?

Interjections by hon. members.

**Mr. Shulman:** Is there an explanation for this percentage?

**Hon. Mr. Randall:** How to make a million.

**Mr. Shulman:** That is how to make a billion.

**Mr. Lewis:** We may need some senior Cabinet intervention on this point. I can sense it coming. We will have to grab this one out of the bag.

**Mr. Olde:** Brown Camps?

**Mr. MacDonald:** I hope your chuckle covers your own embarrassment.

**Mr. Shulman:** Is there any explanation why you are paying such a huge percentage? I have heard of cost plus 10 per cent. I have never heard of cost plus 50 per cent. This is just a gravy train.

**Mr. MacDonald:** The Tory pork barrel.

**Hon. Mr. Gomme:** Mr. Chairman, that is not so. Most of this figure is in the \$5 million we have used and paid on the sliding scale of percentage as defined by the engineers' association. A small portion of it, which I referred to, is used in such things as traffic studies—and this figure takes in their overhead and profit, and all the other things that they have to pay.

**Mr. Shulman:** How can the Minister possibly explain a 50 per cent mark-up in consulting? The obvious explanation is that every one of these men who are doing the consulting will want to have the cost of what they are doing as high as possible. Because if they increase the cost of your highway by \$1 million, it costs us and gives them an extra \$500,000. Surely it is obvious to the Minister that the higher they push your costs, the more they are going to make. This is a poor system. It has to lead, it automatically must lead to such a huge percentage, with these men trying to make the cost to the province as high as possible.

**Hon. Mr. Gomme:** I am advised, Mr. Chairman, that the cost is the cost of the salaries only and the 50 per cent takes in all the other expenses and overhead and everything else and their profit.

**Mr. MacDonald:** The hon. member knows this. But why did we have to go on this long before he enlightened us?

Interjections by hon. members.

**Mr. Chairman:** Order please! The member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, I had no intention at all of getting into this portion of the debate, but I looked up from 1964 on to this year, as far as consultants fees were concerned, and I find that consultants fees have increased from the total budget of the department of a little more than one-half of one per cent, to a little over one and one quarter per cent.

In 1964 the consultants fees on the estimates were \$1,521,000, on a total budget of \$275 million. In 1965, they were \$1,540,000, out of a total budget of \$299 million. In 1966, they had more than doubled to a total of consultants fees to \$3,637,000 on a budget of \$329 million. In 1967 they kept rising so that the fees total \$3,995,000 on a budget of \$373 million, and this year we have \$5,460,000, out of a total budget of \$463,904,000.

This rise, Mr. Chairman, is fantastic. Surely this does indicate that the department should have this type of employee as full time in their department. The figures certainly indicate the moneys spent are beginning to be astronomical and the Minister should consider my suggestion.

**Mr. Chairman:** Vote 908.

**Mr. T. Reid:** Mr. Chairman, this afternoon I tried to bring this item up under the item 907, and I got along about five or six minutes, and you suggested that I would be better to bring it up under planning and design. I have been waiting as long as I could, hoping that I could bring this up tomorrow afternoon or evening. But I would like to continue the remarks that I began this afternoon.

**Hon. J. P. Robarts (Prime Minister):** I will yield to the member's eloquent plea, and move that the committee rise and report.

**Hon. Mr. Robarts** moves that the committee rise and report progress.

Motion agreed to.

The House resumed, Mr. Speaker, in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to reply that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Robarts:** Mr. Speaker, tomorrow we will proceed with the estimates of this department.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1:35 a.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, April 23, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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TUESDAY, APRIL 23, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we have a goodly number of visitors in the galleries. In the east gallery we have students from Fairmount senior public school here in Toronto, members of the Niagara Falls rotary club in Niagara Falls; and in the west gallery we have students from Applewood Heights secondary school of Cooksville and later this afternoon, in the east gallery, at 4:30 or thereabouts, we will be joined by students from the high school of commerce in Windsor.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Orders of the day.

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, I draw to your attention, sir, that this is Saint George's day.

At a time when it is rather popular to speak knowingly and sometimes rather deprecatingly about the WASPs and the Anglo Saxon establishment in our British traditions in history, it seems to me that it does no harm on this day, above all days, to emphasize that Canada and this province in particular, are still beacons of freedom and opportunity to many races and language groups throughout the world.

This is why we celebrate this day as that of the patron saint of England, not in any bragging manner I hope, but merely to remind us that all that England is the repository of all that is right and just in our traditions and procedures, and that they form the foundation of those basic freedoms we all hold so dear.

I am pleased to ask the House to join me today in a salute to St. George, the patron saint of England.

**Mr. Speaker:** The Minister of Reform Institutions has a statement?

**Hon. A. Grossman (Minister of Reform Institutions):** Yes, Mr. Speaker. Yesterday the

hon. member for High Park (Mr. Shulman) asked the following questions:

1. In view of the condemnation of Lincoln county jail by an Ontario Supreme Court jury, does the Minister intend to take any remedial action?

2. In light of further charges in Saturday's Toronto *Star* that prisoners at the Lincoln county jail are ill fed and refused letters, does the Minister intend any remedial action?

3. Why were prisoners not evacuated during the recent fire at Lincoln county jail?

I deferred comment, Mr. Speaker, because I had not yet received the Ontario Supreme Court jury report on the jail. I have now read that report and I agree with the St. Catharines *Standard* of April 18 which in its headline stated:—"Grand Jury Absolves Lincoln County Jail Personnel of Mishandling Fire Incident; Praises Staff Effort."

The three parts of this question, in my view, are answered by the grand jury report itself, and I will read that report insofar as it relates to the jail.

Lincoln county jail: The building housing the Lincoln county jail is more than 100 years old. It was designed and built for a jail according to the standards and philosophy then existing. Both are long outmoded.

The construction of the building is such that it does not permit modernization of the basic design or facilities and as a result, few if any basic improvements have been attempted in the past 100 years.

While it is well maintained, the degrading characteristics of its obsolete design and facilities prohibit the introduction of present day standards and treatment.

The jury recommends that new and improved jail facilities be provided with the least possible delay.

Based on discussions with inmates, prison officials, and staff, and direct examination of prison records, facilities and practices, the jury is of the opinion that the officials and staff are knowledgeable, efficient and well intentioned, and have done much to offset the physical disabilities under which they operate.

This reflects the efficient supervision of Mr. Gill, the Deputy Governor. Our discussions with the staff included such items as quality, quantity and preparation of food, medical attention, exercising facilities and day to day care of prisoners. During the interviews with some of the inmates, complaints were made with respect to smoke throughout the jail as a result of a small fire. The jury finds no fault with the handling of the incident.

The hon. members will note that the only condemnation in this report is that the building being used is more than 100 years old. In this regard I can only again refer to the statement in this House which I made on April 10, and I quote again from *Hansard* of that date:

No one knows, Mr. Speaker, better than I the problems we are going to encounter in taking over these jails. No one worries about them as much as I. Our problems are not going to be solved overnight. Our jails are not going to be transformed overnight into rehabilitation centres.

The public speeches which I have made across this province over the last three or four years indicate quite clearly that I appreciate the deficiencies of the jails and the need for improvement. This is the reason we started our regional detention centre plan. This is one of the reasons why we took over the operation of the jails as of January 1 of this year.

There is much hard work to be done. There are many millions of dollars to be spent before this government will be satisfied with conditions in the former county and city jails.

Now, Mr. Speaker, on April 11, the last day that this Legislature sat before the Easter recess, I took as notice the following question from the hon. member for High Park:

In light of the several attempts Mr. Richard Hardy, a prisoner at Don jail has made to commit suicide, will the Minister arrange for a psychiatrist to examine this man to confirm the jail doctor's opinion that he is not mentally ill?

I took this as notice because it would have been against the public interest and safety to have revealed that arrangements had already been made to move this particular inmate to Kingston penitentiary on Tuesday, April 16, 1968.

This transfer took place as arranged. The man is now in Kingston penitentiary serving his sentence. Complete information, including a medical report concerning him, was, of course, supplied to the penitentiary authorities.

Mr. Speaker, I appreciate the right and duty of members of this Legislature to criticize and bring to public attention matters which they deem are in the public interest.

However, within this framework there is a responsibility on the part of all hon. members to assure themselves that their public comments, be they in the nature of statements or questions, are such that they are not destructive in their results.

In dealing with my department, I again appeal to the hon. member for High Park to consider the implications in unduly publicizing names of inmates, or statements attributed to inmates, which can start a chain reaction of very serious consequences.

After all, Mr. Speaker, the inmate population of our reformatories do not always act or react in a rational or in an expected manner. From our experience we find that it is often undue publicity on one aspect of institutional life which can be the start of most undesirable actions.

By and large over the years, the vast majority of members of this Legislature have recognized the sensitive nature of the work of our department, and I would hope that there will not be any deviations from this sensible point.

Mr. M. Shulman (High Park): Mr. Speaker, am I allowed a question?

Mr. Speaker: There are no questions. As I explained to the House in a ruling not so long ago, there are no questions on Ministers' statements.

Mr. Shulman: This is not a statement; this was in reply to a question, Mr. Speaker.

Mr. Speaker: The member can challenge the present ruling, if he wishes.

Mr. D. C. MacDonald (York South): Mr. Speaker, was this not a reply to a question?

Mr. Speaker: As I understand it, it is a Ministerial statement embodying both a reply to a question and certain other matters about which the Minister wishes to inform the House.

Mr. S. Lewis (Scarborough West): Then it is calculated and deliberate evasion.

Mr. Speaker: Order! The member for York South has the floor at the moment.

Mr. MacDonald: Mr. Speaker, if it is at least in part a reply to a question, why is the normal rule not operative—that a supplementary question is permitted?

Mr. Speaker: Now the Minister has a point of order.

**Hon. Mr. Grossman:** Mr. Speaker, I was going to suggest that if it is a matter of a supplementary question, the hon. member already knows that because he daily issues a press release. There is no point in my answering supplementary questions—

**Mr. Speaker:** Order!

**Hon. Mr. Grossman:** —and he has, in fact, already issued another statement to the press.

**Mr. Speaker:** Order!

Interjections by hon. members.

**Mr. Speaker:** Order! I will concur in the suggestion of the member for York South and that is if the member for High Park wishes to ask a question supplementary to the question being asked, he may do so. Then the Minister has the right either to answer it or not to answer it.

**Mr. Shulman:** Will the Minister answer a supplementary question?

**Hon. Mr. Grossman:** Mr. Speaker, the answer is no.

**Mr. Shulman:** Thank you, Mr. Speaker.

**Mr. Speaker:** The Minister of Transport has a statement.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, back in February of 1967, the first "safe" tire regulation, concerning the V-1 standard for tires, was announced in this House. At that time, I stated that this regulation was only the beginning of the tire standards The Department of Transport had under consideration.

I would like to inform the House that we are making a further step in regulating tire standards in this province. My department officials are preparing now a regulation to be effective July 1, 1968, which will require that no tire manufactured for use on passenger cars after July 1, 1968, be sold in Ontario unless it complies with the Canadian standards association's standard D 238.1. which was announced today in Ottawa.

They are Canadian standards, designed for adoption by Canadian jurisdictions, after 18 months of study by the CSA, and do not conflict with standards in the United States.

The new standards relate to minimum performance levels for new pneumatic tires for passenger cars.

To be meaningful, standards of this kind cannot be generalized. The requirements

must be spelled out in exact detail, which has been done by the CSA, and specify tire dimensions and laboratory test requirements for bead unseating resistance, strength, endurance and high speed performance; define tire load ratings; and specify labelling requirements.

To conform with the new standards, tires must be conspicuously labelled on both sidewalls with each of the following molded into or onto the tire—size designation, maximum permissible inflation pressure, maximum load rating, identification of manufacturer, composition of material used in the ply cord, actual number of plies in the sidewall and also in the tread area, if different; the words "tubeless", "tube" and "radial", where applicable; and an approved symbol.

It will be required that tires manufactured after July 1, 1968, meet the standard. However, for a specific period following the adoption of the new standards, labelling requirements may be met by affixing a label or tag giving the required information.

The Minister of Transport has the authority to prohibit the sale of a tire if he is not satisfied that it meets the prescribed standards and specifications.

Two points are particularly important to the government's policy on tire standards. These are, first, the value of uniform standards in all provinces—and I have discussed with the responsible Ministers in all other provinces the action we are taking today; and, second, sir, the significance of safe tires in the overall campaign for traffic safety.

Safe tires are essential to safe driving. The potential hazard of inferior tires is obvious. Evidence indicates that tire failures are a contributing cause in only a small percentage of accidents. The purpose of establishing tire standards is to reduce this percentage still further. At the same time, our emphasis for safety will continue to be placed on the main cause of most accidents, the attitudes and actions of drivers.

**Mr. Speaker:** The Minister of Agriculture and Food has a statement.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Mr. Speaker, I have an announcement to make to this Legislature today regarding Ontario's cheese industry.

Through the years, Ontario cheese has brought a good deal of honour and fame to this province. It has been the main source of income for thousands of dairy farmers, and an important source of export revenue



for our country. With a good deal of justification, cheese became known as the "balance wheel of the dairy industry".

When the cheese industry was healthy, it seemed to follow that the rest of the dairy industry enjoyed a period of stability. However, in recent years, the cheese industry has been under a good deal of stress from a variety of angles, and today a question mark hangs over its future. There are various reasons for this: not the least of these has been the unstable conditions in Britain, for decades our prime market for export cheddar.

The serious economic situation in the United Kingdom and the resultant devaluation of the British pound, have brought new pressures to bear on our cheese industry. Many of our smaller cheese factories have already disappeared and many more are in serious financial trouble. And so we find ourselves in the curious position of having a high quality product with dwindling markets.

Because of these conditions, we in The Department of Agriculture and Food have come to the inescapable conclusion that there is an urgent need for a full-scale examination of the entire cheese industry.

And so, the Ontario milk commission, in co-operation with the Ontario milk marketing board, has named a four-man study group to examine the present cheese industry in Ontario and its possible future development. The study will embrace all aspects of cheese production and marketing.

The research group will be headed by John M. Bain, director of the milk products division of the Ontario milk commission, a man respected throughout Ontario and across Canada as an authority in the cheese industry. Other members of the study group will be Robert Jardine, a senior official in the Ontario milk commission, W. R. Redelmeier, senior economist, dairy research section, farm economics, co-operatives and statistics branch of The Department of Agriculture and Food, and Arnold Johnston, director of the cheese division of the Ontario milk marketing board.

Mr. Bain and Mr. Jardine have had a lifetime of experience in the industry, both having begun their careers as cheesemakers. Mr. Johnston served for many years as secretary of the Ontario cheese producers' marketing board and in that capacity played an influential role in the board's marketing and overseas sales programme. We are very fortunate to have been able to assemble a study group of such a high calibre.

The committee will examine the present condition of the cheese industry in Ontario relative to the whole broad dairy industry, with particular reference to production, processing and marketing cheese. Possibilities of expanding the sale of Ontario produced cheese in the United Kingdom and in other parts of Canada will be thoroughly explored.

The committee will begin work immediately and they are hopeful that their report can be ready by mid-summer.

**Mr. Chairman:** The member for York South has a question.

**Mr. MacDonald:** Mr. Speaker, I have a question for the Minister of Education.

Would the Minister make available to members of the Legislature copies of the report prepared by the Hall committee which contains recommendations with regard to the transfer of students from community colleges to universities?

**Hon. W. G. Davis** (Minister of Education and University Affairs): Yes, Mr. Speaker. When the Hall committee report is available to the Minister, I shall make copies available to all members of the Legislature.

**Mr. MacDonald:** Would the Minister permit a supplementary question?

**Hon. Mr. Davis:** Yes.

**Mr. MacDonald:** Is it accurate that that portion of the report, dealing with this issue, is now being considered by the university presidents and, as reported by the *Toronto Telegram* on Saturday, the presidents will be making a policy statement early next month?

**Hon. Mr. Davis:** I would say, Mr. Speaker, to the best of my knowledge that the contents of the Hall committee report are not available to anyone other than the printer, and that includes the Minister.

**Mr. MacDonald:** Is it at the printers?

**Hon. Mr. Davis:** Portions of it are at the printers now. That is right.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question for the hon. Minister of Transport.

In view of the statement by Mr. Sidney Cole, traffic director of North York, in the *Toronto Globe and Mail* today that legislation compelling drivers from both directions to stop when a bus stops was, "panic legislation, a political decision, not a technical one";

and in view of the statement in the same article that accidents have increased by 100 per cent since the same legislation was passed, does the Minister agree with the statements made in the article and, if so, what steps will the Minister take to improve the situation caused by the legislation which was passed in 1966?

**Hon. Mr. Haskett:** Mr. Speaker, the two-way school bus stopping law enacted in 1966, was discussed in this House over a period of several years. It was certainly not panic legislation. On February 25, 1965, discussing this school bus stopping law, the member for York South, is quoted on page 801 of *Debates* as saying:

What is the logic of a regulation that stops overtaking cars, but says nothing about stopping the car coming from in front?

My question is a very simple one to the Minister. Would he explain why, by what process of reasoning, the department comes to the conclusion that there is validity in having regulations to stop a car that is overtaking, but not to stop a car that is oncoming?

**Mr. MacDonald:** At least the Minister is going to authoritative sources.

**Hon. Mr. Haskett:** And, on page 803 of *Debates*, the member for Windsor-Walkerville, is quoted as saying:

It is not enough that drivers, when travelling behind a school bus, must stop when it stops to let passengers off. There should be a law likewise that drivers coming in the opposite direction must stop. Drivers regardless of what direction they are going, must stop when a school bus is stopped.

The amendment was made in 1966 to bring Ontario's school bus stopping law into uniformity with that in eight other Canadian provinces and 49 states in the Union, and on the recommendation of a number of organizations vitally concerned in the matter, namely the Ontario school trustees and ratepayers association, the Ontario urban and rural school trustees association, the associate secondary school boards of Ontario and the public school trustees association of Ontario.

An analysis of the accident statistics for the school year 1966-67 shows a decrease in fatalities in the incidence of school children crossing the highway and an increase in accidents in other respects. However, the increase relates, for the most part, to traffic approaching the rear of the bus and not to traffic approaching to the front of the bus, which indicates that the cause of the increase is due largely to factors other than those effected by the amendment of 1966.

**Mr. B. Newman:** Mr. Speaker, if I may, a supplementary question. The Minister did not answer the question. The question was, what steps will the Minister take to improve the situation caused by the legislation? We do not disagree with the legislation, but steps can be taken to improve it. What steps will the Minister take to improve the situation caused by the legislation which was passed in 1966? Mr. Speaker, is there no answer? All he did was quote a bunch of figures to us.

**Mr. Speaker:** The Minister has given his answer. It may not be satisfactory to the questioner—

**Mr. B. Newman:** But it was not an answer, Mr. Speaker. I respectfully submit he did not give us an answer. I asked what steps he was was going to take.

**Mr. Speaker:** Order! The Minister has given the answer that he is prepared to give and I am afraid that the member will have to be satisfied with that.

**Mr. H. Edighoffer (Perth):** Mr. Speaker, I have some questions for the hon. Minister of Education.

Would the Minister consider locating that portion of the production and post-production operations of the educational television branch of his department not involving Metropolitan Toronto talent and facilities in the vacant hangar facilities of the Centralia industrial park?

Will the Minister examine the above possibility in relation to the high cost of maintaining these services at the present rented premises on Bayview Avenue?

**Hon. Mr. Davis:** Mr. Speaker, I am not sure whether the hon. member is referring to additional services that may be provided as the programme increases, but to move the facility here from Metro Toronto to Centralia would involve many complicating factors. Basically, we are using many studios now in the Metro area plus personnel, which makes it really impossible to consider moving this aspect of production out of this general area.

I should also point out that my understanding is that the cost per square foot at the Bayview Avenue location is about \$3.48. While I am no expert in this field, I believe that this is a very competitive rate here in the Metro area, \$3.48 a square foot.

**Mr. E. Sargent (Grey-Bruce):** A question to the Prime Minister.

Will the Premier advise why students working in summer resorts, or other areas of economy, to raise money for their studies, are discriminated against by not being paid the minimum wage rate?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I have no notice of this question. They are discriminated against in what way?

**Mr. Sargent:** By not being paid the minimum wage rate.

**Hon. Mr. Robarts:** Oh, I believe that when the minimum wage rates were established, students working in some of our summer resort areas were excluded, on the basis of representations made by those who operate these establishments. It would be impossible for them to provide the service that was required for their guests, and so on, if they were required to pay the minimum rate.

This is a real problem in various resort areas of the province. You can accomplish more than you wish with minimum wages in certain areas, by making jobs disappear, rather than insuring that those who perform the duties get paid a higher rate. The basis of that exemption was upon representations made by the operators of these resorts.

I might say the whole question is under examination again—the whole question of minimum wages is being examined at the present time. But that is the reason why, and I do not think it could really be termed as a discrimination against these young people working in summer resorts. It is really to provide, or to make sure that the jobs are available for them.

**Mr. Sargent:** Supplementary to that, Mr. Speaker, the Premier said this was by representations made by the resort people. In what other area of the economy can the employer make representations to make them second class citizens? That is what he is saying.

**Hon. Mr. Robarts:** Mr. Speaker, there is no question of being second-class citizens.

When we introduced minimum wage laws into this province, in the first place we had to zone the complete province. As you can well understand, the situation for a minimum wage in Metropolitan Toronto may not be exactly the same situation as the minimum wage in Wingham or Exeter or Owen Sound or all kinds of other areas of our province.

In addition, there are certain industries, and the tourist industry is one of them, that employ a great number of young, inexperienced,

seasonal help. It is not only the college student who works in our summer resort areas—it is young people who are going to high school, young people even before their high school days, and therefore we made the adjustments in order to meet the situation as we found it. It was not a question of attempting to discriminate against anyone, it was simply a question of meeting the situation as it exists.

**Mr. Sargent:** Another question to the Premier. Will the Premier advise what curbs he is going to make on the sale of hand guns—

**Mr. Speaker:** Order! The member should have been advised and was advised that this question should be directed to the Attorney General, and it has so been directed by Mr. Speaker's office, so perhaps he would address—

**Mr. Sargent:** My apologies, I have it on here as the Premier.

**Mr. Speaker:** It was submitted to the Premier but the member's office was advised—

**Mr. Sargent:** I am sorry. It is to the Attorney General, Mr. Speaker.

Will the Attorney General advise what curbs he is going to make on the sale of hand guns and what firearms controls he plans in the province of Ontario to combat the spiralling crime rates?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, the present law controlling firearms is federal legislation and is found in the criminal code. We have a local registrar of firearms in Ontario, however, His authority is derived actually from the criminal code.

And I have before me, Mr. Speaker, the new legislation which is presently in the House of Parliament at Ottawa, Bill C195—

**Mr. V. M. Singer (Downsview):** It was, it is not there any more.

**Hon. Mr. Wishart:** —which brings forward certain amendments to the firearms section of the code and deals with the sale, manufacture, carriage of firearms. These are more stringently controlled in the proposed new federal legislation.

My action, Mr. Speaker, will be as directed under the federal legislation with respect to firearms.

**Mr. Sargent:** Will the Minister accept a supplementary, Mr. Speaker?

I do not follow him entirely. My point is that we have legislation against marijuana as



being illegal but you can buy something to kill which is legal. I mean, what is the Minister going to do about it in Ontario; what is going to happen?

**Hon. Mr. Wishart:** My answer, in short and in general, Mr. Speaker, was that new, more stringent, legislation was brought into the Parliament at Ottawa under this Bill C195. It has provisions for the control, the sale, the manufacture, and the handling of firearms. That is the legislation which, I think, we should govern ourselves by in Ontario, at least till we see how this works.

**Mr. Sargent:** Is the Minister going to do something about it then?

**Hon. Mr. Wishart:** I just said in my previous answer that I would abide by the law as provided by the Parliament of Canada in this new legislation.

**Mr. Singer:** There is not any Parliament of Canada.

**An hon. member:** There will be.

**Mr. Speaker:** Order!

**Mr. Sargent:** A question for the Attorney General.

In view of the report in the *Globe and Mail* this morning that a spokesman for the reform institutions has stated that the parole of Viola MacMillan was not unusual, will the Attorney General advise if there is a breach of the civil rights of the individual in connection with parole in the province?

**Hon. Mr. Wishart:** Mr. Speaker, I must frankly confess I just do not understand this question at all.

Interjections by hon. members.

**Hon. Mr. Wishart:** I am not aware of any breach of civil rights.

**Mr. Sargent:** Mr. Speaker, any resemblance between this question when it starts out and gets to this point is purely coincidental. It goes through a lot of hands when it goes from our office to the Speaker's office. When it gets out of there it is like it has been through a meat grinder.

**Mr. Speaker:** Order!

**An hon. member:** Imagine what the original is like.

**Mr. Speaker:** I would advise the House that the member submitted to the Speaker's office a series of questions which were exactly the

questions that had been asked by him and other members in this House in connection with this matter and which I refused to accept. I suggested that he might rephrase his question and he has done so. Now I will allow him, if he wishes, to endeavour to explain to the Attorney General what he means by the question now placed.

**Mr. Sargent:** Well, what do you call an unusual situation so far as parole is concerned? I mean, is the Attorney General not ashamed himself, personally, that this can happen—that a wealthy person can buy her freedom? Is he not ashamed of himself?

**Mr. Speaker:** Order, the Minister—

**Mr. Sargent:** He says that he is.

Interjections by hon. members.

**Mr. Speaker:** Perhaps the member will proceed to another—

**Hon. Mr. Wishart:** First of all, Mr. Speaker, I am not ashamed of myself.

Second, Mr. Speaker, I have nothing to do with parole; this does not come into The Department of the Attorney General. It is actually handled by the parole board and, in the MacMillan case, representations were made by persons to that board, I presume, on her behalf. The parole board dealt with the matter. I believe that my colleague, the hon. Minister of Reform Institutions, some time ago pointed out that there were many other similar cases exactly on all fours with the MacMillan case, and that this was quite a usual situation.

**Mr. Sargent:** Well, supplementary to that, we have the names of the board here. The Reverend Kerr, Mr. Potts, John Morrison, Dr. Nagy, A. A. Schole, A. MacMann, Mrs. J. LaRosse. I do not like to suggest that any money changed hands—

**Mr. Speaker:** Order! Order! Order!

**Mr. Sargent:** How do we know, when we cannot get a report on what happened?

**Mr. Speaker:** The member will proceed to the next question. He has had his answer to this question.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Withdraw.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Sargent:** Money can buy justice.

**Mr. Speaker:** Order!

**Mr. Sargent:** Well, the Prime Minister should fire that board.

**Mr. Speaker:** Order!

**Mr. Sargent:** Call that the finest board in Ontario, in Canada? He should be ashamed too!

The Minister of Highways (Mr. Gomme) was on the spot last night, and so we came up with these questions in response to his request.

**Mr. Speaker:** Well, those questions were questions which, in listening to the debate last evening, I heard stated would be submitted and then placed on the order paper, and they have been handed by me to the clerk for that purpose. They will appear in due course. They are the type of questions that should be on the order paper. The member will proceed to another question then.

**Mr. Sargent:** To the hon. Minister of Municipal Affairs. Is this in order, Mr. Speaker, did you talk to him?

**Mr. Speaker:** Order! The Attorney General has the floor.

**Hon. Mr. Wishart:** Mr. Speaker, a moment ago, the hon. member for Grey-Bruce attempted to speak, and was stopped by you, Mr. Speaker. He made some comment about persons receiving money, apparently in connection of a matter of parole.

Mr. Speaker, I submit that that is a great abuse of the privileges of the House, and unless the hon. member has some solid reason to believe that any such thing happened—and I am satisfied that he has not—then I think that he is abusing the privilege of the House, and damaging the character of people whose names he actually went on to mention.

I think that he should withdraw, unless he has evidence. This is a very serious abuse of privilege to say such a thing, and an unfair damage of persons who have no way of defending themselves in this House. I think that he should withdraw.

**Mr. R. F. Nixon** (Leader of the Opposition): Just let me speak to the point of order. I am sure that the hon. member did not mean to imply anything other than the fact that the report that was listed in the paper this morning has not been made available to this House.

**Mr. Sargent:** Mr. Speaker, in all truth, the Minister has a good point. But it takes something like this to get hon. members opposite to reveal to the public just what does go on.

**Mr. Speaker:** Order!

**Mr. Sargent:** I would like to say something in support of the many fine people who serve on these boards, but the public has a suspicion that something fishy is going on. Maybe the word money should not have come into the act. I withdraw that and I am sorry if I—

**Mr. Speaker!** Order! Is the member then withdrawing the remarks that he made with respect to the persons' names?

**Mr. Sargent:** With reservations, yes sir.

**Hon. Mr. Grossman:** On a point of order, Mr. Speaker. The hon. leader of the Opposition referred to an alleged report which was mentioned in yesterday's paper. I should advise the hon. members of this House that I have no idea of such a report. I have no idea where the information came from that got into the newspapers, that is that there was a special investigation. Nothing has happened since the day that I made the statement regarding this matter in this House.

**Mr. Sargent:** Mr. Speaker, the Minister of Municipal Affairs is here, may I ask him a question?

**Mr. Speaker:** I was not able to contact the Minister and we might just as well deal with this at the moment. The question which the member for Grey-Bruce is posing is a question that in my opinion was fully answered in the reply to the member for Scarborough East (Mr. T. Reid) yesterday, except perhaps for a question numbered 2. I would ask the Minister if he has received through his office a copy of that question, and whether he would like either to answer the question, or refer the member to *Hansard*.

**Hon. Mr. McKeough:** I would like him to place the question, Mr. Speaker.

**Mr. Sargent:** The question is that in view of the fact that many municipalities in Ontario collect millions of dollars in the pre-levy of taxes and need this source of revenue—they have been doing this since 1958 in Owen Sound—would the Minister advise why he is making legislation to curb this? Would he advise why the municipalities are asked to give rebates to taxpayers for shelter exemption before they receive their money from the province?

**Hon. Mr. McKeough:** Mr. Speaker, the answer to question 1 is that no such legislation is being proposed. The answer to question 2 is fully set out in *Hansard* yesterday. It is unfortunate that the hon. member was not here yesterday. Had he been here, he would have heard the member from Scarborough ask the question that was fully answered at that time.

**Mr. Speaker:** I would point out that the member in question came in after the question period, and missed that portion of the day.

**Mr. Nixon:** He was here in session until 20 minutes to two this morning.

**Mr. Sargent:** Will the Minister accept a supplementary question on this? I caught him in his big flying machine down at the Island airport, and I came down here after him.

But in the municipalities of Ontario, as he knows, when the people are paying their taxes today they are asking for these rebates and the municipalities are paying them now. This is a great cost to the municipalities. Why does he not get off it now and pay the municipalities the money now?

**Hon. Mr. McKeough:** Mr. Speaker, I was not asked whether I wanted to answer a supplementary question. I will answer the supplementary question by again referring the member to the answer that I gave yesterday. If he will read it with due care, I think that he will get the answers to all his questions contained therein.

**Mr. Sargent:** Why can he not—

**Mr. Speaker:** Order! The Minister—

**Hon. Mr. McKeough:** Mr. Speaker, he has asked another supplementary question as to why I do not answer it again today. I object to wasting the time of the House.

**Mr. Sargent:** The Minister should have been here last night to have objected too.

A question for the Minister of Energy and Resources Management. An associated press release shows that the U.S. federal water pollution control administration spent \$325—I say \$325,000, that is an error in the printing here—to help reduce the water pollution in Lake Erie. Does the Minister have any joint programme with the city of Cleveland?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): **Mr. Speaker,** that is not the question the way I received it. The answer is no.

**Mr. Speaker:** Well, perhaps I will read the question as received by my office, and which I presume was transmitted to the Minister's office. It is addressed to the Minister of Energy and Resources Management, and again I should point out that it should be so addressed, and not to the Minister by name, from the member for Grey-Bruce.

The question is as follows: An associated press release shows the United States federal water pollution control administration has announced a \$25,000 grant to help reduce water pollution in Lake Erie. Does the Minister have any joint programme with the city of Cleveland? The answer the Minister says is—

**Hon. Mr. Simonett:** Mr. Speaker, the answer to the question is no, but perhaps for the record, I might read the press report. The federal water pollution control administration announced Monday a \$325,162 grant to Cleveland, Ohio, for an experimental programme aimed at reducing water pollution from combined sewers and restoring the Lake Erie beaches. The project is part of an intensive United States effort to clean up a serious source of water pollution in urban areas. It aims at both prevention and cure.

Various methods will be tried to reduce overflows from combined storm and sanitary sewers to stream the overflows and to treat them and to flush the sewers during dry weather. A spokesman said steel sheet pilings would be set up to protect the waters along beach areas, and continuous chlorination will be attempted in these areas to purify the water.

**Mr. Sargent:** A question for the Minister of Education. In view of the fact that the government is importing teachers into Ontario and that there are hundreds of Ontario teachers that cannot get jobs, and in view of the fact that 24 girls from Ryerson school of technology spent three years being qualified in a home economics course and no jobs are available to them, will the Minister advise what steps he is planning to take to secure positions for Canadian citizens trained in Ontario?

**Hon. Mr. Davis:** At the outset, Mr. Speaker, I am really very intrigued by the wording of the question. I sometimes wonder whether we should use the word "import" when referring to humans. I often use it, of course, relating to apples, oranges, and other situations. It is really an insight perhaps into the philosophical approach taken by the member for Grey-Bruce when he refers to humans as being imported from another jurisdiction. I



should point out that the government does not "import" teachers, nor do we in fact recruit teachers outside our own jurisdiction. It is done by the individual boards.

I shall also point out, and your own leader reminds me of this from time to time, that in view of the fact that we have a shortage which we acknowledge of qualified teachers in the province of Ontario—and your own leader tells me this quite regularly—I really find the second part of the question to me very difficult to understand. If the hon. member knows of a large number of qualified teachers in Ontario who cannot gain employment I would be delighted to hear about it.

**Mr. Sargent:** Has the Minister not read the news stories in the papers about the people who cannot get placement interviews?

**Hon. Mr. Davis:** Mr. Speaker, I think it is a very good indication of the enthusiasm that certain people in the United Kingdom have for moving to this jurisdiction, whether it is in the field of the teaching profession or other pursuits. If it is their desire to come here and if they have the qualifications—

**Mr. Sargent:** I am talking about Ontario people who cannot get placed.

**Hon. Mr. Davis:** Mr. Speaker, I am not aware of any qualified teacher who is having difficulty finding a place to teach. As I say, if the hon. member knows of a group of these teachers who cannot find employment this coming academic year I would be delighted to hear from him.

**Mr. Speaker:** The member has left one further question with my office for today that he asks of the Prime Minister. Is he not concerned about draft dodgers?

**Mr. Sargent:** Oh, yes, this is a pretty important one. Is the Premier not concerned about the U.S. army draft dodgers using Ontario as a haven to escape military service? What steps does he have in mind to counteract this practice?

**Hon. Mr. Roberts:** As the hon. member should know, Mr. Speaker, immigration, and who comes into Canada and who does not, is a matter for the federal government. We do not control immigration. I have opinions on most things, including this particular series of questions, but I would say this, as I understand it, the federal government does not ask anyone coming into this country—whether they come as a visitor, or whether

they come as an immigrant—for their status with their local draft board.

Therefore it is rather difficult for anyone to know just how many of these people there are in Canada and where they may be living, whether they are living in Ontario.

We have free movement back and forth from province to province and we simply have no idea how many of these people are in Ontario. We have no plans and no intention of attempting to find out.

**Mr. Speaker:** The member for Sudbury.

**Mr. Sargent:** Is the Premier not concerned about the—

**Mr. Speaker:** Order, order!

**Mr. E. W. Sopha (Sudbury):** Mr. Speaker, to keep the records straight, immigration is a joint jurisdiction between the federal government and the provinces and—

**Hon. Mr. Roberts:** It is not. Mr. Speaker, I rather thought this might be questioned. It is constitutionally a joint matter. We cannot bring into this province a single person without passing them through the federal immigration service. The federal immigration service screens every immigrant to Ontario or to Canada and we have no part in that screening.

**Mr. Sopha:** I want to keep the record accurate that it is a joint constitutional jurisdiction.

I have a question for the Attorney General. Will the Attorney General act immediately to provide higher minimum standards for police constables in the province in view of the fact that Campbellford police chief, Sam Baird, works as a part-time usher in a Campbellford theatre and has a salary of \$5,500? Is the Attorney General prepared to recommend police commissions in those municipalities where the police deal directly with the local council?

**Hon. Mr. Wishart:** Mr. Speaker, the Ontario police commission is continually reviewing the matter of minimum standards of police constables in the province. It is a subject that is varied and complex and takes time to review and to effect improvements.

I am not disposed, Mr. Speaker, to recommend that boards of police commissioners be replaced by committees of local councils. These do prevail in some smaller communities, but the general trend is to the board of police commissioners. I admit that the

establishment of boards of police commissioners or committees of council, one or the other, do not necessarily change these situations quickly.

I would point out that the question would lead one to believe that the police chief was a one-man force. Apparently it is a three-man force and he is doing what might be known as "moonlighting" in hours that he is not engaged in his police duties.

**Mr. Speaker:** The member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** I have a question for the Provincial Treasurer. Would the Provincial Treasurer give his interpretation of the following clauses in regard to the take-over of staff in the administration of justice and their effect for the year 1968.

The two clauses are—

1. The employees transferred will bring their date of appointment with them and enjoy the seniority provisions which will apply to such matters as superannuation, sick leave, credit gratuity, vacation entitlement, and others.

2. Arrangements for vacations will be honoured, even though they are not in accordance with The Public Service Act regulations for the year 1968.

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, the matter of transferring from the service of the municipality of Metropolitan Toronto to the Ontario government simply involves the benefits that were enjoyed in their former employment and are now transferable to their employment with the public service of the province of Ontario. The matters to which the hon. member has made reference—they bring their seniority with them, they bring their superannuation, sick leave, credit gratuity, vacation entitlement, and others that they had built up under their former employment—they now bring that to the public service of the province of Ontario. That is with respect to clause (4).

With respect to clause (5), arrangements for vacations were agreed upon and will be honoured for the year 1968 in giving effect to the transition process by agreement with the transferee, if you wish.

I hope I have made this clear, Mr. Speaker. I recall making some comments on this matter in response to a question from the hon. member a few days ago and maybe this clarifies it somewhat further.

**Mr. Pilkey:** May I ask a supplementary question? One of the points I was trying to get an answer for was this question of the vacations. As I understood your remarks the other day, you replied to the effect that vacation arrangements would be honoured. My question at the time was to the effect that they were having to use sick benefit credits to get the vacations they were entitled to. As I recall you said that they would have to use the credits. The question I would like to put as a supplementary question is—Is this in violation of section 5—that they are having to use the sick benefit credits to get their full entitlement—or does this apply to section 5?

**Hon. Mr. MacNaughton:** I think the answer is, Mr. Speaker, that if they want something above and beyond what their entitlement will provide for them under the terms of the agreement that was entered into, then they will have to use sick leave credits. But they were parties to an agreement to give effect to the transfers which made provision for vacations in the manner I described when I answered the member's first question.

Now, if they want to add to that above and beyond what is provided for by agreement, then they will have to use their sick leave credits.

**Mr. Pilkey:** Am I to understand then that if an employee is entitled to a three-week vacation under his former jurisdiction, he is entitled to three weeks under this new arrangement without using credits?

**Mr. Speaker:** It would appear that that is the substance of the Minister's answer. I might suggest that a minute's conversation outside the House between the member and the Minister would clarify this to his satisfaction and close the matter.

The member for Oxford.

**Mr. G. W. Innes (Oxford):** Mr. Speaker—

**Hon. Mr. MacNaughton:** Mr. Speaker, perhaps I should pursue this just one step further. I think it would clarify the whole matter if I sent the hon. member a copy of the agreement, which I would be pleased to do.

**Mr. Speaker:** The member for Oxford.

**Mr. Innes:** Mr. Speaker, I have a question for Mr. Gomme, the hon. Minister of Highways.

Is it the policy of the department—

**Mr. Speaker:** Order! May I just call to the member's attention the statement I made yesterday and the request that questions be directed to the portfolio, rather than to the person, because they are questions for the Ministry, as our rules provide.

**Mr. Innes:** Thank you, Mr. Speaker. I would like to ask a question of the Minister of Highways. 1. Is it the policy of his department to designate roads which are at the extremities of municipalities served by Highway 401 as truck routes?

2. Are new clover leafs planned to implement such a policy?

3. What plans does the department have for Brock Road north at Cobourg in this regard?

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, the answer to question number 1 is, no this is not the policy. The designation of truck routes is something which is generally undertaken and recommended by the municipality, since the route will undoubtedly traverse city or town streets.

The answer to question 2 is no, and the answer to question 3 is that there are no plans at the present time for additional interchanges in the Cobourg area.

**Mr. Innes:** May I ask a supplementary question, Mr. Speaker? Does the Minister not feel that with the ever-increasing number of trucks on the highways using our 401, there should be some type of new policy implemented that would accommodate some of these truck routes and lend their way to implementing them to alleviate this very heavy traffic on our city streets in the province of Ontario?

**Hon. Mr. Gomme:** Mr. Speaker, I think that I explained that it is the privilege of the municipalities to do this.

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier** (Cochrane South): Mr. Speaker, I have a question for the hon. Minister of Lands and Forests. When will work be started to clear some four miles of uncut brush, build a bridge and improve the Mespri Mine trail, joining Highway 576 by road with camp 12 of the Abitibi Paper Company's private road, so that traffic may pass between the Timmins area and Smooth Rock Falls?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in reply to the hon.

member for Cochrane South, the road in question is a forestry road built by the Abitibi Power and Paper Company. We have contacted the company and have been informed that they have no plan for the construction of this road this year.

**Mr. Speaker:** The member for Timiskaming has a question.

**Mr. D. Jackson** (Timiskaming): Mr. Speaker, I have a question for the Minister of Energy and Resources Management. Will the Minister table the contract between the Ontario Northland Communications and the Northern Telephone Company?

**Hon. Mr. Simonett:** Mr. Speaker, I have asked for a copy of that contract and as soon as I receive it from North Bay I shall be very pleased to table it.

**Mr. Jackson:** Thank you, Mr. Speaker.

I have a question for the Minister of Lands and Forests: Is it the intention of The Department of Lands and Forests to reduce the forestry staff in the Gowganda area? If staff reductions take place in this area, will alternate methods of fire protection be made available to the residents of Gowganda?

Will the department undertake to train local volunteers in the use of department fire-fighting equipment and make the necessary equipment available for emergency use?

**Hon. Mr. Brunelle:** In reply to the first question of the member for Timiskaming, the forestry staff at Gowganda will not be reduced. The forest protection staff, however, will be consolidated into two mobile seven-man crews within the Elk Lake chief ranger division. This will give greater protection to the Gowganda area than in the past. The resident department staff at Gowganda will also continue to take initial action on fires.

In reply to question number 2, forest fire protection services will not be reduced; and with reference to question number 3, my department will undertake the training of volunteers in forest fire-fighting methods and make equipment available at Gowganda for emergency use.

**Mr. Jackson:** I have another question for the Minister of Lands and Forests: Will he instruct the district forester at Swastika to close Reid Lake for fishing in order to protect the last sanctuary of Aurora trout, and will he accelerate the Aurora trout programme at Hill Lake hatchery?



**Hon. Mr. Brunelle:** Mr. Speaker, in reply to the hon. member's first question, I am pleased to inform him that Reid Lake will continue as a fish sanctuary and two, the culture of Aurora trout was extended last year by the transfer of half of the Hill Lake fishery to the Dorion hatchery. The culture and survival of Aurora trout at Hill Lake has not been satisfactory due to the low temperature. The same programme at Dorion Lake has progressed very favourably.

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I have a question for the Minister of Social and Family Services.

In view of the fact that handicapped persons on welfare do not receive a fuel allowance and in view of the fact that fuel is particularly costly in northern Ontario, does the department have any plans to include a fuel allowance in welfare cases?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, I would assume that when the hon. member refers in his question to "handicapped persons on welfare", he is referring to the blind, the disabled and other handicapped persons who may be identified as permanently unemployed by reason of physical or mental disability, all of whom are provided for under our Family Benefits Act.

Mr. Speaker, when we planned The Family Benefits Act, a great deal of study and attention was given to the problems of the handicapped. This resulted in the development of a programme of assistance to such persons and, indeed, to a much broader range of persons, second to none in Canada.

The scale of allowances are quite generous and provide for food, including special diets, clothing, utilities, household supplies and personal requirements. Allowance is also made for a shelter allowance for rent or where a property is owned by the recipient, expenses for principal and interest, payments on a mortgage, municipal taxes and reasonable repairs to property.

The different circumstances relating to families and single persons were considered so that the shelter allowance for families only includes an allowance for fuel. I add that a recipient who is a blind person or a disabled person is provided with an additional allowance of \$10 per month to assist him with travel and transportation needs.

In addition to the above generous allowances, all recipients and their dependents are

provided with coverage under OMSIP and under the hospital care insurance plan, without having to pay premiums. Families with children are also provided with dental care services.

Mr. Speaker, that is the broad range of programme which is provided for in this year's estimates. If the hon. member has a particular case, I should be pleased to look into the matter.

**Mr. T. P. Reid:** Mr. Speaker, would the Minister accept a supplementary question? Is the single person not now receiving a fuel allowance and, in effect, is he supposed to freeze to death? This can be \$40, \$50, hundreds of dollars.

**Mr. Speaker:** Order! The member has placed his supplementary question.

**Hon. Mr. Yaremko:** Mr. Speaker, I indicated to the member that our examination of the circumstances led us to believe that in the overall, package programme should include shelter allowances in respect of families only, an allowance for fuel. If the hon. member has any indication of any single person who is "freezing to death"—I think that was his language—I should be pleased to receive the name of that person.

**Mr. Speaker:** The member for High Park.

**Mr. Shulman:** Mr. Speaker, I have a question for the Minister of Reform Institutions, who appears to have departed, but I have another question for the Attorney General. I will hold the first question until the return of the Minister of Reform Institutions.

In light of the Attorney General's comments yesterday, why did the supervising coroner not assign an uninvolved coroner to handle the inquest into the death of Teddy Trajkowicz in Englehart on April 9, 1968? In view of the fact that the presiding coroner at this inquest was the attending physician and stated at the inquest, "It is hard to be objective because I know every inch of the steps that were taken", will the Attorney General order a new inquest?

In view of the fact that the presiding coroner admitted that he had not brought "several things" out at the inquest, will the Attorney General order a new inquest?

And in view of the statement attributed to the supervising coroner in the Kirkland Lake *Northern Daily News* of April 10, 1968, that it was all right for a coroner to preside at an inquest in which he had been the attending physician, does the Attorney General

intend to properly instruct the supervising coroner in his responsibilities and in the departmental policies?

**Hon. Mr. Wishart:** Mr. Speaker, I have not seen the news article that the hon. member referred to, but I must say that he has not stated the facts accurately when he states that the coroner, Dr. Gibbons, who conducted the inquest into the death of Teddy Trajkowicz, was also the attending physician. It is not the fact. I have the complete statement here of what happened.

This was a case of an accident, a car accident, occurring at 1 o'clock in the morning of March 30. The young man was admitted to the Englehart district hospital by Dr. Higgins—Dr. J. R. Higgins—whose patient he then was. At 9 o'clock in the morning of March 30, Dr. Higgins consulted Dr. Gibbons about his case and then a surgeon in Toronto, Dr. Trimble, was contacted. His advice was to transport the boy to Toronto as soon as possible in their attempt to save a limb—his arm.

This was undertaken and the young man died before he reached Huntsville, at which place Dr. Cloutier examined the patient. He is a coroner, incidentally. He examined the patient and pronounced him dead and then he phoned Dr. Gibbon as the coroner at Englehart. Dr. J. Morphet of Kirkland Lake performed a post-mortem on the deceased on March 31 and confirmed that death was due to shock, hemorrhage and due to a severed auxiliary brachial artery.

Now this is not a case of a physician attending a patient. In any case, he only lived from the morning of March 30 until sometime that afternoon, as the result of a very severe accident. He was in the care of Dr. Higgins. This also, I would point out, is a situation, occurring in northern Ontario, Englehart, near Kirkland Lake, where there are not a great many doctors. The coroner was Dr. Gibbons, and the body was returned after the post-mortem, and he thought that he was quite proper in holding an inquest, and I suggest he was, and that this is in accordance with the practice of the department.

As to the statement which is attributed to the supervising coroner, in the *Northern Daily News* of Kirkland Lake, the supervising coroner states that he has no recollection of discussing the case with anyone and he had not been contacted by the news media.

I submit, Mr. Speaker, that the case was conducted quite in accordance with proper

procedures and with the policy of the department.

**Mr. Shulman:** Would the Minister allow a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** Is the Minister aware that Dr. Gibbons and Dr. Higgins are partners in Englehart, and as such in effect, one partner was judging the other, plus his own conduct?

**Hon. Mr. Wishart:** Well that makes little difference to me. I see nothing out of the way, because one doctor happened to be the partner of another. I do not see that that is a great thing to complain about, unless the hon. member finds that there was something wrong in the handling of the case. Other than that, I think he is wasting the time of the House.

**Mr. Shulman:** Well Mr. Attorney General, the coroner himself—

**Mr. Speaker:** Order! The member will address the Minister through the Chair.

**Mr. Shulman:** Mr. Speaker, in reference to my third question which I have already asked, and I will repeat it because I do not believe it has been answered as yet.

In view of the fact that the presiding coroner admitted that he had not brought several things out at the inquest, will the Attorney General order a new inquest?

**Hon. Mr. Wishart:** I answered the question, Mr. Speaker. I feel the procedures were proper in this matter.

**Mr. H. Worton (Wellington South):** Mr. Speaker I have questions about a recent protest I received from the residents of Lake Bellwood, and it is to the Minister of Energy and Resources Management.

By what authority does a conservation authority restrict the issuance of building permits to present leaseholders?

By what means does an authority restrict the transference of leases to leaseholders?

Can an authority unilaterally regulate the standards of buildings within authority jurisdiction?

**Hon. Mr. Simonett:** Mr. Speaker, all three parts of this question refer to the leasing of conservation authority lands to individuals for cottage sites.

In these cases the conservation authority is in exactly the same position as any other landowner and may attach to any lease such

covenants and conditions as it deems desirable. Such conditions may refer to the standard of buildings to be erected and such leases may be non-transferable. I would emphasize that such leases are entered into on a voluntary basis by those wishing to take advantage of this arrangement.

**Mr. Worton:** May I ask a supplementary question?

**Hon. Mr. Simonett:** Yes.

**Mr. Worton:** Did the Minister's department not send a directive to this authority regarding the conditions of some of these summer homes?

**Hon. Mr. Simonett:** Mr. Speaker, the member is referring to conditions of some of these summer homes?

**Mr. Worton:** The type of buildings that have been established on the shores of this lake.

**Hon. Mr. Simonett:** Yes. As the leases run out and we find some of these places undesirable, I would think our men would say to the authority that they either up-date them or remove them, and I think maybe that is what has happened. We do back the authority in this programme, that you either up-date them or remove them away from the conservation area.

**Mr. Speaker:** I wonder if I might have permission of the House to revert to the order of reports, in order that a report may be tabled by the Attorney General? Agreed?

**Hon. Mr. Wishart:** Mr. Speaker, I would like to present to the House the annual report for the year 1967 of the Ontario police commission.

I might say that reports are available for all the members of the House and if not on their desks, are in their post office boxes.

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, before the orders of the day, I received a question from the member for High Park yesterday, and took it as notice. If I may, I will deal with it now.

The question was—is there a dispute between the workmen's compensation board, Ontario, and its insurance company as to whether the board is covered for claims arising out of the fire at the workmen's compensation board Downsview hospital?

If there is such a dispute, is this the reason those injured in the fire have so far been unable to receive compensation for their injuries?

The answer to the first part is no. As to the second part, the board has already paid to those injured in the fire compensation allowances in excess of \$25,000 and in excess of \$30,000 by way of medical aid, pending finalization of the claims.

**Mr. Shulman:** Would the Minister allow a supplementary question?

Are these payments compensation or are these supplements of the claims in the fire?

**Hon. Mr. Bales:** The sums are paid by the compensation board pending finalization of the claims, because these matters are ongoing situations.

**Mr. Shulman:** Have any of the claims been finalized?

**Hon. Mr. Bales:** Not to my knowledge at the present time. This is a legal matter and while they are not entirely finalized, these moneys have been paid in the interim.

**Mr. Shulman:** Well, since it is over a year, Mr. Speaker, is there some legal problem?

**Mr. Speaker:** Order, order! If the member has a supplementary question, he will ask it, but he will not make a statement.

**Mr. Shulman:** Will the Minister agree that there is a legal problem because these claims have not been settled in over a year?

**Hon. Mr. Bales:** Mr. Speaker, the parties, or the solicitors acting on behalf of the claimants are proceeding with the matter and it is under normal procedure, but in the meantime money has been paid in the interim.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 50th order; House in committee of supply. Mr. A. E. Reuter in the chair.

## ESTIMATES, THE DEPARTMENT OF HIGHWAYS (Continued)

On vote 908:

**Mr. M. Shulman (High Park):** Mr. Chairman, on a point of order.

**Mr. Chairman:** State your point of order.

**Mr. Shulman:** Yesterday in the discussions in the committee of the whole, the Minister stated that aluminum poles had not been purchased by his department because they were not available in 50 foot heights, and I am



sure the Minister would not knowingly or willingly misinform the House. I would like to inform him, through you, sir, that I have made inquiries this morning and the 50 foot aluminum poles I admit are only sold by five firms. However I thought perhaps he would like the name of the Canadian one that handles most of them and which has already established them and installed them on the DeCarie expressway in Montreal. The name of that firm is Polite Limited. They are in Montreal. Their phone number is 514-735-1157. They said they would be delighted to supply the Minister with as many poles as he is prepared to put up. Inasmuch as this is the reason given by the Minister for not using these poles I presume we will see them established on our highways very quickly.

**Mr. Chairman:** Vote 908, planning and design. The member for Sudbury.

**Mr. E. W. Sopha (Sudbury):** I should like to draw attention under this vote to a situation which exists in the city of Sudbury in respect of the intersection of two of the King's highways within that city—Highway 69 and Highway 17, both major arteries. I would like to ask the Minister, in respect to that intersection and what is known as the Lorne, Riverside, Regent Street railway crossing and intersection, known according to the argot employed in the city of Sudbury as "killer crossing", which is related, of course, to the traffic deaths that have occurred at the intersection of those two highways, whether any studies are underway, or any plans are being developed for the elimination of that hazard to life that exists in respect of it.

**Hon. G. E. Gomme (Minister of Highways):** I am told that this is part of the overall expressway study and there is a committee working on it now with the railway and the consultants to get an answer to the problem.

**Mr. Sopha:** When may we expect some action toward the elimination of that very perilous situation that exists?

**Hon. Mr. Gomme:** I understand that the functional design is on now, and it is a case of negotiation with the city to get the share costs of it. After the design is completed, then we can enter into an agreement with them. It is part of the overall expressway.

**Mr. Sopha:** I express myself, Mr. Chairman, as being very suspicious of the efficacy of these connecting-link agreements. I really cannot conceive in my own mind the rationale which leads this department and

the municipalities to separate King's highways in respect of jurisdiction when the highway leaves the countryside and crosses the municipal boundary. I do not really see why, in the efficient management of traffic that is passing through urban municipalities, the connecting link should not for all purposes, in respect of its maintenance, be left under the jurisdiction of The Department of Highways.

That would obviate what occurred this year in the city of Sudbury. As is well known, Sudbury, being dependent upon the mining revenue payments, is an impoverished municipality which seems always too poor to be able to engage in capital projects.

This year, in the estimates, provision was made for some improvements north of the crossing that I am speaking of. They are 300 or 400 yards away. Although the province is going to pay 75 per cent of that, the city of Sudbury in its poverty—and I do not think that is too strong a word—had to eliminate that from its budget because it could not afford to pay the 25 per cent that would impinge upon it. In dealing with this one that I have drawn attention to, here you have a disgraceful situation.

In can recall the member for Riverdale (Mr. J. Renwick) talking about a crossing in his riding for GO transit. He spoke to the Minister in very vigorous terms and he wanted it eliminated immediately; he did not mention there had been a death. I am talking about a crossing where, since 1962, there have been seven or eight deaths. Here is an intersection of two of the King's highways, both under the jurisdiction of this Minister, you have to know that intersection to appreciate it; there are seven streets come together, like the spokes on a wheel, at that crossing. The Deputy Minister I hope is a very good friend of mine. When I raised this at the public accounts committee, about the experience with that crossing, the Deputy Minister gave himself leave to say that it is well known that Sudbury drivers are bad drivers. There may be some truth in that.

But still, if they are bad drivers, you do not make them better drivers by having very perilous circumstances that they encounter. And here, to give you one illustration, a large gagage operates close to that crossing, within 100 or 200 feet. Although there are wigwags and signals and bells at the crossing—the intersection of two King's highways—a young man comes out of the garage on the tractor portion of a tractor-trailer, perfectly aware of the existence of the crossing,

the lights are red, the wigwags are flashing, and the bells are clanging, and he drives out of the garage, right up on the crossing in the path of an oncoming train. It is a Canadian Pacific Railway main line—the branch to Sault Ste. Marie—and he loses his life in that collision with the train.

I would think in the modern age that in this department, in the planning of its highways and the intersection of its highways, they would not be willing to tolerate the continuation of such a situation as that, and immediate steps would be taken, quite oblivious of the action or lack of action of the city council, to provide a proper safe intersection of two of the major highways in northern Ontario, that as I say, come together right in the centre of the city.

I view with a good deal of reservation this whole connecting-link concept. I would be prepared to see an approach, an evaluation, at least, of an approach, that The Department of Highways maintain responsibility for its highways when they go through urban municipalities.

I am fortified in that regard when I reflect on the Gardiner expressway, which is precisely what the department does, at \$14,000,000 a mile; \$14,000,000 a mile the people of Ontario paid from the collective purse to provide that very fine means of transit across the southern portion of Toronto.

But as my friend from Grey South—pardon me, from Grey-Bruce (Mr. Sargent)—is so prone to remark in this House—and he is supported by a good deal of truth in those remarks—Toronto, for some reason, is always treated as special; the urban megalopolis is treated as special in relation to its problems and the elimination of them. That special treatment does not attend other people's problems in the farther reaches of the province.

In respect of this so-called "killer crossing" that exists in the city of Sudbury, I would be remiss in my responsibility as the member for Sudbury if I did not call attention to the continuation of that hazard. Last week, I called up the city engineer and I said, "What is in the works, in the books, in the planning, for the elimination of that crossing?" He said, "Well, there is nothing. We are thinking about it and trying to project some studies on it".

Of course, the truth is in our impoverished state, which will exist until mining companies are treated the same as any other taxpayer in this province, we cannot marshal the funds to eliminate that. I would not even

make so bold as to guess how much it would cost. It would be millions of dollars, of course, to eliminate it, but certainly the Canadian Pacific Railway has some responsibility also toward the elimination of the hazard because it is taking its train right across the intersection. I doubt very much that in many other areas of the province—I would be willing to be enlightened—two major highways come together with a railway crossing at the intersection. Merely to describe it points to the most unusual situation that exists—to have an intersection of two highways and a railway crossing of a main line at street level as obtains there.

I say to the Minister through you, Mr. Chairman, there is another feature. I have been trying to determine by *a priori* reasoning entirely whether there is any major metropolitan urban area in the province, other than Sudbury, that does not have a bypass. Really, I cannot think of one. All the major urban municipalities that I know of in the province have bypasses.

North Bay for many years has had a bypass but I observe, and we are prone to criticize North Bay at the drop of a hat. I observe that in respect to North Bay they built the bypass and now they need a bypass to bypass the bypass. If *Hunsard* can get down—that accumulation of verbs!

They built the bypass, then they built up along the bypass and the first thing they wanted was a 30-mile speed limit because of the building up. They need another bypass to the north to bypass the one they have got.

We have none at all. As you come down Highway 11, those little towns in the boondocks there, Gravenhurst and Huntsville and Bracebridge—all minor municipalities, compared to our great thriving metropolitan area—they are all bypassed.

**Mr. J. E. Stokes (Thunder Bay):** Thriving but poor!

**Mr. Sopha:** You go out to the west and east here—all the little joints along Lake Ontario—they are all bypassed. Really, is there another large urban area such as ours, that has not got a bypass? There should have been one built if you planned and designed your highways properly.

I say to the Minister, through you, Mr. Chairman, if they rationalized their planning, Sudbury would have had a bypass 10 or 15 years ago. We are balanced on the east-west access between North Bay and Sault Ste Marie, and with the growing dependence upon truck transport. You have all these

tractor-trailers thundering through the municipality in the small hours of the morning. They are vehicles in which Sudbury has no economic interest.

It has no interest in them because they pass right through the main residential areas and go out the other side. They may stop for a cup of coffee, at some place, but that would be their contribution to Sudbury. It is intolerable that our city streets should suffer the damage that is done to them by those huge monsters, spewing their diesel fumes, as if we did not have enough sulphur dioxide that we need carbon monoxide and dioxide. It is too much to contemplate.

But that is the situation and, I do not know, one tends to get discouraged in the planning and design, because that local office of The Department of Highways never asks me my opinion on what Sudbury should have. I guess they have no reason to ask me what I feel should obtain in planning and design. But one likes to think that one could contribute a useful, constructive suggestion.

One notes that if they are going to improve some rabbit trail out in the country—spend \$2,000 or \$3,000 in some improvement of a road down in Noelville—the member for Nickel Belt (Mr. Demers) is on the television making the announcement saying “the Minister phoned me this morning,” his dulcet tones inform the citizenry. “The Minister called me this morning to say that the road from Coon creek to Rabbitville is going to be improved and I am happy to report,” he says—I notice lately that he is making announcements in respect of the constituency of Sudbury East.

But, one day, you know, in the dawning of the new age of enlightenment, if that district engineer, nice fellow that he is, Mr. Sharp, very competent—if he got on the phone and said, “Sophia, we are setting up our programme for Sudbury for this year. What do you think we should do in the way of planning and design? What does the city need? What do you think the priority should be?”

Among the very first I would say to Mr. Sharp: “You tell that Deputy Minister fellow, and through him, the Minister, that maybe that Lorne-Riverside intersection ought to be improved. You take steps to eliminate it, in the interest of preserving life and putting an end to the experience of people being killed on that crossing.” All right, well there is my chart for the next year that Sudbury, I think, should—

I spoke to the mayor about it last night. He was present when the Minister of Municip-

pal Affairs (Mr. McKeough) was explaining the shelter grant and I asked the mayor about that bypass business. Of course, with the mayor, you know it is always the same answer. You want to improve something and he says we have not got the money. That is the constant refrain. That is the chorus in Sudbury. We have not got the money.

I do not know whether anybody has made any representations in this department, but I am making them now to the department that I would think that, not later than next year, two things are required: a bypass for Sudbury—the last large urban metropolis in Ontario that has not got one. That is number one. Two, an immediate start on the elimination of that hazard that I have so laboriously described.

**Mr. Chairman:** Vote 908.

**Hon. Mr. Gomme:** Mr. Chairman, if I might just clear up a couple of points.

The Gardiner expressway was built with just a 50 per cent subsidy from the—

**Mr. Sopha:** \$14 million a mile.

**Hon. Mr. Gomme:** —from the province, but the subsidy was 50 per cent, not totally paid for by the province. In regard to the city engineer, I cannot understand why he would tell you he knew nothing about it, because he is on a committee with our engineers on the planning of the crossing to which you have referred. In regard to the bypass or the Brady Street expressway, as I believe you call it, both the study done by us and the city showed that most of the people wanted to get into the city. The city accepted this as the plan and this was why the bypass was not started or even planned at the present time.

**Mr. Sopha:** Why it is not planned.

**Hon. Mr. Gomme:** That is right.

**Mr. Sopha:** We have not got a bypass; we have not even got a plan.

**Hon. Mr. Gomme:** No.

**Mr. Sopha:** I say to my friend from Grey-Bruce, when you start to split hairs about 50 per cent for the Gardiner expressway—\$14 million a mile. You know that is a tremendous figure in an election campaign in northern Ontario. You only have to use the figure, you do not need to tell them anything else than the \$14 million a mile for a highway in Toronto.

My friend from Grey-Bruce will support me. We are not only talking about that over-



head down on the lake front, when they did not have enough highways going along the surface. Then they went underground, did they not? They started to build highways underground.

Now, I am not one of those that wants to take anything away from good old Toronto. They are entitled to everything they get. All I want is equal treatment. If it is a large and glorious life, almost a Utopian existence, to live in the city of Toronto as I suppose it is—I would not want to live here myself—then I just want to make life a little bit better outside of Toronto, in other areas. I want people outside of Toronto to feel that they are treated equally with the citizens of Toronto, so do not start to split hairs with me about 50 per cent. Bear in mind the hundreds of millions of dollars for those highways underground that you have built also.

**Mr. Chairman:** The member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Chairman, I would like to comment on one or two areas under this vote 908—"planning and design" and also the item, "county needs study".

One of the things which bothered me, as I moved around the constituency last fall, was the constant mention of three roads which were promised apparently, by this government last year—at least the pre-engineering was promised—and it is the pre-engineering which I am concerned about and I think would come under this item. These roads were the centre line of Smith; the second was the Fyfe's Bay road, and the second line of Dummer and Asphodes was the third.

I hope my friend from St. Catharines (Mr. R. M. Johnston) over there will not get too exercised. In his maiden speech he said to the Opposition that we should contact the Minister's office and we would get the information and then if unsuccessful we would be able to ask our questions in the House.

Well, I did that, Mr. Chairman. So far I have received no answer, although, strangely enough, a few days after I had made this inquiry, the county council received an answer about one of these roads. The other two roads we have heard nothing more about, but the previous member in this House, who was most assiduous in his concern for the roads in this particular county—and rightly so—and spent a great deal of time in Ministers' offices looking after the affairs of this county, certainly indicated that

there had been a promise that this pre-engineering would have been done and completed last year, that is 1967. There is a great deal of concern, I suggest to you, on the part of supporters of members on the other side of this House that this pre-engineering has not been done as yet.

It would be very helpful, in explaining this situation if the member for Peterborough could point to some kind of a plan, or some kind of a design, for eastern Ontario. I understand that this is now complete, and I would request the Minister if this is so and if there is a five-year plan that has been completed for southeastern Ontario, that perhaps I might be able to receive a copy of this study as well.

I think it would be most helpful for all members of this House to know what directions highways are going as they seek to discuss matters with their constituents. The Minister realizes of course, the road going past every constituent's house is the most important road in the province. Highway 401 is nothing compared to that road.

I spend a great deal of time talking with my constituents, as I am sure every other member of the House does, and I think that one of the things that the Minister could spend a great deal of his time on is securing and, indeed, getting information about roads to the members of this House.

I suggest to the Minister that one of the most helpful things has been these periodicals and these publications which have already been placed in the members' mail, but I would suggest that if we could have even more information it would be possible for us to show where that particular road sits in the entire pattern.

I must support some of the remarks that were made by the member for Sudbury when he said that those of us who come to Toronto continually see the tremendous amount of work being done in this area. It is very hard for us to explain to our constituents back in the back concessions—if we want to use that terminology—just why it is there seems to be so much going on in the Toronto area and yet the road near that constituent's house has not been dealt with over the last number of years.

So in asking about the pre-engineering for these three roads—I understand one of them has now been assured—may I ask whether this pre-engineering can be expected within the next few months? As I say it was promised in the previous year.

**Hon. Mr. Gomme:** Mr. Chairman, that does not come under this vote, but I think the hon. member started talking about the "county needs study" which is only an updated study to show the greater needs of the county and what this money of \$400,000 is set for. Development roads was dealt with under the capital construction, but I do know, as he says, that one of these roads has been designated lately and I am sure the rest will be done.

**Mr. Pitman:** I am somewhat at a loss. I presume the Chairman would not wish me to question the Minister further on that particular vote. I wonder if I could just say a few words about the whole business of county needs in this "county needs study".

It is always, I think, a matter of some concern to each constituent as he stands in his place that he may indeed be rather parochial, he may be unreasonable in the expectation he has for those roads that happen to be in his county. I was interested to look at the appendix to the Minister's annual report of 1967, and I looked at the various counties and at the appropriations that had been granted to those counties. This has been most helpful.

I hope that you will continue to provide them for this House. But looking at the county of Peterborough I notice that in terms of mileage the county of Peterborough is tenth from the bottom—that is of the bottom of the list—of the 37 or 38 counties, and yet it is fifth lowest in expenditure over the years.

Yet in answering the member for High Park it seemed that the main consideration in terms of expenditure on highways in counties would surely be population and the usage of these roads, and surely this is one of the most populous counties. Indeed, during the summer time as all members of this House are, I am sure, aware, it is one of the most highly travelled areas and much of this travelling is done on county roads.

I turned the page over for the year 1966-67—and I remind the Minister, and other members of the House that during most of this period, of course, the county has been represented by members of his party—and in road construction in 1966-67 there was only one other lower than Peterborough. It is the tenth from the bottom in terms of mileage, but in construction appropriations there is only one lower—Prince Edward county.

Now Prince Edward county is one of the most beautiful counties in Ontario, but you compare the mileage and you compare the

population of those two counties and it is pretty incredible.

In terms of road maintenance I find that we are the seventh lowest in the amount of appropriation for maintenance. When I take the total of construction—this includes roads, bridges and culverts—the total of construction comes to the fact that we are the third from the bottom.

Then we come to approved expenditure maintenance and we are fourth from the bottom. And I come to the grand total of all and we are again fourth from the bottom in the total expenditure. When we turn to the government subsidy once again we are fourth from the lowest.

I find it very hard, Mr. Chairman, to explain to my people why when we are tenth in terms of road mileage, we would find ourselves so much farther down in every one of these categories—

**Mr. Chairman:** I wonder if the member would stick with vote 908—planning and design—I think he is straying from that particular subject.

**Mr. Pitman:** I shall have to agree with the Chairman, perhaps, although I felt that item 6, "county needs study" might somehow be involved in this particular appropriation.

I shall leave my remarks there, Mr. Chairman, except to state that I hope that in the five-year report which will soon be available to us we will be able to see somehow a pattern of highway development to help us to understand how the appropriations for a county as you find in this annual report happen to come out so unfairly as they have so far as Peterborough county is concerned.

**Hon. Mr. Gomme:** I think, Mr. Chairman, the member must realize the "county needs study" is published by the county not by us, and that would be the place where you could get a copy. This is just an amount of money to be voted for the updating of these "county needs studies".

**Mr. Chairman:** The member for Kent.

**Mr. J. P. Spence (Kent):** Mr. Chairman, under item 6, vote 908, a county roads needs study I believe was carried out in your part of the county, 1964-65, in which the county council of one of the counties that I have the honour to represent took no action whatsoever on that county needs report which cost \$44,000. You can correct me if I am not correct, Mr. Chairman.

I would like to know how many counties accepted or carried out the recommendations of those "county need" reports, how many counties carried out the recommendations in these "county road need studies" across this province?

**Hon. Mr. Gomme:** Most counties prepared them and most counties accepted them. I have not the exact figure of that, but most of them did accept them.

**Mr. Spence:** Mr. Chairman, another question for the Minister. Is the department asking the counties to carry out another "road needs study"?

**Hon. Mr. Gomme:** Well, I could give the member this statement again. The 1964 "county roads needs study", which was carried out jointly by the counties of Ontario and the department, provided an estimate of the ten-year monetary needs of the county road system. These data were used to formulate the 1964-69 county road programme. The data collected in 1964 is not considered sufficiently accurate to be used as the basis for financial planning beyond the year 1969.

In order to provide the department and the counties with a more accurate needs data, the Minister wrote the counties of Ontario on November 7, 1967, inviting them to participate in updating their 1964 studies. It was not mandatory.

**Mr. Spence:** They do not have to do it if they do not want to?

**Hon. Mr. Gomme:** That is right.

**Mr. Spence:** Thank you.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, through you, sir, I would like to ask the Minister if the long war of attrition between The Department of Highways and the conservationists, and those interested in the Dundas bypass highway have come to an agreement yet as to what is going to take place?

**Hon. Mr. Gomme:** No, it is not settled yet, we are still receiving briefs, Mr. Chairman.

**Mr. Gisborn:** Well, Mr. Chairman, I would think the Minister might inform the House on just exactly what is taking place in regard to this very controversial issue in the Hamilton area.

Of course, we are all aware that never has there been as much press and as much interest shown in the development of a section of the province, and there is no doubt that what has

developed is a complete disagreement on a philosophical position as to whether a highway should go through a valley considered to be one of the finest areas to be conserved for conservation and/or bypass that valley and take up other highway areas.

I am quite disturbed about the tenor of the debate and the methods that are being used to come to a decision. I just want to remind the Minister that the headlines that have been applied to this situation are certainly no credit to The Department of Highways, no credit to the people who are trying to do their job as conservationists in the area. The methods that now seem apparent by the Minister, that is, the reference that he or his department are soliciting support from the 13 municipalities to support the department's position as to where this highway should go.

I would like the Minister to inform me on several things. What did the resolutions that were requested from the municipalities entail? There was a very disturbing editorial in the *Hamilton Spectator* in regard to the tactics used by the department.

I think the Minister should by this time be able to answer some of the pertinent questions asked by the people so involved and interested in this situation, such as how is the plan reconciled with the aims of the Premier Robarts' committee studying preservation of the Niagara escarpment? How did the department account for the \$5 million estimate billed in to alternate routes rejected on the grounds of cost? In what way did the department adhere to its policy of checking with local conservation authorities before deciding the so-called bypass?

Has the Minister ever discussed this situation with the Minister of Energy and Resources Management (Mr. Simonett) to get the pros and cons of his department covering conservation? Has the Minister ever taken this directly to the caucus to get some direction to cease this war of attrition between the dedicated conservationists, the people directly involved in the community?

To extend my question with regard to the Minister's tactics of trying to gather support from these several municipalities—there are 13 municipalities in Wentworth county—to take a public position on it which, of course, would justify and lend support to the Minister's position, I would like the Minister to tell the House and particularly myself, what the highways report of 1960 declared in regards to the Dundas bypass as reported in the *Hamilton Spectator*. I just briefly quote so the Minister is quite aware:



The Department of Highways shouldn't put the Dundas bypass through the Dundas valley.

Who says so? Why, the experts of the Ontario Department of Highways. The study backs a route running west of and parallel to Highway 52 from Peter's Corners to Highway 2 to carry Hamilton and Kitchener traffic around Dundas.

Norman Pearson, the planning expert, has stated that this report taken in 1960 opposed any plan to put a highway through the valley.

I would like the Minister to explain the change of direction, the change of plans by the department in regard to that report. I would like to know if that report is available, and I would like to have a copy when the Minister can present it.

But I would like to put on record the editorial by the *Hamilton Spectator* of Wednesday, April 10 because I think it does pinpoint what seems to be very unusual tactics by the department in their efforts to garner support against the odds that they have been facing in regard to making a decision with respect to this highway through the Dundas valley:

Having failed to win friends and influence people on the Dundas valley highway issue by the direct approach, the Ontario provincial government is treading the familiar path of municipal persuasion. Non-partisan consideration of a matter of public money has been downgraded to a situation of political orthodoxy.

The Minister of Highways, aided by less visible components of the hierarchy, is now behaving as though conservatism were at stake and not conservation. The future of the beautiful 3,000-acre valley is bleak.

Last month, Highways Minister George Gomme sent letters asking for specific resolutions of opinion on the road to municipalities and organizations affected by the high-speed parkway which would dissect one of southern Ontario's most lovely potential conservation and recreation areas. Known recipients are the Hamilton region conservation authority, the action group in Ancaster, Beverly township, West Flamborough township, the town of Dundas, Ancaster, the county of Wentworth and the city of Hamilton.

Now, Mr. Chairman, this method of trying to garner support for a change of plans by The Department of Highways leaves a bitter taste in the mouths of many people in the Hamilton area. I think the question should have been

decided strictly on the merits of whether we do believe in conservation, whether those people who are responsible and trusted with the work of making plans in areas to conserve our land, that the opinions of the people directly affected in the municipality should be those that should be met, and not this method.

I would hope that the Minister would give some answers to these questions. I do not think the fact that he waiting for briefs to be presented gives any reason at all for the delay, the consternation and the problems that will be created amongst friends and amongst councillors in that particular area.

So I wish the Minister would answer these several questions. I hope he has taken them down and if he has missed some I will try to repeat them because I think it is about time that this question was resolved.

It is not directly affecting my riding, but certainly it is affecting and will affect the people of the whole of Wentworth county and as far away as Brantford and other areas of the problem if the proper decision is not made in regard to this highway.

I understand that the department is not planning an immediate development. I understand it may be some five years yet before they really get down to the actual construction. I am not sure whether my understanding is correct in this direction or not, but if this is the case surely the dialogue could be ceased until the decision is made, and then people will settle down and the conservation authorities then will know exactly where they are heading in regard to their whole development of that particular area.

**Hon. Mr. Gomme:** Mr. Chairman, I do not know whether I have all the questions down, but I am very sorry that the member was not at the meeting which we had at Dundas to present the plan which The Department of Highways prepared for the road through the valley.

I know that there has been some controversy over whether it should be built through the valley. There has been reference made to a 1960 report which was one done by a geographer, I understand, and was not really a complete study of the area. The one thing in talking about the 1960 report is that the people who used that as the guide did not mention the Hamilton study report of 1962. This definitely shows the roads should go through the valley.

Now, at the meeting in Dundas I think that the department did exactly what the people wanted them to do, they took out

complete plans, drawings, pictures, everything that could be taken out to show them of the proposition that we has, and where we felt the road should go.

There was no force put on anybody to come to the meeting. Anyone was allowed to get up and speak and give opinions and ideas what they wanted. In writing to the municipalities, the only thing that we asked for, and the member used that word, was that we wanted the opinions of the municipalities. We were not trying to line anyone up.

There was a lot of discussion about the 3,000 acres of the conservation area, and of course we talked to the Minister concerned about that, but it has to be pointed out that the amount of land that we wanted was 130 acres.

This land at the present time is not in the conservation area. It is owned by private people, and I do not believe that there is a great deal of access for the average citizen to get in there. In some of the pictures we showed were comparable roads in other jurisdictions, and they were most attractive. We were attempting to present this as a parkway where there were lookouts from place to place, where people could get off the road and see all the beauty and the advantages of the valley.

Now, as I say, we made a very thorough presentation, and we were very well received. I also might tell the member that I received a letter this morning from the chairman of the conservation area there—I do not know just what it is called—but he was a man who was very strong in his opinion against our plan, and his letter was most cordial, of course he does not agree with us yet, but he thanked me for all the material which I sent to them to show them our exact plan and idea, and from that they are continuing the study which they want to do.

I might say that this was not a high speed road. I referred to it as a parkway, and this was one that was to be built as a 50-mile-per-hour parkway. Certainly, we felt that it was going to open up the area and that a great many more people could have the advantage of seeing the valley than those who do now. There is no firm decision on the project. And we are giving the conservationists, and other people, every opportunity in the wide world to study it at their own meetings, in their own time.

They have had all the material that we can give them from this department, and I know

that we will resolve this to the satisfaction of everyone as time goes on. I cannot answer as to what the resolution would be, but we are not using any force or trying to make anybody decide that our plan is the best. All that we have done is present our complete views.

**Mr. Gisborn:** Mr. Chairman, I would like the answer clear in three areas. What was the specific reason for the department contacting the various municipalities to give their opinions?

**Hon. Mr. Gomme:** Mr. Chairman, we wanted to get their opinions, to know what they thought of the road.

**Mr. Gisborn:** Even though many of them were not affected directly with the particular area or the conservation authorities? It just does not make sense. Has the Minister had any discussion in regards to the conservation part of the whole deal with the Minister of Energy and Resources Management, through the conservation department, as to the logic of putting the highway through the Dundas valley?

**Hon. Mr. Gomme:** Yes, we have had those discussions.

**Mr. Gisborn:** Would the Minister care to inform me what the conservation department's opinion was in this regard?

**Hon. Mr. Gomme:** They are still considering it and they have not given us the opinion as yet as to what they think should finally be done.

**Mr. Gisborn:** Mr. Chairman, it is known that the property under discussion, the valley, is still in private hands. Has the department options on any of that property as the present time?

**Hon. Mr. Gomme:** Are you referring to our department?

**Mr. Gisborn:** Yes.

**Hon. Mr. Gomme:** No, we have not.

**Mr. Gisborn:** Well, has any other department options on the property involved through the Dundas valley?

**Hon. Mr. Gomme:** I cannot answer that, but I am told that the conservation authority does not own any land in the valley.

**Mr. Chairman:** We have several speakers here, but I think that this particular subject

is one of interest to the Hamilton members. While I have been trying pretty well to follow order here, I think that the Hamilton members, if they wish to speak on the same point, should be given that privilege. The member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain).** Mr. Chairman, I would just like to add a few comments on the Dundas bypass. I am a member for Hamilton in the county of Wentworth and I am particularly interested in this new roadway. I think, Mr. Chairman, that there has been some malicious journalism on the part of the *Hamilton Spectator* in one of their recent editorials in which they accuse the local Conservative members of trying to exert undue pressure on local councilmen in the various municipalities in the county to approve this bypass. To suspect such a thing is very devious thinking.

I, as a municipal representative on the Hamilton and region conservation authority, speak for a number of that authority when I say that there is a goodly number of members of the authority in full agreement with the proposed bypass. It is unfortunate that as yet the conservation authority has not called a full authority meeting to discuss this matter.

I have been reading with interest in the local press that the various municipalities have one by one approved this. I know that two are very strongly opposed to it, and yet even the county council has given their endorsement for this. I think that one of the things that has been brought out here this afternoon is the need for bypasses past our communities, and the hon. member for Sudbury stresses how it affects his community.

We in Hamilton have a very unique situation in that we have an escarpment and a bay, and our city is basically tied in between these two geographical features. Main Street, Mr. Chairman, is an extremely congested area, and the construction of McMaster medical school will make it even more so, and it is of the utmost importance to the west end of our city that it is relieved of this Kitchener traffic that is trying to travel through to Niagara Falls, and points beyond.

Mr. Chairman, we need improved roadways in Hamilton and one of the features of this is that it is going to open up the whole area in a parkland setting so that the people can drive through and see the scenic wonders of this particular area. It is not an expressway. It is going to be designed as

a parkway, and those members of this House that were at the very fine presentation at the Halton teachers' college saw this graphically portrayed.

At present the whole region is almost inaccessible to people, unless you have a car you wish to risk on the winding roads of the Dundas valley, or if you are a nature hiker and want to go through the woods. I think once this area is opened up and the conservation authority take their options on the five hundred acres or more, we are going to have one of the finest conservation authorities and natural parklands in this province, right in the heart of the Golden Horseshoe.

**Mr. Chairman:** Did the member for Wentworth have remarks concerning this particular topic?

**Mr. I. Deans (Wentworth):** Not specifically, they—

**Mr. Chairman:** Then we will revert to the order in which I had the speakers previously. The member for High Park.

**Mr. Shulman:** On vote 908, Mr. Chairman, the part that is interesting to me at the moment is planning, and I would like to ask the hon. Minister—I presume planning refers to planning for the future and not for the past, so how many years ahead do you plan? Do you have a plan; is there a five-year plan or a ten-year plan, or a 20-year plan?

And I would remind you, Mr. Chairman, that on the subject of plans the Minister did say he was going to supply certain material to us. Perhaps this material for which I am asking is in the plan which is to be supplied to us, and so perhaps if that material is available now, he would give it to me, we might save the time of the House by not having to ask all these questions.

**Hon. Mr. Gomme:** We sent the area studies which I referred to yesterday to you, sir, today.

**Mr. Shulman:** May I ask where they were sent?

**Hon. Mr. Gomme:** Well, I presume they were sent to your office.

**Mr. Shulman:** Were they sent to the post office? Were they sent by mail, or by messenger?

**Hon. Mr. Gomme:** No, messenger.



**Mr. Shulman:** Would it be possible to check at your department and find where the messenger has gone?

**Mr. Sopha:** They went via Polar Bear park.

**Mr. Shulman:** I do not want to waste time asking questions if the material is in my desk or somewhere, but I have just been up there and it has not arrived. If you have another copy, perhaps you could send it across the floor which might be quicker.

**Mr. Sopha:** Or you could possibly go up again.

**Mr. Shulman:** Yes, I would be delighted to go up again. I will yield to the next speaker and I will come down and see if anything has arrived.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. Sopha:** See the persuasion I have?

**Mr. B. Newman (Windsor-Walkerville):** Thank you very much, Mr. Chairman. Before I commence my remarks, I would like to bring to your attention the students in the gallery. They are the fine young ladies from the proud city of Windsor and they are down here to see how the business of the province is conducted. Not only are they from Windsor, but they are from the good riding of Windsor-Walkerville.

**Mr. Chairman,** some three years ago I made several suggestions to the then Minister of Highways concerning safety features that could be built into the roads. One of them that I mentioned was the serrating or roughening the edge of the highway so that an individual driving in the dark hours or in weather in which vision may not be the best, by the sound of the wheels against the pavement he could tell whether he was too close to the edge of the road.

Now, I notice in an information bulletin from the Ontario safety league dated January 5, 1968, that California highway engineers have started a pilot project concerning cutting grooves in a 900-foot section of the Santa Anna freeway. This serrating or roughening the edge of the pavement led to a sizeable decrease in the number of accidents at that section of the highway.

I am wondering at this point, Mr. Chairman, if the Minister took into consideration this specific suggestion made several years ago.

**Hon. Mr. Gomme:** We have tried these in some of the areas, but we find that in the winter they are a problem to us. Ice gets in them and they are really worse than if we did not have them at all.

**Mr. B. Newman:** Well, Mr. Chairman, the winter season is only approximately three months of the year. There are still nine months of the year where this could be of major benefit to the motoring public.

Simply because it did not happen to work, or as the Minister says it did not work, that does not mean it is of no value at all. Other jurisdictions have found this to work. May I ask the Minister that he consider this in, say, my section of the province. The winters are not as severe in our area as they are in other sections.

**Hon. Mr. Gomme:** Might I ask the member, is it the jurisdiction of California that is using it?

**Mr. B. Newman:** Yes it is California.

**Hon. Mr. Gomme:** Well, they have entirely different winter conditions than ours, but we are in constant consultation with them and are getting the benefit of all their research.

**Mr. B. Newman:** Well, in case the Minister does not know, Essex county is farther south than northern California, so the climatic conditions in Essex county compare very favourably with northern California.

I had a second suggestion at that time and that was the use of reflective materials being imbedded into either the edge of the road or the dividing line down the centre of the road, be this on a two-lane highway or a four-lane highway. Have any experiments been conducted by the department concerning the use of reflective materials imbedded into the concrete?

**Hon. Mr. Gomme:** All the paint that we use is reflectorized, Mr. Chairman.

**Mr. B. Newman:** Do you imbed it into the concrete or cement it on the concrete?

**Hon. Mr. Gomme:** No, this is in the paint.

**Mr. B. Newman:** Have you considered the use of the materials developed by a concern in the city of Windsor, the Reflex Corporation? They are a division of International Tools Limited and they happen to be the largest plastic mold manufacturers in North America. They have a series of plastic reflectors that could be used as dividers for two-lane roads.

I can recall making this suggestion at one time and the department said that they were going to consider it. Have experiments been made or conducted with the use of this specific reflective material as a lane marker?

**Hon. Mr. Gomme:** I am advised that our research people have looked into it, but they have not come to the conclusion or proven that they should use it.

**Mr. B. Newman:** Well, would the Minister then provide me with a copy of the report from your research staffs so that I could check and find out which portion of the province this experiment had been conducted in?

Next, I mentioned the use of bottle dots that were quite commonly used at one time in the state of California and these were cemented to the highway by means of an epoxy glue. They use these in various colours, interspersing the white with other colours. They were of the advantage that not only were they reflective, but likewise they left a sound so that the vehicle passing over would know whether it is veering too much to one direction or the other direction on the highway. Have such suggestions been experimented with by the department?

**Hon. Mr. Gomme:** We have used those on our highways, but our experience has been that the snowplows coming along just tear them out.

**Mr. B. Newman:** Would the Minister mind providing me with a copy of the report that he has concerning that at some future date? And may I ask the Minister if he has considered a suggestion made by a gentleman by the name of Nicholas Demetry of the United States, actually a Californian, concerning the colouring of highways, especially when you get to intersections or areas where there may be turn-offs and where there is an increase in accident hazard. He has suggested the use of red, green, yellow, blue.

Not necessarily the whole highway, but the materials that may be used designating the sides of the highway or the materials used showing the dividing lanes on the highway.

**Hon. Mr. Gomme:** We can get reports on that. We do not have that here, but we will.

**Mr. B. Newman:** Then the last suggestion that I would make to the hon. Minister is concerning the need for telephones on highways. A common complaint among motorists frequently, who drive on highways, especially a super-highway system, is that there are insufficient telephones to call for assist-

ance in case of a breakdown or accident. With the exception of the service centres and weigh scale areas, which are usually approximately 40 miles apart, there are generally no telephones for emergency calls.

The only salvation that a motorist has—a standard driver has—is for a police car or for another motorist to stop and render assistance. Highway department officials, in my estimation, should consider either installing emergency phones at two- or three-mile intervals along the road, or take a page from the countries in Europe, where emergency signal boxes have been erected.

These emergency call boxes are linked directly to a central headquarters and are in operation in Italy and generally along the super-highways and autobahns in Germany. Not only would this emergency phone system be of assistance to the motorist in difficulty, but it would decrease the time now required to obtain ambulance services for persons injured in accidents. An improved system of telephones along highways could be a substantial means or way of saving human life in case of serious accident.

**Hon. Mr. Gomme:** We will take this under advisement, Mr. Chairman.

**Mr. Chairman:** Vote 908? The member for Wentworth.

**Mr. Deans:** Mr. Chairman, I would like to make inquiries about Highway 53 freeway. The Minister and I indulged in a futile exercise earlier in the session in trying to find the location. I wonder if at this time he would be able to tell me the location of the 53 freeway as it enters and leaves the city of Hamilton? That way I might be able to deduce for myself where it will run inside the city.

**Hon. Mr. Gomme:** This Highway 53 was one of the things that was set in the 1963 study that I talked of before. It is a Hamilton decision as to where it enters and leaves the city.

**Mr. Deans:** I understand from the tone of the conversation that I have had with the municipal officials that the department definitely has some say in the location of it. Is this completely untrue?

**Hon. Mr. Gomme:** We do not have the final say on this, but we are in an advisory capacity to them. It is a municipal decision.

**Mr. Deans:** Has the municipality informed you where it is going to be located?

**Hon. Mr. Gomme:** We have discussed it with them, but there is no final decision on it.

**Mr. J. R. Smith:** They have moved it back.

**Mr. Deans:** Who has the final say? This is the sort of form that becomes unexplainable.

**Hon. Mr. Gomme:** I have said the city has.

**Mr. Deans:** Who says, finally where it is going to be? If they say to you, we are going to locate it here, do you just say okay?

**Mr. Chairman:** The Minister has stated quite clearly that the city has the final say.

**Mr. Deans:** They just say here it is, and you agree to that and pay whatever share you owe?

**Mr. Chairman:** Vote 908? The member for High Park.

**Mr. Shulman:** Mr. Chairman, through you to the Minister, I have just received these plans and of course I have not had time to go through them. But I had a chance to go quickly through the plans for southwestern Ontario. It is a pleasure at last to be able to compliment the Minister. I can see it is a very fine piece of work and it is very detailed.

**An hon. member:** But—

**Mr. Shulman:** No “buts”. Very detailed and it is just exactly the type of information which should be supplied to the members. I wish to take this opportunity to compliment him on it. It is obviously excellent work.

**Mr. Chairman:** Vote 908?

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Chairman, I was going to broach this matter under 910, research, but inasmuch as the member for Windsor-Walkerville took the words out of my mouth on one matter, I may as well mention the other right now.

The idea of having telephones, or some other method of communication, on Highway 401—perhaps the reason the hon. member for Windsor-Walkerville has the same idea that I had is that we both travel Highway 401 frequently.

Windsor is at the far end of the province and the sense of isolation you get as you drive along is one you do not get driving along 401 in the vicinity of Toronto. But you can leave Toronto and drive for 230 or 240 miles without ever speaking to another person. It often occurs to the traveller, what would happen if especially in the evening

hours a car went off the road and help had to be called for rescue operations.

A phone—and I had it written down here in my notes—I was suggesting the same figure—every two miles would mean that when another car came along, the motorist would know that within two miles there was a telephone which could summon aid.

I have spoken to provincial police officers on this matter, and I have asked them: How do you get your calls when there are accidents? And they have been very vague about it. They really do not know how the calls come in. So, I would endorse the suggestion about the telephones.

The other matter is one that I wonder if the Minister would consider. On the trip from London to Windsor, which I have taken many, many times in the last 30 or 40 years, in bad weather, in good, I have never failed to complete the journey until about a month ago when, you remember, there was a sudden snow storm, a blizzard, and I had to spend the night in Tilbury. It was the first time it ever happened to me. But on the following morning, around noon, as we drove the rest of the journey, from Tilbury to Windsor, there were still 13 cars abandoned along that stretch of highway.

**Mr. Chairman:** Remember we are dealing with vote 908 which is planning and design.

**Mr. Burr:** Design, yes. Now the design—

**Mr. Chairman:** If it has anything to do with planning or design of highways.

**Mr. Burr:** Yes, I assure—

**Mr. Chairman:** The member is talking about being stranded and soon. What does this have to do with planning and designing?

**Mr. D. C. MacDonald** (York South): He wants to design the highways so he will not get stranded.

**Mr. Burr:** Yes. It will come clearer in a minute. I am not going to waste your time.

**Mr. Chairman:** Will the member make it clear that he is talking about planning and design?

**Mr. Burr:** Yes, I think it is, planning and design.

Now the point is that if I had known when I was in London or even as I had travelled about 20 miles or so towards Windsor that the highways were becoming ice-covered



then I would have been able to get off the highway and stop in some village on the way.

Now the suggestion is this. Would it be possible to have a series of lights—highway lights like the ones we have on the city streets—perhaps every four or five miles, which would be used as a warning system. You know how lights can be dimmed and made brighter and dimmed. So that when, as happens about once or twice every winter, these very dangerous conditions occur, there could be an immediate warning to motorists. We had our radio on but we had no idea that we were in a very bad storm but if one saw these lights coming on, dimming and brightening, it would be an instant message to the travellers.

To reinforce this suggestion, I remind you that the member from Sarnia told us about one or two deaths that occurred on this very same evening, caused by the icy conditions about which the motorists, of course, had no idea when they started on their journeys.

So, it is a question of the design of the highways. Would the Minister consider a warning system of this nature?

**Hon. Mr. Gomme:** Anything can be considered, but I point out to the hon. member that we have over 13,000 miles of road and I think it would be a very expensive job to put this in all the places. I think he was very much on maintenance.

We try to do the very best we can in keeping the highways open, and I may also tell him that we have the road reports which he can get. Call at any of the service centres or the district offices and gas stations and they would give reports of the road ahead. I use these myself quite often in travelling in the winter time and find it very satisfactory.

**Mr. Burr:** Mr. Chairman, I was not referring to 13,000 miles of highway. I was talking about the super highways where you are isolated from the rest of the world actually, especially in the evening.

Vote 908 agreed to.

On vote 909.

**Mr. Chairman:** The member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, in this connection I mentioned yesterday during the course of a rather lengthy discussion as to the adequacy of the department's attitude with respect to compensation for injurious affection that I too, wanted to com-

ment with respect to their attitude, and that I thought that vote 909 was the appropriate time.

I might say, Mr. Chairman, that I, together with other members, I am sure, continually have occasion to have letters written to us in connection with the attitudes of our constituents and others perhaps outside our constituency with respect to what our constituents might consider the realistic approach that the department takes in connection with the value of their properties when they are being expropriated, or when some type of injurious affection is experienced by them.

My policy in the past in connection with this has been to deal either with the Minister or the Deputy Minister or with the regional department at London. I must say this, that in the majority of circumstances I have been most pleased with the response, both as to content and expediency from especially the Deputy Minister's office.

But since the 1967 estimates of The Department of Highways came down, and particularly, relative to land purchase, we have had a rather significant report made available to us. I refer to the report of the Ontario law reform commission on the basis for compensation on expropriation.

I have had occasion in my practice to act on behalf of, perhaps one might say, many people who are involved with expropriation by the several departments of this government, and I would think the majority of those instances involved The Department of Highways. The Department of Highways have available to themselves, probably the most talented lawyers in this field and the most talented appraisers in this field in the province of Ontario, and rightly so.

I commend both the Minister and the Deputy, that in their desire to protect the public purse, which is their responsibility, that they do go out and they hire tremendously talented people in connection with expropriation matters. I know, I have had experience of being before various tribunals in connection with assessing adequate values and being faced with Toronto counsel of great stature and ability, who have taught me many lessons in the art of cross-examining appraisers. I have faced appraisers of great talent from this area.

But, as I say, I commend you in connection with this. But those persons who have the responsibility of assessing the entire position in connection with the expropriator and the expropriatee have really, in effect, looked at

two aspects with respect to the question of compensation.

One, as I see it, is they are attempting to bring us into the 20th century in connection with the foundation for compensation. We are getting away from the Victorian common-law usages in connection with value to the owner and things of that nature.

But secondly, what they are doing Mr. Chairman, they are pointing out to the expropriating authorities that their responsibility is not a responsibility that is similar to two ordinary litigants. They have a responsibility, that is the Minister has the responsibility in connection with highway expropriations, Mr. Chairman, not only to protect the public purse, but he has a responsibility to see that those people who are being expropriated are being fairly treated, and that they are being put in a position as much as possible, as closely as possible, relative to talents and ability as is the expropriating authority.

Now we recognize, Mr. Chairman and I see that you now in the chair sir, as a solicitor, recognize that the adversary system of settlement leaves a great deal to be desired because of the fact that we have, and we must have, relative talents and ability. But it is similar to the jury system. People take issue with the system, but they cannot really give us a system to replace it that is any better.

So for the life of me, I cannot see how the Minister of Highways is going to be able to placate a claimant unless he is able to go to some tribunal and say to that claimant; "Now, here are your rights, we are going to have some objective body to assess the compensation that you should be paid."

I want to read into the record of this House, comments that I think might well be construed to the kernel of this report; certainly the kernel in connection with the application of my comments with respect to vote 909. I am reading from page 39, in connection with legal and appraisal costs:

Approaching the cost problem from the indemnity aspect, there is no reason why the claimant should not be fully compensated for his legal and appraisal expenses. It is not the same situation that exists where two private litigants are engaging in a contest before the courts, and where costs, in all likelihood, will be paid by the loser to the winner.

Here the state has intervened and injured one of its subjects in the enjoyment of his property. Since the purpose of the compensations is to make the expropriatee economic-

ally whole, he should be fully reimbursed for legal and appraisal costs incurred.

The Expropriation Procedures Act, 1962, the tribunal determining compensation, may award costs.

Basically, to shorten this, I want to get down to the recommendations with respect to that paragraph. I have no doubt that the Minister and his advisers have been reading this. I just hope that in response to my comments that I am not going to get the answer: "We are taking this under consideration and advisement now." I hope to get something more positive for the people of Ontario from the mouth of the Minister at this time.

These are the recommendations:

The commission recommends that:

1. Claimants be entitled to their full, reasonably incurred legal and appraisal costs, except as recommended in the following paragraphs;

2. Claimants be entitled to legal costs on a solicitor and client basis and appraisal costs at the going rate.

The other recommendations, I suggest, are not entirely germane to the present discussion. The question I ask of the Minister is this: Have we established in the estimates under 909 an attitude and a posture and a position by The Department of Highways that henceforth in connection with any expropriation, in connection with any matter involving injurious affection? Uppermost in the mind of those people dealing with the public is that they are now going to convey to the public the concept that this commission brought to this House. This concept that "Yes, if you do not feel that we are adequately treating you then we recommend to you forthwith to go out and hire an appraiser of your choice and we will pay for that appraiser. We recommend that you go out and hire counsel of your choice and we will pay for that counsel." All we want, I think all the people of Ontario can expect, is that they be on the same footing as the expropriating authority. That is all they can expect, because we have—

**Some hon. members:** Hear, hear!

**Mr. Bullbrook:** I will be the first one to say that so many people have an enlarged opinion of the value of their own property, there is no doubt about it. I received letters last week in connection with the possibility—as I mentioned last night—of the necessary land acquisition on 402 from Sarnia to London. One of the letters said:

I think my land should be worth so much an acre because that is what they paid for the community college right outside of Sarnia.

Now this is a piece of farm land about 12 miles away. There is no way, respectfully, of convincing that woman that her land is not just as valuable as the land right outside the city of Sarnia. I think it is a matter of logic that it cannot possibly be as valuable.

We recognize that the department itself is continually being involved with people who have not a reasonable attitude in all circumstances, an overly subjective evaluation of the value of their property. My concern is this, and I do most sincerely request this of the Minister, please, please do not affront this House by saying it is under advisement, because we do not have to have it under advisement. This does not have to be legislated; what I read to you, Mr. Chairman, does not have to be legislated. This is a matter of sensibility.

In effect, what this commission is saying to expropriating authorities is that, henceforth, convey to the people of Ontario that you will pay these costs for them. They will be put in exactly the same position as you are, because that is all that this commission really recommends. They do, as you know, recommend questions of principle in arriving at adequate compensation, but this is not relevant to this discussion.

I put this to the Minister: Would he, in connection with the estimates under "property, purchases and related services", assure this House that there are adequate funds available in connection with land acquisition, by expropriation or otherwise, to fully compensate expropriatees or people injuriously affected with their full legal costs on a solicitor and client basis and the costs of adequate appraisers of their choice?

**Hon. Mr. Gomme:** I am very glad to tell the hon. member that we not only have taken this under advisement, we have done a great deal of work on it. I think if the member will have a little patience the Attorney General, Mr. Wishart, is going to bring in a new expropriation Act which will take the parts out of the recommendations of both of these reports which we feel will be the best for the people of the province.

You understand that we are only one authority in government that purchases land. I think when this Act comes in, all the branches of the government will deal with people in the same way, which I think will be the most satisfactory method.

I would also like to tell the member that the department takes title to approximately 99 per cent of the property we buy by the deposit of a plan which vests the title. Sometimes the plan is deposited prior to the reaching of agreement with the owners, but in many cases agreement is reached before the plan is deposited. In by far the majority of cases, we are able to reach amicable settlement through negotiation.

It is a matter of fact that over the past 20 years the department has dealt with some 80,000 pieces of property successfully. In less than 1 per cent of these cases has it been necessary to resort to the determination of the compensation by proceeding before the Ontario municipal board.

We think our system has worked well and that our methods of dealing with the matter of compensation have been fair and equitable to both parties whose property has been needed for highway improvement, and to the taxpayers of the province.

We are, of course, always prepared to review and update our methods and in the light of the amendments to the legislation governing these matters. The member spoke of the law reform commission and I have already advised him of what is going to take place on that.

**Mr. Bullbrook:** Mr. Chairman, I have additional remarks in connection with this. I am quite pleased to yield.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, if you will pardon me, could I ask the Minister if he is intimating that there will be a uniform Act to govern compensation throughout Ontario?

**Hon. Mr. Gomme:** Our information is that the expropriation procedures as set down do not provide for payment of some of the things which the hon. member brought in. I am sure that if the hon. Attorney General were here he could speak for himself, but we have taken all of these reports and made our presentation to the Attorney General as to what we think should be done. This will come in the form of the new Act.

**Mr. Braithwaite:** Just to clarify what I was asking, Mr. Chairman. I am not too clear on whether the Minister and the Attorney General have consulted together and whether we can expect a uniform Act to govern expropriation in the future.

**Hon. Mr. Gomme:** I want to tell the members that certainly we have consulted. We



have done a great deal of work on this and it will be up to the Attorney General to bring in the new Act.

**Mr. Braithwaite:** Does the Minister not have any idea of what sort of Act is coming in? Since he mentions this, we on this side of the House should have some idea of what he is talking about.

**Hon. Mr. Gomme:** Of course, Mr. Chairman, it is the responsibility of the Attorney General, but I was answering the question as to whether we had considered it. I pointed out to the hon. member for Sarnia that we had done a great deal of work on it and had made our presentations to the Attorney General. I am sure that he has received reports from other branches of government and he is responsible for bringing in the Act.

**Mr. Braithwaite:** I am not asking about responsibility; I am only asking the hon. Minister if he does not know whether the Act is going to be a uniform Act. If he does not and he tells us, then O.K., but he should know.

**Hon. Mr. Gomme:** I think the hon. member must realize that the responsibility is with the Attorney General. As Minister of Highways, it is not my duty to inform the House what he is going to bring in, but I am telling you of the work which we have done on this. We have studied all those reports and made the recommendations.

**Mr. Bullbrook:** Mr. Chairman, I had yielded the floor but I would like to continue if I may.

In connection with the remarks in response to my comments by the hon. Minister, I want to point out one thing: I do not take issue, of course, with this department's attitude. The hon. Minister says, in effect, that always in the past we thought that we had treated claimants and people expropriated fairly and equitably.

The point is this, that they have not; they have not treated them fairly and equitably. It is not their fault, they thought they were treating them fairly and equitably. But this objective commission said they have not, in effect; they said that one of the things that must be done, that has not been done in the past, is they must pay their solicitors' client costs, that you must let them hire appraisers. This is the essence of the matter.

Also the Minister said, in effect, that the Attorney General will be bringing in some type of legislation to enact some principles

involved in this commission. I am really not interested one tittle in whether the Attorney General brings in legislation right now during my discussion. I am very interested for the people of Ontario that he does, but I am interested—and this is the question I put forward—in the estimates under property purchases and related services.

Has this department contemplated the question of the new principles and the additional possible capital costs? Do you follow me, Mr. Chairman? Has the Minister contemplated the principles enunciated relative to the payment by expropriatee or people injuriously affected or people with whom you are just settling? I can read on here, Mr. Chairman, and point out the commission also recommends to you that you pay the legal costs for people who do not go to court or who do not go to tribunals, that you pay for the advice they should have during the course of negotiations. I well recognize from my practice that the majority of these matters are settled. They do not go before any tribunal, because the amount being offered in many circumstances is adequate. The problem is that so many times the amount is not quite adequate and the people just cannot afford to hire a lawyer and appraiser.

Now, what I am interested in is this, Mr. Chairman, forgetting about any legislation the hon. Attorney General might bring in: In these estimates, have you considered adequate funds so that you can assure me, as one member of this House, that your attitude in the future will be that you are going to tell people with whom you are negotiating, or people on whose land you filed a plan and profile, that henceforth you are going to pay their legal costs if they so desire and you are going to pay for their appraisal, not as a matter of law but as a matter of principle?

**Hon. Mr. Gomme:** Well, Mr. Chairman, as I pointed out, we certainly have provision in here to do whatever the new legislation requires.

**Mr. Bullbrook:** That is adequate, thank you very much.

**Mr. V. M. Singer (Downsview):** Well, Mr. Chairman, it may be adequate for my colleague, the member for Sarnia, and he perhaps has not been here as long as some of the rest of us, but it is not adequate for me. I want to commend him, actually, for the excellent presentation he made in relation to this.

**Mr. J. H. White** (London South): He may be here a lot longer than you; 37 votes do not look very secure to me.

**Mr. MacDonald:** Twenty-one.

**Mr. Singer:** Well now, the hon. member for London South may know of what he talks, but in the meantime I am here and I am still going to say, Mr. Chairman, it may take me quite a while. The member for London South is in full flight now, and I would be glad to hear him on expropriation. This bothers him, it has bothered him over the years and I would like to hear his views on it.

**Mr. White:** You, bother me?

**Mr. Singer:** Well, it may be that I do and that is too bad. That is one of the things that both of us will have to bear.

**Mr. Sopha:** It is to your credit if you do.

**Mr. Singer:** Nevertheless, Mr. Chairman, let me get back to the point. The present Minister of Highways will undoubtedly recall the remarks of his predecessor, the now Provincial Treasurer, who said almost word for word that we are a noble group, we are concerned about fair treatment for everybody. He read us the same meaningless statistics and the statistics supposedly were going to prove what a fair, fair government this was.

As the present Chairman leaves the chair and hands it over to the regular Chairman, I am sure that those of us who have been in the House a few years will remember what the hon. member for Armourdale had to do to get reasonable compensation for those people whose property rights were taken away on Highway 401 by The Department of Highways. And the legal quibble that we got into about what injurious affection was and the hard search that we had to make through the present inadequate existing statutes in order to justify fair treatment to the people who were being injuriously affected by the actions of The Department of Highways.

And you will recall, sir, with me, that the unusual event had to take place in this House that a member of the government party, who sat in the back benches, had to get up in his place and attack his own Minister in language the like of which I had never heard before. And to his credit, he finally brought justice to those people.

**Mr. Sopha:** I recall it.

**Mr. Singer:** Now, sir, we get the same meaningless statistics today from the present Minister that his predecessor had been giving us over the years. And these statistics indicate absolutely nothing because, as my colleague from Sarnia says, unless you are prepared to arm those people with proper ammunition and guns with which to fight you, they have no ability to fight.

And it does not matter if you settled 99.9 per cent of the cases without going to arbitration because the people whose land you take, if they are not able to fight you legally and with competent arbitrators, just are not able to fight at all. And you can cite those statistics until you are blue in the face, Mr. Chairman. The Minister's statistics mean absolutely nothing, because you are not treating fairly the people of Ontario.

I have an example here and this is not untypical at all of the approach that big government has in these matters, and I am going to read both these letters. I referred to them earlier. This is a letter addressed by a solicitor who practises law with the firm of Wilson and Jack; Mr. Jack who practises in Fergus, Ontario, and he wrote a letter to the Minister of Highways on March 6, 1967, about William John Barter and Dearing, and he said this:

Dear Mr. Minister:

We are writing to you with the hope that you will be in a position to remedy and correct an injustice suffered by our client, Mrs. F. E. Patti Dearing, formerly of Palermo, Ontario.

We believe that your legal department, under the head of one D. A. Crosby, is familiar with the facts of this matter and hence we will merely set out the facts in summary form.

In the latter part of 1965 our client entered into an agreement with one William John Barter to sell her property in the township of Trafalgar for a purchase price of \$87,000. The property consisted of approximately 190 acres; the amount of acreage involved was an important factor in determining the purchase price. Upon the execution of the agreement for sale, this office received from the solicitors for the purchaser a requisition on title requiring the registration of a quick claim deed covering a notice filed against the property of Mrs. Dearing pursuant to section 5 of The Highway Improvement Act. This notice was filed on the 11th of January, 1962.

The purchaser felt—

And that is the man who was going to pay the money, the \$87,000.

—that this was an encumbrance on the property and we were of the opinion that the position taken by the purchaser was sound and valid in law. Any other consideration would certainly negate the purpose for which the notice was registered.

And I say that conclusion makes abundant good sense to me and I think makes abundant good sense to all the legal members of this House. I continue quoting:

We would also point out that Mrs. Dearing was completely unaware of the registration of this notice against her property. Upon learning of the position taken by the purchaser and his solicitor, this office communicated with the legal department of The Department of Highways and as a result of that application the department ultimately filed in February, 1965, a notice of expropriation covering 4.610 acres referred to in highway plan P5105-11. As a result of the original notice and the delay taken by the department in actually determining if the lands were required for expropriation purposes, and subsequently the lands involved, it was necessary for a postponement to be made in the real estate transaction, from October 26, 1965, to January 31, 1966. Because of this, Mrs. Dearing suffered substantial damage from the loss of interest and the purchase price of \$87,000.

Through the subsequent purchase of the property we have filed a claim against the department covering this loss of interest which is the direct result of notice being filed without advising Mrs. Dearing. We understand that this claim may be rejected by the department. It is our submission to you that if Mrs. Dearing had been aware of the notice filed under section 5 of The Highway Improvement Act prior to entering into an agreement with the purchaser she would have been in a position to protect herself in the original offer to purchase.

It is also our submission that she should not be obliged or, in fact, any vendor should not be obliged, to check the title to their property between the period of time they become the owner and the time in which they intend to sell in order to determine whether such a notice as that provided in section 5 of The Highway Improvement Act be registered against the title.

We also submit on the authority of Thompson Lumber Building Materials Ltd. and the Ontario Minister of Highways case, and that is the one I referred to yesterday, and I gave you the citation, the *dictum* applicable in the case to section 4 may be equally applicable to section 5, and that the wording of section 5 being permissive it is not so clear in its authorization to the Minister as to negative the presumption that it was not the intention of the Legislature to deprive persons of their common law rights without compensation.

We understand that the position taken by the legal department of The Department of Highways is that the notice in question is not an expropriation and hence the compensation does not follow. We are of the opinion, however, that as a direct result of the registration of notice 1205, substantial damages were suffered by Mrs. Dearing and our client, as an individual, should not be deprived of shifting the burden of damages to the citizens of Ontario in general.

We would appreciate it if you could consider seriously this application for payment on behalf of our client herein and recommend the payment of the claim together with the reasonable costs of obtaining payment in order to rectify this gross injustice to Mrs. Dearing.

I think that letter is abundantly fair, states a good case, and one would have thought that the Minister of Highways, in fact all of the machinery which he tells us is so fair, would have leaned over backwards where the department had acted in this way to the prejudice of an owner of land. The department had deprived her of the interest that this money would have earned. The department should have leaned over backwards to help. But what does the department do?

Well, the reply to that letter came forth on March 15, 1967, signed by the Minister in his own hand, and this is what the Minister said:

Dear Mr. Jack:

Re: Barter and Dearing. I have carefully considered your letter of March 6 and regrettably advise you the department cannot consider making any payment to your client in respect to the loss as claimed.

As has been pointed out to you the plan filed by the department pursuant to section 5 of The Highway Improvement Act in 1962 did not affect the title to land, and



Mrs. Dearing was, therefore, in a position to convey a title free and clear of all encumbrances except any that she may be aware of.

How the Minister was advised to put that sentence into the letter escapes me completely. I just cannot understand how the Minister's advisors, and I am sure the Minister not being a legal man would not have dreamed up that sentence by himself. How the Minister's legal advisors could have told him that once a notice under section 5 is put on the title that the Minister could write back and say it does not affect the title to the land—what could he have been talking about? What did he mean?

If you file a notice on title and you file it under a statute, surely it must affect the title to the land.

The extent of its effect may be arguable, but affect it it does, and affect it it did in this case, and affect it it did to the extent that the transaction had to be postponed, and affect it it did to the extent that the vendor of the property was denied her money on the due date and had to wait many months and was deprived of the interest on it. It just follows as automatically as night follows day.

What do the Minister's legal advisors think of when they advise him, to put this nonsense in his letter. Well the Minister goes on:

We cannot agree with you that the plan was an encumbrance on title.

If the Minister can tell me what it was once you put it on title if it is not an encumbrance, please let him do so. Why do you have that power there? Why do you register anything on title if it is not intended to be a warning?

My friend for Sudbury wants to buy my piece of land. He goes to the registry office and he looks at the title and he sees a notice that the Minister of Highways has put on it. He is going to say: "Whoa, stop, something is wrong—the Minister of Highways has some interest in that land, otherwise he would not have put on a notice".

It is just as obvious as that. But here is the official position that the Minister takes.

Mr. Sopha: I would have grave doubts about dealing with that Minister of Highways fellow.

Mr. Singer: It is true that it affected the use. Then, finally having stated it is not an encumbrance he says:

It is true that it affected the use to which the land may be put, but it suggested that such restriction is comparable to restrictions that might arise out of the zoning bylaw.

I do not know, Mr. Chairman. This is one of the reasons why my colleague from Sudbury and I have been arguing over the years that there should be one source of legal advice to all government departments. Maybe we are moving in that direction, and hopefully, I make this plaintive plea to the Attorney General, for goodness sake gather in all of the law branches together where they can be supervised under one head of direction so they will know what a zoning bylaw is, so they will know what an encumbrance on title is, and so they will know what effect this kind of an action has on a title.

In reviewing the offer to purchase which was entered into between Mrs. Dearing and Mr. Barter we can find no clause that would have necessitated a delay in closing the transaction.

How could that possibly be? There it is. There is the title and there is the notice put on by the Minister of Highways. The Minister says he cannot understand why the delay would be caused.

Well, let me suggest to the Minister that he go back to Lanark county and to the lawyer whom he deals with. Do not go back to your department, go back to Lanark county where you come from and where you are a successful businessman, and go back to the lawyer who handles your personal affairs and ask him what he would do if he found this kind of a notice on a piece of property that you were about to purchase; whether he would be anxious to pay over your money. I know the advice that you are going to get, and that is the kind of advice you should have gotten from your departmental officials, and that is the kind of advice that you did not get. Further:

We cannot agree with you that the principle enunciated in the Thompson Lumber case has any application to the plan registered under section 5.

In conclusion, it is the position of the department that there is no legal basis upon which compensation can be claimed by your client or paid by this department in respect to the registration of the plan.

Well, there it is, Mr. Chairman, simply and obviously, as is illustrated by this case, as was illustrated in the case argued so ably a number of years ago by the hon. member for

Armourdale, and other members, we were not listened to quite as convincingly because we were not on the government side. But we were enunciating exactly the same principle as has been dealt with most capably by my colleague from Sarnia, and as any lawyer who practices any kind of real estate—has any kind of real estate practice in his office well knows—that the laws of Ontario insofar as expropriation and dealing with land are concerned are grossly unfair, inadequate, and unrealistic.

The government of Ontario and The Department of Highways in particular—and it is your estimates, Mr. Minister of Highways, that are here before us—take every possible technical advantage of the people of the province and they are completely unable to defend themselves. It just is not enough, sir, to have the Minister stand here in this House and give these meaningless statistics about the number of cases that do not have to go to arbitration when the law is so heavily weighted in favour of government action, and when the government so arbitrarily refuses to understand what is involved in real estate transactions.

I do not think there has been a year that I have been here that we have not talked about expropriation laws and their injustices and their inequities. I do not think there has been a year that we have not had a reply from the government benches: "Yes, we are looking into it," and "yes, we are making recommendations."

This year we have gone a bit further. The Attorney General says I have a bill that is coming in soon. Maybe it is going to do something, but in the meantime, as my colleague from Sarnia says: "You do not need a new law to give Mrs. Dearing justice."

You did not need a new law to give the people on Highway 401 that the hon. member for Armourdale spoke about to give them justice. You do not need a new law to allow people to retain proper legal advice to advise them properly or to get proper evaluators to let them argue with government evaluators.

You can do those things without changes in law, and if the Minister meant anything in what he said at all he would have taken these steps long in advance of the Attorney General bringing in a new bill.

**Mr. Chairman:** Does the Minister wish to reply to any of the comments?

**Hon. Mr. Gomme:** Well I am surprised at a lot of the information the hon. member

brought out. Of course he referred to the fact that I was not a lawyer and advised me to go back to Lanark and get the advice. But in Lanark we are all honest people and we do not have to depend on lawyers too much. I would like to point that out to him.

**Mr. Singer:** The Attorney General could cut your throat on that.

**Hon. Mr. Gomme:** Well, I would rather he would do it than you, so it is all right anyhow.

**Mr. Singer:** With his assistance we will get it done.

**Mr. MacDonald:** His throat will still be cut and the blood will—

**Hon. Mr. Gomme:** That is right. But I want to point out that my advisors tell me that the plan was not an encumbrance on the property, but it was in the nature of a planning control. The plan designates the route of the proposed highway and it is not an indication of any imminent purchase and the only thing that it does is—

**Mr. Singer:** Try and get a purchaser to pay money—

**Hon. Mr. Gomme:** If a person wants to build on it, they have to get a permit from us under those conditions.

**Mr. Singer:** It is a cloud on the title.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, through you to the Minister. On this particular subject, I have another case to supply and once again there is a human tragedy involved. In this case I am asking that the Minister make an investigation of this particular case. More important, that he enunciate a policy as has been set out by the members for Sarnia and for Downsview, because obviously there are very serious tragedies occurring to individuals. I will read this letter. It is very brief and it sets the problem out. Now this lady lives in Ridgeway, Ontario, and unfortunately her English is very bad. She is not able to write English at all and she is of Ukrainian extraction. This is why she was unable to communicate apparently satisfactorily with the department, but she wrote to me in Ukrainian and I have had it translated. This is the letter:

Ridgeway, Ontario, March 30, 1968.

Dear Dr. Shulman:

I am writing to you about what the highway department has been doing to us

for the past 17 months. Seventeen months ago people came to buy our house that we live in because we had to sell it because of illness, and we started to build another house for ourselves.

Then the highways department stopped our building because they were going to make a cloverleaf. They registered our property in Welland and now we are not allowed to sell to anyone and they do not want to buy right away.

We asked them if they were going to take it, to take it immediately but they say they cannot take it this year as the government has got no money in their estimates.

Now please what are we supposed to do? I am sick and getting worse every day. We do not have any way to make a living and have no money. Would you please speak to the Minister of Highways and see if something could be done?

Yours truly,

Mrs. Anna Baluk

She is in Ridgeway.

Obviously, this is the same basic problem as has been brought out by the member for Downsview. It is something that no responsible democratic government should do to individuals who happen, through no fault of their own, to be in the path of a highway or a cloverleaf, or a bridge, or any of these matters. I would ask the Minister if he will give his personal attention to this individual matter and see if something cannot be done to bring justice to this woman. I would like his assurance this type of thing will not occur in the future.

An hon. member: How else are you going—

Mr. Shulman: If you want to buy it, buy it.

Mr. G. A. Kerr (Halton West): We are buying it.

Mr. Shulman: They cannot wait. These are people who are trapped.

Mr. Chairman: Order, please! The Minister.

Mr. MacDonald: Push the little people around.

Hon. Mr. Gomme: Mr. Chairman, on this particular case we have had two independent appraisers. We have made offers to the people. We have had the board of negotiation there and we just have not been able to arrive at any settlement with them.

Mr. Chairman: The member for Dovercourt.

An hon. member: That is a little different.

Mr. Chairman: Is the member for High Park finished?

Mr. Shulman: No, I would like some more details on this case, if I might, Mr. Chairman.

How much land do you wish to take and how much have you offered? If you have made a fair offer, I would like to withdraw my remarks. On the other hand, if a fair offer has not been made, I would like to pursue this further.

Hon. Mr. Gomme: We have not those figures here, Mr. Chairman.

Mr. Shulman: Would the Minister get them so we can pursue them further in these estimates?

Some hon. members: Oh, no!

Mr. Shulman: Your back benchers say no. What does the Minister answer?

Hon. Mr. Gomme: Mr. Chairman, of course we will get the figures.

Mr. Shulman: Thank you very much.

Mr. Chairman: The member for Dovercourt.

Mr. G. Bukator (Niagara Falls): Mr. Chairman, on a point of order and I am not going to continue. Mrs. Baluk has contacted several members and I happen to be one she spoke to first. Could I get involved in this and add what little I have? I think it will fit in and give the whole story.

Mr. Chairman: If the member for Dovercourt will yield the floor to you, carry on.

Mr. Bukator: I have some correspondence here in the files that I picked up and when we have a new member representing Welland South (Mr. Haggerty), I thought maybe—

Mr. Gisbom: We got you on your feet anyway—

Mr. Bukator: I will tell you something. Any comments that he would make would not disturb me one way or another. I have not seen him make too much of a contribution here. You have a lot to learn, my friend, when it comes to politics and commonsense and reasoning. Instead of getting up and blowing off a lot of air, I have worked for this lady to get the problem settled.



I have a letter here of September 6. As a matter of fact, on August 18, 1967, I wrote to the Minister, and I made inquiries about this particular piece of property. This is a Ukrainian lady who does not speak the English language very well and she does not believe she is being fairly treated. She applied for a permit to build a second house and I have outlined this in my letters to the Minister.

It appears that someone from the department said, "yes, you may build because you are not as close to the highway on this road as the house across the street." Without a permit, the lady started to build. The department had second thoughts and when they came up with their ideas they decided to stop these people from building the second house. There is a foundation there and the concrete blocks are on the site.

The lady is very disturbed about the problem, so I wrote to the department and I asked if they would look into this matter. I received a letter from the department that satisfied me that they are expropriating this property and that they did do the necessary legal work to expropriate by the registry office, the legal minds can tell you, in Welland.

Now at this point I would like to be critical of the government. When they take this step to expropriate a property, they make a certain offer to the individual who owns that property and it is not sufficient to satisfy the owners of the land.

Now to further pursue my thinking on this matter, it would appear to me that the people who have their property taken from them ought to have a right to hire their own appraisers and this government, or The Department of Highways, ought to pay the cost of that appraiser. The answer to the problem is that people are fearful of courts, registry offices, because they know not with what they have to contend.

I say to the hon. the Attorney General, if he will, that this statute ought to be brought in this session now, the same as Hamilton has, that they will pay up to \$250 for an appraiser to look over their land, to give them a fair value of their property, so they can compete with the department. If they are not satisfied, then surely action could be taken in court on that particular case with the evidence that this professional appraiser could provide.

The lady is held up. The property was not bought. I even have a sketch of the property and I can readily see why the

department requires this particular piece of property if they intend to put in that type of construction. But I say to you, Mr. Minister, through the Chairman, that it ought not to have been held up for this length of time.

This lady's problem should have been settled long before this and you would have done one of two things, buy the portion that is required for the cloverleaf, or take the whole 30 some odd acres from her. But at least complete it.

This is the injustice, Mr. Chairman, of individuals, and there are many cases similar to this one. This government—this department—are not treating people the way they ought to be treated. So for the first time in this session I have to go along with the member for High Park. He has touched on a subject that is close to my heart. This department has never treated people the way they ought to be treated when it comes to expropriating their property.

Now we get this argument, Mr. Chairman, from both sides of the House. You make an appraisal. You take the necessary steps to expropriate and then you go through the course and the poor people wonder what is going to happen to them next.

I would say this, that if there was some way for someone to sue this government because of the mental anxiety to these two people, then they ought to sue you, because you have not cleared this situation up. You tell me in a letter that the necessary steps have been taken and I suppose I ought to read that into the record.

Thank you for your letter of September 6, 1967, to the Minister and to myself written on behalf of Mr. and Mrs. Bellwoods.

I wrote this to a man by the name of B. A. Crosby, director of legal branch, referring to the refusal to grant Mrs. Bellwoods a building permit.

The land on which their home was to be located was required by the department in connection with the eventual closing of Eagle Street and College Road at the Queen Elizabeth Way. The department intends to eliminate all existing grade crossings between Hamilton and Fort Erie to ensure maximum safety.

In the case of closing Eagle Street and College Road, this procedure has been approved by the Ontario municipal board.

To enable traffic on both sides of these roads to have access to both sides of the Queen Elizabeth Way, the connection by

means of a service road situated on both sides of the highway must be provided.

Ridgemount Road is to cross the highway by means of a bridge. The new proposed road pattern will serve only the immediate area and there will be no connection at this point of the highway itself.

I have enclosed a sketch to illustrate the department's proposal. In the case of the Bellwoods' property the department requires 4.9 acres to accommodate the construction of part of the bridge ramp for Ridgemount Road and the service road connection and the land required includes the land on which the Bellwoods' present and intended future homes are located.

Mrs. Bellwoods started a new home without obtaining a permit. Our patrolman responsible for this area reported Mr. Bellwoods' action to the district office in Hamilton, whereupon the district signs and permit representative called on the owner. An application for a permit was filled out and signed by the owners that particular day with implicit instruction not to proceed with construction under a permit until a permit was issued.

May I stop at this point. It was reasonable for Mrs. Bellwoods to believe that they would get a permit because directly across from them and to the left toward the Queen Elizabeth Way was another house and she wanted to build further away from the highway than that particular house. She was assured by someone in the department there would be no problem in getting the permit and being impatient they started to build without one.

Maybe they made a mistake at that point. But, if they did, the department made a mistake by not saying, all right we will take your property and we will pay you. This step was not taken up to this date that I know of. If it has been I would like to be acquainted with it.

The owners were notified that the permit for the home in its proposed position could not be granted due to the department's future requirements of it. If they were to locate the home further to the east of the present cellar excavation, clear of the proposed service road, a permit would be issued.

In this particular instance entrance on to the proposed service road would be granted with the exception of the curved portion where it intersects Ridgemount Road. In the meantime, until the service road is completed, entrance would be

allowed on Ridgemount Road. Mr. Bellwoods would not agree to this nor would he agree to the moving of the existing dwelling to a location outside of the requirements.

On April 18, 1967, the department—  
And here comes the rub:

—the department expropriated its requirements from the Bellwoods and proceeded with negotiations for the compensation.

In these dealings, we have offered to buy the entire holdings and this is more acceptable to the Bellwoods.

First you did the necessary legal steps. This goes back to the date of September 1, 1967. You have taken the steps and this lady has no money and does not know where to go from here.

On April 18, 1967, the department expropriated its requirements from Mr. Bellwoods and proceeded with the negotiations for the compensation.

In these dealings, we are offering to buy the entire holdings, if this is more acceptable to Mr. Bellwoods. Considering the overall picture, we feel that the department has been most fair.

Now, I cannot buy that. They have not been fair. They have not paid off.

Any inconvenience that Mr. Bellwoods has suffered has been brought on by his insistence on building the home in its present location. Building the house further back does necessitate a longer drive for the time being, but this would be shortened, once the service road is constructed.

Further, it is the department's considered opinion that repossessing of the homes and the additional acceptable frontage the proposed service road will provide, will make the after-value of the Bellwoods holdings greater than before value.

This is true. No doubt it would. They have their choice of taking the 4.9 acres or the whole parcel. I think the department ought to get down to the facts of life and do something about it.

They should take the necessary step to clear the situation up, and I say to the Minister, through you, Mr. Chairman, that if this is not done, then the government ought to assist people who cannot help themselves because of their inadequate knowledge of the laws of this country. This is where the rub comes again.

I am sure you can understand the department's position in this matter. It is just not feasible to allow Mr. Bellwoods to continue constructing his home in its present location. We trust that this information will be of assistance to you in examining the problem of the Bellwoods.

Yours truly,

Mr. Crosby.

I might say the member for Welland South, who is not here this afternoon, has a file and has spoken to this woman many hours. He believes that they know not what to do and this department has ignored them completely.

If you need their property you get your people to them, you make your arrangements and you pay them off. This has not been done. I am glad that there are others who have been looking out for the problems of the people in my constituency, Mr. Chairman.

Maybe if enough of us gang up on the proper authorities, problems like this may never arise again.

But I would like to come back to the point that was made in committee when a private bill for Hamilton was passed allowing the people of the city of Hamilton \$250 towards an appraisal of their property so they

will know where they stand, and know whether this offer is correct by this department. I know not, of any sums of money, that The Department of Highways have agreed to pay them.

Now, I would like to read you what I consider a fairly reasonable letter—

**Mr. Chairman:** I wonder if the member has very much further to go on this particular point.

**Mr. Bukator:** I think possibly the letter is long enough that I wrote to the department. I think that if they took another look at it, Mr. Chairman, they would find that this particular road is not necessary where they intend to put it, because the town line is not too far from there. They can let the lady alone to go on about her business. But, I think she should be compensated for the hold-up.

**Mr. B. Newman:** Go on at eight.

**Mr. Bukator:** All right, my advisors tell me I should take another hour-and-a-half or two at 8 o'clock.

It being 6 o'clock, the House took recess.













ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, April 23, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 23, 1968

The House resumed at 8 o'clock, p.m.

## ESTIMATES, THE DEPARTMENT OF HIGHWAYS (Concluded)

On vote 909.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. G. Bukator** (Niagara Falls): Mr. Chairman, to complete my remarks that I started before dinner, when we adjourned at six: Mr. Michael Baluk, R.R. 2, on November 3, 1966, received a letter from H. Greenland, district engineer, per F. E. Radigan, inspector of signs and buildings, Box 279, Burlington, Ontario, re proposed residence, Queen Elizabeth Way application, BL66-4-752, lot 14, concession 7, Bertie township. The letter states in part, "We urge you not to proceed with construction until we can finalize application." After some period of time passed, they were told not to proceed because they needed that land for a road widening or a fly-over, or a bridge of some type at that particular area.

I was well acquainted with the property and I wrote a letter to Mr. Crosby, the director of legal branch, Department of Highways, Downsview, Ontario. I outlined my opinion, naturally as a layman, to the proposal and I said:

Your letter of August 18 to Mr. and Mrs. Baluk was forwarded to me by the Baluks with an accompanying letter in a foreign language which I could not understand.

They wrote this letter to me, I believe, in Ukrainian.

I am acquainted with the property and have visited the owners. At the time of my visit, there was a cellar excavated that was full of water. I was informed that the cellar was excavated with the permission of a member of The Department of Highways.

After the cellar was started and the concrete blocks were purchased, the department had a change of heart and stopped the construction. You make reference to

the department requiring the property and that a plan of expropriation had been filed which transferred the ownership to the department.

This is September 6, 1967.

I had been in favour of The Department of Highways purchasing sufficient property for highway widening before buildings were constructed. However, the building that was started is further away from the Queen Elizabeth Way than another building presently existing on the same street. And stretching my imagination to extremes, I cannot visualize the highway widening of the construction area where the building is being erected. If there would ever be a cloverleaf constructed in that area, it should be at the town line; if so, the property that would be required along the Queen Elizabeth Way at Ridgemount would be only that necessary for ordinary road widening and would not come close enough to affect the reasonable continuation of construction of the building referred to in your letters. The reasonable answer to the problem is for The Department of Highways to immediately issue the building permit that was promised in the first instance.

Awaiting an early reply, I remain, and so on.

And that is when I got that lengthy letter from Mr. Crosby from legal branch, and I quote a portion of the second paragraph:

The new proposed road pattern will serve only the immediate area; there will be no connection at this point with a highway itself. I have enclosed a sketch to illustrate the department's proposal.

But when I looked through my letter, naturally I did not get the sketch although I wrote back asking for a copy of the sketch from The Department of Highways, to acquaint me with what they had in mind.

On September 29, 1967, I wrote to Mr. Crosby:

I received your letter dated September 21 concerning Mr. and Mrs. Baluk's problems. In your letter you refer to the enclosed sketch, which I did not receive. I



would appreciate it if you would forward same to me as soon as possible.

We received this particular sketch and as I look at it—I would like to table this for the information of anybody who would like to be acquainted with it, to look at it—I see here, to further confirm what I was telling you before dinner, the home that the Bulaks lived in is a little further north than the new one that they intended to construct, which was closer to the highway or south of their home. Much closer to the Queen Elizabeth Way, there are homes across the street that are much closer than that, and I can readily see that maybe there is a cloverleaf required in there. Maybe this 4.9 acres of land is necessary for future construction.

If that were the case, I would think your principals in The Department of Highways ought to be well enough acquainted with the people that live in this country—new Canadians—who believe that they are living in a free country, finding themselves in a position where they have been told, “Do not continue to construct your house, we have expropriated”, but they have done nothing about paying the people what they are entitled to.

It would appear to me that it would have been good business if you have any PR people in your department, to have sent someone to these people and said: “Just a little further north your home can be moved on a spot that we do not require on this 40-some odd acres of land; we only need 4.9 acres. For the inconvenience, we will pay you X amount of dollars to move that house of yours, which is a lovely home, that could not be built for much less than \$20,000 in this day.”

That would have satisfied these people, I believe, with that thought in mind, because they wanted to retain their property. Better yet, they did not want the government to touch the property at all, or The Department of Highways.

It is my opinion—and I have on many occasions mentioned it to the government, both when I was on the county council and on the county road committee and since I have been in this House—that you ought to purchase the land along that highway now for road widening. Everything has been done to create in the minds of these people a feeling toward Canada and the treatment that they have here, something that they thought existed only in Russia. That is the way they put it to me, and I can readily understand. This is an injustice; it is an imposition on people that in this day and age no one should have to go through. The reason that I got

involved in this particular discussion was that I brought this file back with me to give it to my good friend the member for Welland South (Mr. Haggerty) because he too had been in contact with this lady and had visited with her. I said this before and I say it to this Minister now and to the government who would listen to my pleas, that when you take property from individuals you must immediately clear up the situation in their minds and pay them what it is worth; clear the situation up and put the show on the road.

This has not been done. Two and a half to three years have passed. This property has been expropriated and the money, no doubt, lies with the department's lawyers; but these people have not been paid off and they cannot continue with the construction of their second home.

I believe, Mr. Chairman, that there are many instances such as the one I speak of, in this province now. As I said before, the least this government could have done—the cost was not that great—was to have someone go to the people and say to them, “We have a bit of money for you; hire your own appraiser and have him come to you and tell him what your property is worth and we intend to pay you X amount of dollars for that particular piece of property.”

This did not happen and it is an imposition on the individuals who are, first of all, fearful of any authority because of their background in another country; and second, they know not how to approach a problem that you have created and have done absolutely nothing about to this day, that I am acquainted with.

I found myself writing letters back and forth with a lot of words wasted and no accomplishments, and I found that I could not cope with the matter any further, and I thought that the new member for Welland South might have, in his kindly manner, got to the Minister and cleared the situation up.

**Mr. J. H. White (London South):** He is not here though.

**Mr. Bukator:** He was here this afternoon for a short period of time—for the benefit of the member for London South, I believe, who has a peculiar habit of interjecting things that might get on the record to prove that someone might be absent.

Interjections by hon. members.

**Mr. Bukator:** However, I again say to this House that this condition ought not to exist

in this day and age with the money that the government has, with the PR people they might hire but do not have. This should never happen in Ontario today. I did not want to get involved here because I thought again—I must put into the record, because one does not get on his feet—and I have been in this House since 1959—to clear up situations such as this only to have some individual who would like to belittle someone, say that we got you on your feet.

I am going to tell you something, Mr. Chairman, and through you to every Minister in this House that I have accomplished more for the constituents in my riding by going directly to that Minister and talking the problem over with him. In this particular case I did not quite accomplish what I went after, but this is the proper approach in individual matters. But I am not going to have someone from High Park, or anybody else who wants to get some more press in Toronto, get up here and speak of the constituents that we worked for—and for whom I believe that we have almost come to a conclusion. All this Minister has to do is to get up off his seat and accomplish the thing, because this is long overdue and should have been finished at least two years ago.

**Some hon. members:** Hear, hear!

**Hon. G. E. Gomme** (Minister of Highways): Mr. Chairman, in the first place we cannot find any record of anyone who gave them any permission to build. Now that may have been a misunderstanding.

The other thing is that we did offer to buy the amount of ground we needed from them or a total takeover of the property. I might say that we got two independent appraisals—not our own people, but strictly independent—and the first one was for \$28,600, which was the amount we offered them, and at that time they were asking \$70,000. Naturally, they were a long way apart. We continually called down there and tried to talk to them and to satisfy them; then we got another independent appraisal and this one was brought in at \$37,000 which was the offer we made to them. The last word we had from their lawyer was that their asking price now was \$45,000, so I think we are probably getting closer. I think, Mr. Chairman, that we have tried every avenue of approach that we could but I do not want anyone to think that it is over. We are still actively pursuing this and trying to reach agreement with the people.

**Mr. Bukator:** Mr. Chairman, just to indicate to you what I said in the first instance. If the owners of the property would have had the privilege of spending a few dollars—and I think the department could have advanced them a little cheque to get their own appraisers; because if your first appraiser who is an expert, you say, offered them \$26,000, and then you got another independent appraiser—

**Hon. Mr. Gomme:** Mr. Chairman, \$28,600 was the figure.

**Mr. Bukator:** \$28,600! And then you get another independent appraiser who comes along, and he is fair as can be and he offered them \$37,000. Is that not a remarkable increase because both appraisals are fair?

**Hon. Mr. Gomme:** \$28,600, but they want more than that.

**Mr. Bukator:** They were asking \$70,000, and you say \$45,000, and we may settle it according to the Minister, Mr. Chairman. And if that is so maybe \$45,000 is the right figure. I do not know, but I know—

**Hon. C. S. MacNaughton** (Provincial Treasurer): You said it was worth \$20,000.

**Mr. Bukator:** I know—yes I did. Thank you very much for the interjection. Let me put the record straight again. I happen to be in the real estate business and a house like the one that they live in cannot be built today for less than \$20,000. I said that before dinner and I say that now.

**An hon. member:** Pretty fair deal they are getting.

**Mr. Bukator:** And how many acres of land? Forty-one acres of land on top of that. So do not go telling me, Mr. Chairman—through you to the Provincial Treasurer—if he held on to the bucks that he has to deal with in this province the way he is trying to deprive this family of \$5,000 or \$6,000 then he would be doing his job and doing it properly. It is about time that somebody put these things on the record. The man who is responsible for hundreds of millions of dollars—this department is spending \$4,461,000—and you are trying to deprive an old couple who cannot protect themselves.

**An hon. member:** Four hundred million!

**Mr. Bukator:** \$461 million, that is right!

**An hon. member:** You said \$4 million.

**Mr. Bukator:** Oh yes, I have the figures right. I tell you, I wish you were as accurate in your department as I am with mine. There would be a lot less pollution in this province than there is today.

Interjection by an hon. member.

**Mr. Bukator:** You bet there will not be, as long as you are the Minister there will not be less. Getting back to the farm—maybe the third appraiser may find that this property is worth \$45,000 with 41 acres plus a \$20,000 home. I would respectfully request that the Minister get his experts to that family and see if they cannot settle and fill that gap, and get this off the records because it is long overdue.

**Hon. Mr. Gomme:** Well, I can assure the member that we will do that. The other thing is that I did not mention that, at one stage, they went to the board of negotiation and their figure was in the order of the first appraisal. Now, as I say, the gap is closing and I will see that someone goes back to talk to them—but as you pointed out negotiations have been very difficult with these people and not for any other reason than it is just hard to converse with them. The lady herself has been in here and I think she has seen a half a dozen Cabinet Ministers. Her case has been well presented by herself and it is still difficult to converse with them, but we will follow that up immediately.

**Mr. Bukator:** Immediately is not too soon.

**Mr. Chairman:** Vote 909.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, on vote 909, what is meant by related services? What is defined, what services are encompassed by this term?

**Hon. Mr. Gomme:** Could you tell me just where you see that?

**Mr. De Monte:** Property purchases and related services. I would like to know, Mr. Chairman, what services are encompassed by this term.

**Hon. Mr. Gomme:** Well, the vote provides for appraising the value of property required; negotiating the purchase of property required; surveying the property; preparing and registering in the registry and land titles office, all plans and documents required for the acquisition or disposal of property; and for the assumption, reversion, designation or closing of highways; paying for the property

required; disposing of the surplus property; and settling claims for damage to adjacent property resulting from highway construction or maintenance projects.

**Mr. De Monte:** I see. Are solicitors employed for the property purchases in this section? Does The Department of Highways employ solicitors to certify their title and do the normal work required on the part of the purchaser?

**Hon. Mr. Gomme:** Just when there is any need to go to the OMB, solicitors are employed.

**Mr. De Monte:** Then all this legal work is done by departmental solicitors, is it?

**Hon. Mr. Gomme:** Yes, most of it, Mr. Chairman.

**Mr. De Monte:** How much is not done by departmental solicitors?

**Hon. Mr. Gomme:** We do not have a breakdown of that here, Mr. Chairman.

**Mr. De Monte:** Mr. Chairman, could we have a breakdown of that figure?

**Hon. Mr. Gomme:** Is the member referring to the cost of outside lawyers?

**Mr. De Monte:** Yes, the cost of outside legal services in relation to the purchase of the \$22 million in property.

**Hon. Mr. Gomme:** There was something in the estimates that already provided that figure. Now, I cannot tell the member which one it was but I have given that.

**Mr. De Monte:** Is that the figure that was given in one of the other items in the estimates? Or was that figure set out in the annual report?

**Hon. Mr. Gomme:** It was in answer to a question on the legal branch. Now I cannot say which one, but I can look that up again and see.

**Mr. De Monte:** Mr. Chairman, how many people are employed in this department?

**Hon. Mr. Gomme:** In this particular department, this particular branch of the department, I presume you mean?

**Mr. De Monte:** That is correct.

**Hon. Mr. Gomme:** A total of 735 employees as of December 31, 1967.



**Mr. De Monte:** I am wondering, Mr. Chairman, when we look at the cost of acquisition, the hon. Minister tells us that this cost of \$4,481,000 pertains to land purchases and certain other related services. I am wondering whether this cost, which is about a little less than 20 per cent to acquire \$22 million worth of land, is too high. May I ask the Minister through you, Mr. Chairman, whether he considers that just a little high for the amount of land purchased?

**Hon. Mr. Gomme:** No, we do not think that is too high, Mr. Chairman, because, as I mentioned, all the legal requirements and the surveying, all the title searching, and all these things have to be done by the people.

**Mr. De Monte:** Mr. Chairman, as the hon. Minister just pointed out a few moments ago, there are other extraneous legal costs that are not included in this item, and I think, if I remember correctly, Mr. Chairman—and I am going by memory—the legal costs were something in excess of \$1 million.

I am wondering, Mr. Chairman, in the purchase of \$22 million of land where the acquisition costs and legal costs are about 25 per cent of the land you are acquiring, I would suggest, with respect, Mr. Chairman, that this is much too high. May I also ask the Minister, Mr. Chairman, if any other land was purchased other than this land set out on this item?

**Hon. Mr. Gomme:** All our property comes under this vote, Mr. Chairman.

**Mr. De Monte:** May I then assume that it is \$22 million worth of property and these costs for related services include survey costs?

**Hon. Mr. Gomme:** Yes, that was in the list that I read. Would you like me to read that again?

**Mr. De Monte:** Yes, if you do not mind.

**Hon. Mr. Gomme:** Appraising the value of property required; negotiating the purchase of property; surveying property; preparing and registering in the registry and land titles office all plans, documents required for the acquisition or disposal of property; and for the assumption, reversion and designation of closing of highways; paying for the property required; disposing of surplus property; settling claims for damages to adjacent property, resulting from highway construction or maintenance projects and all drafting mechanics; and such things as that are all in this.

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Sir, the other day, at lunch, one of the members of the government—a back bench member—said to me, he wondered how on earth this Legislature was ever able to get along or proceed at all prior to the coming into being of the McRuer report. Sometimes I wonder also.

Tonight, I would like to make a very few brief remarks with respect to expropriation procedures. And expropriation procedures, particularly as directed to The Department of Highways.

But, first, before launching into a few remarks, I would like to ask the hon. Minister as to the statute authority under which he operates. I would take it, generally speaking, that The Highway Improvement Act is the Act which you operate under.

**Hon. Mr. Gomme:** It is that and The Expropriation Procedures Act.

**Mr. Lawlor:** Yes.

**Hon. Mr. Gomme:** Both of them.

**Mr. Lawlor:** All right. With that in mind, and just briefly, McRuer says that the mere existence of a power to expropriate property is, in itself, an encroachment on the rights of the individual. It should be exercised by a very reduced number of individuals and certain proper procedures utilized in the process.

May I say, incidentally, without launching into a long philosophical dissertation which I am inclined to do under adequate heckling, that the theory of rights, as set out here in the McRuer report, seems to me to be set up on a rather improper basis. In other words, it is a sheer product—the McRuer approach to human rights and to expropriation powers—just to remain on the point, which comes directly out of John Locke. He was about 400 years out of date. The very strong impress given to individual rights, to individual property holders and their sacrosanct privileges with respect to property, seems to me by and large a little outmoded.

On another occasion, I shall be pleased to give a far more communitarian theory of rights more adapted to the times in which we live. But, in any event, within the confines of his vision, within the horizon of his rather limited theory of rights, he nevertheless sets up internal procedures which are protective and which are altogether laudatory. There have been two reports produced of recent date, on this very matter. The one is the report of the law reform commission, which my good friend from Sarnia (Mr. Bullbrook) mentioned earlier today, and from which he

quoted at some length, and it concerns basically the problems of the basis of compensation.

The McRuer report does not purport to deal with problems of quantum and damages. It deals with the equity of the procedures and the impact on individual rights.

I am not so much concerned myself tonight, with the exact amounts involved, but with certain of the internal procedures about which I have some questions at the end which I would like to direct to the Minister.

Now, we have a tendency in some of these matters to advert to our own personal experience in the various fields at issue. My experience here is very narrow and limited.

I can remember, on two previous occasions, dealing with The Department of Highways in which they dealt very fairly, openly and well. I remember another one about four or five years ago. It was a case concerned with a widow on Dundas Street very close to the Mississauga Road, out in Peel, in which injurious affection was of paramount importance. In this case I found the department to be arbitrary and high-handed, utilizing the expertise that it has at its disposal to override and to diminish the—what would appear to me at least and I think to any fair-minded individual—the basic rights of this person whose source of livelihood, a little store, was being taken away from her. So may I just add a footnote; so bad was the relationships as it grew that I was dismissed from the case, thank you.

In any event, I was particularly concerned as arising out of that with the business of section 7, subsection 1, of The Highway Improvement Act and the other subsections thereunder which, within your department, gives a wide number of people a wide amount of power and the thing I am particularly exercised about is the business of filing plans and letting everybody know about these things afterwards. In this regard—my questions will be directed in this direction—I want to quote from page 1010 of McRuer. At the bottom he said:

The fact that the title to land is taken by the mere filing of a plan in the registry office was strongly criticized by Thorson, J., the president of the exchequer court of Canada, in *Grayson v. the Queen*. Referring to this power, the learned judge said: "I have frequently called attention to these provisions of the law and stated that Canada has the most arbitrary system of expropriation of land in the whole of the

civilized world. I am not aware of any other country in the civilized world that exercises the right of eminent domain in the arbitrary manner that Canada does.

And this applies to your department, sir.

And, unfortunately, the example set by Canada has infected several of the Canadian provinces to which a similar system of expropriation has been adopted."

He goes on to say that it has been mitigated somewhat, but not in any thorough-going way, by The Expropriation Procedures Act which, as I understand it, requires that a notice be given to the person at the same time, or closely upon the event of registering the plan, but the damage at that stage has been done.

Before coming to my questions, I have two remarks arising out of remarks made by the hon. member for Sarnia, as to the department considering under any future legislation, or within its own ambit of authority, giving compensation to, first of all, the legal profession as representing the interest of the affected owner. I have grave reservations about that; may I say, provided that a very strict schedule of fees set up beforehand, which is not presently the case, were in force and of no exorbitant type, then perhaps the department might consider so doing. As to the second point that was made, I am in thorough approval and agreement. Namely, that the person who is being expropriated is certainly to have the right to hire an appraiser at the cost of the government who is causing him the harm and for the government to absorb the cost of those appraisers in the process of adjudication.

To bring this to an end, Mr. Chairman, I have several questions which I will ask in a bunch, because perhaps a single answer may emanate.

Does the Minister ever simply send a notice, advising of possible expropriation, thereby freezing the land? That is, just a notice, which—

**Mr. V. M. Singer (Downsview):** No, he puts it on under a section—

**Mr. D. C. MacDonald (York South):** No encumbrance!

**Mr. Lawlor:** No, I am afraid, maybe section, Mr. Chairman—

**An hon. member:** Section 5.

**Mr. Singer:** No encumbrance!



**Mr. Lawlor:** No, it is not section 5 I am sure. It may be section 7.

Well, the second question then. Does the department often purchase more land than is necessary and does it later abandon it? If it abandons it does it, in each instance, give prior rights to the person from whom they previously expropriated?

**Mr. E. W. Sopha (Sudbury):** You mean the Crickel Down case?

**Mr. Lawlor:** Yes, that is right. It is here.

Third question: Is it not better sometimes simply to approach the owner and make a private deal with him, as in any private real estate transaction, thereby working out in a non-arbitrary way and before having actually seized the title and vesting of the property in a direct relation, which seems to be a rather more civilized procedure?

**Hon. Mr. Gomme:** We do not expropriate. We always try to negotiate. As far as the owner of the adjacent land is concerned, if he still owns it and is the man we purchase it from, he has the first chance to buy it back again at an appraised fee.

**Mr. Lawlor:** Do you ever consider approaching the person directly—my third question?

**Hon. Mr. Gomme:** I do not recall the third question, Mr. Chairman.

**Mr. Lawlor:** The third question, Mr. Chairman, was there any direct approach, not utilizing the filing principle, but just approaching the person, as any private person might approach the vendor, and negotiating with him with a view to purchasing the land?

**Hon. Mr. Gomme:** We always try to negotiate before we file the plan, Mr. Chairman.

**Mr. Chairman:** The member for Sudbury.

**Mr. Sopha:** Mr. Chairman, since we are dealing with expropriation, The Department of Highways, probably divests the title of more land from the citizens of Ontario than all other departments combined.

I would say to my friend from Lakeshore, through you, Mr. Chairman, that he might tell his colleague in the back benches who wondered aloud to him whether this Legislature could function before Mr. McRuer made his report, that, speaking for my own part, since reading those three volumes I am not one that thinks that the message of Mr. McRuer

equates with that which was received from Mount Sinai. I find his report has severe limitations in many areas, but, to me, nowhere is his report more disappointing than when he deals with expropriation procedures and the taking of land compulsorily from citizens of this province. I really find that part difficult to understand. Really I do. How the gentleman, as steeped in the common law and the history of the law of England as Mr. McRuer is, could ever come to the conclusion that the one right, mark you, the one right he would enshrine in the constitution, is the right of holding property.

I for one, thought that by the time we had reached 1968, 15 years after I was called to the bar, we had arrived at a point in our civilization, I say to the Attorney General (Mr. Wishart) through you, that finally in our system of law, the rights of the person, the dignity of a human being, was far superior to the rights of property. The day has long passed when a man could be hanged at Tyburn, or his life taken away for poaching on another man's property or people be transferred to Australia for interfering with rights of property. I thought that had gone into limbo forever. Yet I pick up Mr. McRuer's report and I read in the third volume that the one right that he would enshrine in the constitution, is the right of property.

The second thing I found difficult to understand about his treatment, was how a judge so steeped in the law could fail to realize that in our system for 1,000 years, ever since the Frenchman, William, won the day at Hastings in 1066, from that time on in our system, land is held of the Crown and it took an economic historian to point out the significance of that—H. A. Innis, Harold Adams Innis, of the university next door.

He pointed out the great contrast between the British system and the American, that land is held of the Crown in our system. No one, for 1,000 years, has had the vested right in property that inheres in the American system, where the right to property has from the earliest days of the declaration of independence and the writing of the constitution at Philadelphia, the right to hold property has been inalienable. It has never been that way in the British system.

William the Conqueror—you see the significance of that—when he won the day, divided up the lands of England among his nobles that crossed with him and formed part of his assault upon the island kingdom.

**Mr. Chairman:** Vote 909.



**Mr. Sopha:** I am dealing with this matter of expropriation and Mr. McRuer's report has been raised here in respect of it and I take the opportunity to make my views known.

It boils down to this: How do we know in society, how do we know what the social needs of a progressive society are going to be in the next 25 or 50 years? And as far as I am concerned, in a progressive society, the attainment of the just society, if you like, the right of the collective body of the people overrides the right of the individual. He has to give way when need is demonstrated. And the only thing to me, and my colleagues, which would permit me to have a different view, the only consideration important to me, is that once the social need for property is demonstrated, then it is a question of price, of quantum. I, for one, with my friend from Niagara Falls, would go to great lengths to make the small holder of property—to make him feel secure in his holding of it, and in the event it is taken from him, that he is fairly dealt with by the state.

But, my goodness gracious, having said that, I find it difficult to conjure up any tears of sympathy for Sigmund Samuel and the practices in which he indulged in milking every last ounce out of the public coffers. And not too far away—politics is such a sensitive area—but within as far as a country boy can pitch an apple from this Legislature, the people of Ontario were really seen coming when they had to take some property upon which no taxes had ever been paid to the public Treasury of Ontario. And yet an enormous price was paid for it. Is that fair?

I ask aloud, rhetorically, can you go too far the other way with the individual who wants to exercise his so-called right of eminent domain against the state, that he is entitled to every last ounce that he can wring out of it? I would hesitate a long time before I believed that. But with my colleague, my friend from Downsview, who has spent a good deal of time in studying this matter, when you are dealing with a person of modest means—and I must say to my friend from Downsview, and say it here, that as a result of the exhortations he has made in this Legislature over the years, nigh to a decade, a great deal of change has occurred in the area of expropriation.

My knowledge of The Department of Highways and its practices, I cannot say that in respect of the small holder they have always been fair and equitable, and that leads to the exhortations in Mr. McRuer's report. But the practice of putting the plan

on without notice, which civil servant ever dreamed that one up? I would have sent him to St. Helena, without any compunction at all. The very idea that they go into a land titles office, a registry office, and they put a plan on a person's property and have not got the decency to inform him that his property is being taken, is a disgraceful practice.

That led Mr. McRuer—those practices developed by the government in power for 25 years—that led him to go off the track because he certainly did in those 130 pages, I believe. I took note of the number of pages that it takes him to deal with the rights of property: 130 pages. And what a disappointing feature; the man with a career on the bench that he has had, and the good that he has done, that finally in his senior years, he comes to the conclusion that—you must draw the inference—above all else, in society, the rights of property are sacrosanct, to which I can merely say, being a very minor person in the public life of this province compared to his eminence, that is a lot of balderdash.

**Mr. Lawlor:** It contains a great deal of good stuff.

**Mr. Sopha:** It will not jell and it will not sell in a society where the state is expected to do more and more to bring about equity and opportunity and equality of sharing in the good things of the life that we enjoy.

**Mr. Chairman:** Could we get back to The Department of Highways now? Vote 909.

**Mr. Sopha:** We are dealing with the rights of property insofar as they relate to expropriation; I tell you, in the nine years that I have been in this Legislature, that unless you speak in simplistic terms and you fail to recognize that everything human is very complex, you are in danger of being called out of order. That is the way I see it, and to my friend from Lakeshore, I say, that is the way I see Mr. McRuer's report in respect to expropriation. I hope we never reach the day, I really hope—and I hope nobody will tell him that I said this about his report if they see him tomorrow—but I hope that we will never reach the day that we are so foolish as to rewrite our constitution and enshrine property rights in it.

That is not the way society is going; it is going the other way. It is recognized that property, like all other rights of ownership, has to give way to the collective needs of the society; that is the only way that you can

ever reach the good and the just society, and we will settle that issue on June 25 next.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Chairman, *sic transit gloria*; half an hour ago I was going to quote the McRuer report—

**Mr. Singer**: *Mundi*—you left off the last phrase.

**Mr. Burr**: No, not *mundi*—*sic transit gloria McRueri*.

**Mr. Chairman**: Vote 909.

**Mr. Burr**: Half an hour ago, McRuer was a great man, and now he has been excoriated; he has fallen into disrepute, so instead, I will quote the Windsor *Star*.

Because we have a highway, the E. C. Row expressway, about to be built in the outskirts of Windsor, or inside the city boundaries actually, many of our citizens are very unhappy. In fact, the unhappiness has spread into the *Star's* editorial system, and the leading editorial of April 3 began in this way, with a headline:

#### EXPROPRIATION ABUSES SEEN

Government expropriation procedures in Ontario have been under attack with good causes for many years now. Opposition members of the Legislature repeatedly have pointed out the defects and injustices of present practices.

Proposals for reform have come from several sides including bodies established by the provincial government. All that remains is for the government to act.

**Mr. Chairman**, Australia's constitution provides that the central government may not expropriate property except under just terms. And the United States fifth amendment provides that private property shall not be taken for public use without just compensation. And even the civil code of Quebec says that no one can be compelled to give up his property except for public utilities and in consideration of a just indemnity previously paid.

But, in Ontario, we have no constitutional guarantee that even one penny shall be paid. Of course, in practice, it has been but in insufficient amounts. And the people in the E. C. Row area have recently been offered some rather ludicrous amounts for their property. There is one particular instance I have investigated where the man has been offered \$14,000 and then, after considerable time elapsed, up to \$16,500, this including his indemnity for inconvenience, and the rest.

Now, this particular property consists of a beautiful two-storey, red-brick house; it is

owned by a retired couple who have lived there for 33 years or so. These people have lived in the neighbourhood; their friends live there; their church is there; their chief interest and pride is in their home; they have a garden which gives them an annual crop of apricots; they have their currant bushes; they have special trees, special flowers; and now they are being asked to give up this property for a total amount of \$16,500.

I am not a real estate appraiser but, in 1954, these people were offered \$15,000 for their home. And anyone who knows anything about real estate values knows that they have approximately doubled in Windsor, even in the last five or six years.

**Mr. B. Newman** (Windsor-Walkerville): More than doubled!

**Mr. Burr**: Thank you, the hon. member for Windsor-Walkerville.

Now, the man and his wife, who want to get settled in a new home, have been looking around and they cannot find anything suitable at the price they have been offered. In fact, a half a block away a house was sold just recently which was about half the size and worth of theirs, for \$14,000. Here we have an example that anybody could appreciate as being way out of line.

**Mr. Chairman**: I find it very difficult to hear the member. Perhaps he could speak up.

**Hon. Mr. Gomme**: Mr. Chairman, I wonder if I might point out to the hon. member that the city of Windsor is buying the property which he refers to. It does not come under our department.

**Mr. Burr**: Well, we are paying three-quarters of it, are we not? They are negotiating—

**Hon. Mr. Gomme**: Yes, Mr. Chairman, we are subsidizing it but we are not actually purchasing the property. And it is not out of this vote that that comes under.

**Mr. Chairman**: The member will then exclude any remarks on anything that does not come under this vote.

**Mr. Burr**: Yes, the province, we pay 75 per cent of it, and I think we should be interested in seeing that justice is done to these people. I believe that the home-for-a-home principle should be enforced and I think it is up to the Minister to let the officials in the city of Windsor, who are conducting



this expropriation, know what his feelings are on compensation.

**Mr. Chairman:** Well, the Minister has pointed out that they simply subsidize the city for the purchase.

**Mr. Lawlor:** It comes to 75 per cent in the vote.

**Mr. Chairman:** But they do not negotiate or expropriate or purchase the property; they subsidize it.

Interjections by hon. members.

**Mr. Chairman:** The matter, therefore, does not come under vote 909. It is purely a municipal matter.

Vote 909.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, since the House opened, I have had occasion to listen to people talking about all the great planning that this government has done. We have heard about five year plans, ten year plans, 20 year plans, and I find it very difficult, Mr. Chairman, to look at these estimates. For three years alone, with all of this planning, the amount of money expended for purchase of property will run over \$50 million in three years—\$22 million this year; \$15 million last year and \$14 million the year before, making a total of \$50 million.

Now, with all this great planning, I would like to know if we are purchasing property ahead of time, or if we are just sitting waiting while the land increases and then we pay high for it anyway. I would like to start with that question: Do we purchase land ahead of time once the plans for an area have been made?

**Hon. Mr. Gomme:** Yes, we do.

**Mr. Martel:** How far in advance—one year, two years?

**Hon. Mr. Gomme:** If it is a property that is going to have an expensive development on it, say in a period of five years or a little more, we would go in and purchase it then, rather than wait for the extreme high price after development.

**Mr. Martel:** I was wondering if, through you, Mr. Chairman, the Minister of Highways could advise us out of this \$22 million for property purchased this year, what portion of this would go to the city of Toronto?

**Hon. Mr. Gomme:** Mr. Chairman, I would not know that because this figure is an expenditure we are asking for—none of it actually goes to the city of Toronto. We are asking for this amount of money so that we can purchase property, so I would not know how to divide up what the member is talking about.

**Mr. Martel:** I am aware of that, Mr. Chairman, that this money, this amount, is for this year. I will go back to last year then if we cannot get at this year's figure—and this apparently has been expended, \$15 million—what portion of the \$15 million would go towards land purchase and expropriation in the city of Toronto for example?

**Mr. Chairman:** Is that from the 1967 expenditures? It has nothing to do with vote 909 for the 1968-69 estimates.

**Mr. Martel:** Well, Mr. Chairman, you leave me no alternative than to ask the Minister of Highways to determine approximately what portion of this \$22 million will go to Toronto this year then.

**Mr. Chairman:** I understood the Minister to say that none would go to Toronto.

**Mr. Martel:** None? Highway 401 does not take any land expropriation?

**Hon. Mr. Gomme:** The member asked me about the city of Toronto. Now there was none going to the city of Toronto but I could give him an idea, a breakdown of some of the larger amounts:

For the urban expressways such as the E. C. Row, the Kitchener-Waterloo, the Brantford, and so on, the figure is \$4.5 million.

Highway 27, the Queen Elizabeth to Highway 401 is \$2,800,000.

The Queen Elizabeth, largely in Metro Toronto and service roads near Hamilton, St. Catharines and Niagara Falls, is \$3.5 million.

The Welland canal tunnel is \$500,000. Those are the largest amounts I have.

**Mr. Martel:** Well, Mr. Chairman, if we were doing 20-year planning and 15-year planning and 10-year planning and all of this planning that is going on, if the planning was so effective would we not be getting away from great land purchases this year because the long-term plan would have made it possible to foresee what was going to be purchased in the future and not necessitate expropriation at the present time? I go beyond the speakers who spoke before me on exprop-



riation; I think we should be working to the day where we do not have to expropriate, where we plan long enough in advance that we do not have to go in later on and start expropriating property from people who have established in a certain region. I think this would eliminate much of the need to expropriate.

**Hon. Mr. Gomme:** Well, Mr. Chairman, there is no doubt about it, the programme keeps expanding and we have to go on from year to year, but I pointed out before that actually only about one per cent of our purchases are expropriated. We do it by negotiation.

**Mr. Martel:** I would just like to move on to item 3 now—maintenance, and I am wondering if this would include such things as The Department of Highways sending in their equipment to the prison farm at Burwash during election campaigns to do the municipality of Burwash up right just before the campaign. Is this usual? The residential section of Burwash, not—

**An hon. member:** Have they got a residential section at Burwash?

**Hon. Mr. Gomme:** I do not know of this, Mr. Chairman, but I could give the member a breakdown of the maintenance if he would like that.

**Mr. Martel:** Not really.

**Mr. Chairman:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, with regards to purchasing property—where a road has been closed from the Macdonald-Cartier freeway, or we would call it the 401—I have the case of a farmer who has 60 acres in total. He keeps 22 milk cows and he can just about get by, living this way. And with the closing of one of these roads that was approved about three years ago by the Ontario municipal board—he has 20 acres across the highway and this is going to cut him down so much that it is almost going to put him out of business, I would think. I think he has managed to maintain his milk quota and that is more than I can say for some in our area, but this is another question. I am just wondering if there is any allowance for separation besides the department buying property across the road, or allowing for separation, the loss of income—this is a very major item. He is a man about 66 years of age, and for him to start in business some place else is practically

an impossibility. This is very serious, I believe, and I think that we should have some policy where a man can be compensated for loss of income as well as loss of property.

**Hon. Mr. Gomme:** Mr. Chairman, we do pay compensation for severance. We take the value before and the value after and pay the difference.

**Mr. Ruston:** Mr. Chairman, as to value of property for the value that it was before the road was closed—this is what I take from your answer—what if he is not able to buy additional property within reasonable distance for him to continue his income? I am just wondering, is there any compensation for loss of income?

**Hon. Mr. Gomme:** I think, Mr. Chairman, this is one of the things in the McRuer report which probably will be dealt with in any legislation that is coming.

**Mr. Chairman:** Vote 909? The member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, earlier in the evening the Minister mentioned that under property purchase item 3 of 909 the \$22 million did include purchases of property for the E. C. Row expressway. Am I right, Mr. Chairman?

**Hon. Mr. Gomme:** Yes, this is the money that we would give the city, not for direct purchase by ourselves. The figure that I gave grouped three or four of these expressways together, it was not all that one.

**Mr. B. Newman:** Then the hon. member for Sandwich-Riverside was certainly right in his comments concerning the expropriations—the policy that the department should adopt of a home-for-a-home principle because in the—

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** It was the city's responsibility, not the government.

**Mr. B. Newman:** Listen, you pay \$3 for every \$1 the city pays so who is the big dealer in this case?

Interjection by an hon. member.

**Mr. B. Newman:** Well that is quite all right. You can talk up there but I wish to talk on the E. C. Row expressway. We appreciate the fact that the E. C. Row expressway is in the planning stages. However, there is the principle of expropriating properties and having individuals, sir, whose properties are

expropriated left without any accommodation that they can financially afford in the community, and the only way you can overcome the position in which these individuals would find themselves is by informing the community that in their expropriation procedures they should use a home-for-a-home principle.

Mr. Chairman, it would be very simple for you to come along and tell the city of Windsor that in their expropriation—if you are going to take a piece of property on which a home is located, that you provide to the resident of that property, similar accommodations.

Mr. Chairman: This has absolutely nothing whatsoever to do with vote 909 as explained by the Minister.

Mr. B. Newman: I am referring to property purchasers—

Mr. Chairman: Let us get back on vote 909. Vote 909!

Mr. B. Newman: That is right; I am talking about property purchasers. May I ask the Minister, under property purchases, if he has given consideration to extending the financing period for the municipality from a 20-year period, to a 30-year period.

Hon. Mr. Gomme: I do not understand that question, Mr. Chairman: Is this just for property purchase or is it for the whole deal of the expressway?

Mr. B. Newman: May I qualify the statement? For the whole project, as far as the financing of the E. C. Row expressway is concerned, whether it includes property purchases or even in the construction of the E. C. Row expressway.

Hon. Mr. Gomme: Mr. Chairman, that does not come under this vote, but the city pays the money and they know what they can afford. We pay the subsidy on the amount that they do pay—year by year.

Mr. Chairman: Vote 909.

Mr. B. Newman: Can we discuss the E. C. Row expressway on this?

Mr. Chairman: I would think not; it is not included in vote 909.

Mr. B. Newman: Well, the purchase of property is in there.

Mr. Chairman: It is not part of The Department of Highways, as the Minister has just pointed out.

Mr. B. Newman: Thank you, Mr. Chairman.

Mr. Chairman: The leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, in the acquisition of properties bought by the department, I was wondering how large is the departmental staff of appraisers and to what extent, as you go out for appraisals, do you retain the services of local appraisers?

Hon. Mr. Gomme: We have 146 people in the branch who are appraisers and negotiators.

Mr. Nixon: And these would all be recognized under the professional requirements for appraisers. To what extent would additional assistants have to be employed in any big property acquisition?

Hon. Mr. Gomme: I do not have the breakdown for that, Mr. Chairman, but we do not use outside appraisers very much—just for special properties or peculiarly difficult ones.

Mr. Nixon: The Minister's own staff are all registered appraisers?

Hon. Mr. Gomme: No, not all of them, but we have quite a number of them on our staff.

Mr. Nixon: I want to ask one or two questions about the activities of the property acquisition staff. When these groups go out into an area for the acquisition of property, has the land been appraised before the departmental negotiators call on the owners?

Hon. Mr. Gomme: The usual procedure in the action that takes place is that there are legal surveys made of the property requirements, so that we can obtain title. The title examiners investigate the title and the property appraisers prepare an estimate of the compensation, which includes the current market value of the lands being acquired and any losses sustained. Then the property agents enter into negotiations with the owners to arrive at a mutually satisfactory monetary settlement.

If the settlement cannot be reached, there are two alternatives—The Expropriation Procedures Act and then the matter may be referred to the Ontario municipal board.

Mr. Nixon: To what extent do you make use of the board of negotiation that is laid out in the regular Expropriation Procedures



Act? Is it used to any extent at all in the department's acquisition of property?

**Hon. Mr. Gomme:** Yes, we use it whenever a person is dissatisfied with our offer. We suggest to him that he can have the services of the board of negotiation, and they are brought in.

**Mr. Nixon:** But it is standard procedure for a plan of expropriation to be filed, in some cases, before you ever go in to talk to the owners at all. Is that correct?

In fact, the owner has lost title to the land before he ever talks to anybody from the department.

**Hon. Mr. Gomme:** No, that is not the procedure. We try to talk to the owners and arrive at an agreement. If we cannot do that, then we go to expropriation, or to the OMB. As I pointed out several times, the amount of property which goes to expropriation is about 1 per cent of what we purchase.

**Mr. Nixon:** Yes. The complaints that come to us as members, I would say to you, Mr. Chairman, are sometimes exaggerated, as we find when we have an opportunity to inquire into the story carefully. But, in the few cases, where the highways personnel come on the land and drive stakes and get into an argument with the owner and the highways personnel then inform the owner that there is a plan of expropriation on the property, it does a great deal to lower the reputation of government in general.

I can hardly credit that these cases do occur, yet I have had constituents bring these matters to me. As nearly as I can tell—unless they are extremely ignorant in the dealings they have had with the department—they feel that their land has been taken away from them before there was any negotiation at all. This surely is an impossible situation.

I would say that Ontario Hydro is guilty of somewhat the same approach and perhaps more so, under certain circumstances. It seems incredible that any arm of government that is going to take over land with the use of expropriation procedures, does not take the citizens into their full confidence as soon as it is possible to do so, so that one land owner is not balanced off against another in the acquisition of the land.

I have the impression that the procedures have improved, and I have said so to the Minister before, but there still is the feeling among the citizens of Ontario that when the representatives of the department come to

call, refuse the first three or four offers and sort of toe-to-toe it right down the line. There is the feeling that the appraised value that the department buys with public funds is used only for the advantage of the government and not used for the establishment of what, in fact, would be the fair price. I would like to ask if the appraised value that is available to the department's land purchasers, or negotiators, is this value available in all cases to the land owner?

**Hon. Mr. Gomme:** Yes, I would say so, because that is our offer to the land owner.

**Mr. Nixon:** Is it always your offer?

**Hon. Mr. Gomme:** I would think so.

**Mr. Nixon:** This is quite an important point because, certainly, that is not the procedure followed by all of the Minister's colleagues. There is a distinct impression that while they may know what the land is worth, they have it tucked away in a piece of paper somewhere and offer something considerably less than that to see if a deal can be made.

In other words, the historical background of the expropriation of land, or the acquisition of land by a government department, or an arm of government that has powers of expropriation that it can hold over the land owner, is to buy it as cheaply as possible and always with the veiled threat that eventually if the land owner gives them too much trouble, he will appear before the municipal board and they will knock him away down.

These are the impressions that the citizens get when they deal with the department. We talk about a uniform expropriation procedures statute, and this, of course, is very welcome. Yet a statute cannot lay down the detailed approaches and attitudes and, in fact, the procedures of the representatives of, in this case, the representatives of The Department of Highways and other expropriating authorities. The citizens do not have the confidence that the first offer is, in fact, equivalent to an objective, professional, appraised value.

The member for Sarnia made a good point earlier in this discussion—that the government would have to accept the responsibility to provide, not only professional appraisal and meet the cost, but counsel as well and pay the cost, in those cases where the land owner is not satisfied that the arm of government with expropriating authority is dealing fairly with them.

There are many cases, and I would cite one specifically where the original offer for



a thin slice of land was something like \$1,400. The owner, a constituent of mine, responding in the way that many citizens of the province do when they are dealing with the government, said: "Well, this is worth \$5,000." Over a period of something like 30 months the negotiators for the department raised their offer until they got within, I believe, \$700.

So how do you justify this sort of dealing? I will not tell you the end of the story because they did go to the municipal board and the final decision was—

**Mr. MacDonald:** \$1,400?

**Mr. Nixon:** —not too far off the original offer.

But my point is this, that with the expropriating powers that you have, I believe that you should approach the matter with a truly objective professional appraisal that is available to the land owner as well as to the negotiator for The Department of Highways. Try to get the idea across that this is the fair offer—that it is simply not an attempt to save every last cent of taxpayers' money, but this is a sincere attempt to give a just price. The people who then deal with the department would eventually, I trust, come to have confidence in the department and not go through all of these shenanigans where they go up and down the road and say, "what is the offer here," and, "what is the offer there." This in defence against the departmental representatives who try to make a settlement with some patsy along the road and then go to the neighbours and say, "Mr. X settled for this, why do you think you should have more?" I can tell you the procedures have improved, but you have not established confidence in the citizens over whom you are wielding the powers of expropriation.

I would say that the bill you intimated this afternoon the Attorney General may put before the House some time in the future, at least the principle of a uniform procedure that affects this department as well as all others, is very acceptable, but there is something about the attitude of the department that—and it sounds strange for me to say—seems to emphasize more the saving of public dollars, rather than giving a fair price and offering that fair price in an above-board way with the appraisal right out there on the table. I wish you could improve that attitude.

**Mr. MacDonald:** Mr. Chairman, I do not intend to review this whole issue at great length, and I am quite aware, at the outset, that my remarks might more appropriately be reserved for the time when the Attorney General introduces his uniform procedures and the amendments to The Expropriation Act.

But along with the regular chairman of the committee and the leader of the Opposition, I spent a whole year on the conservation committee and was exposed to the reactions of people who had been victimized by expropriation. The one thing that stuck in my mind after getting a fairly good glimpse of our experience in Ontario, and then comparing it with TVA down in Tennessee, was that it is not so much the attitude as the mechanics.

I must confess I shall be interested to see whether the Attorney General agrees with the policy which has become part and parcel with TVA—a one-offer policy. They have their appraisers, they appraise with thoroughness, they make an offer and people know that that is the offer and there is no point in starting to bargain and get changes at that stage. There is a procedure by which you can appeal. But they know that that is the firm offer.

Now, the leader of the Opposition has just said that the government has not established confidence among the people and he does not like the attitude and the approach of this bargaining. In my view, from my study of the problem, the difficulties have been created by this invitation to horsetrading.

For example, let us go back to the case which was introduced by my colleague, the member for High Park (Mr. Shulman) and was dealt with at some length by the hon. member for Niagara Falls. There was some hooting on the other side of the House when it was discovered that these people had asked \$75,000. But that is not the point to hoot at; the point is that this government's appraisers offered \$28,600, and another one of this government's appraisers has now gotten up to \$37,000.

If anybody knows anything about the attitude of this government, he would be crazy to accept the first offer and even in this case you have proof of it—almost a 30 per cent increase, 28 per cent to be exact.

If \$37,000 is a fair offer now, the government was seriously open to criticism in trying to chisel these people out of about \$8,000 to \$9,000 on their property by the original offer. So the people get the idea that you are

playing games, that you have, in your inside pocket, what you think is the value and you are going to go out and try to cheat this innocent citizen, faced by big government, in the first instance.

If he happens to be smart and does not bite at the initial bait, then ultimately you get closer to what he is entitled to. And so, of course, he starts up at the \$75,000, and gradually works down.

The case that the hon. leader of the Opposition cites is really ludicrous, that the government should offer \$1,400 and then go to \$4,300. Sad that the person did not take the \$4,300 and went to the OMB and got back to the \$1,400 again. That happens on occasion. But that is not the point, the point is that you—

**Hon. A. Crossman** (Minister of Reform Institutions): They were generous then.

**Mr. MacDonald:** No, you were not generous—you were generous only under pressure—intense pressure and bargaining and horsetrading which creates the attitude of hostility.

**Mr. Nixon:** And if it is not worth it he should not offer it.

**Mr. MacDonald:** Exactly.

Now, Mr. Chairman, this brings me back to the point that I draw to the attention of the Attorney General. If he is bringing in amendments, I must say I shall look forward with some interest as to whether the principle of a single firm offer is involved in his amendments. I think you can end the present procedure by establishing genuinely independent appraisers. They come up with what, in their wisdom, is believed to be the fair price, and you offer that and everybody knows that that is the offer—there is going to be no more horsetrading at the initial stage.

I agree that you have to have appeal procedures, ultimately right through to what is the final adjudicating body, but if people get the idea that you are making a fair offer and that you are not inviting horsetrading, then you would, I think, perhaps build some confidence and you would get rid of some of the attitudes that have been created by the government's record down through the years.

The tragedy of it is that the Minister is correct—only a small percentage of the incredible number of purchases that the government has to make each year go to expropriation, but it is like the few murders

that give society a bad name or the few racketeers in the business world who give the business world a bad name.

There are these few cases that ultimately go through to expropriation—and let us not forget that there may be another 4 per cent or 5 per cent, or 10 per cent, that just get weary along the way and give up, though their inclination would be to fight it right through to expropriation. You are giving yourself a bad name.

We will look forward to see, after all the pain and anguish that we have had on this issue for years, but particularly without let-up for the last ten years, if the Attorney General can bring forward a bill that will enunciate and set forth some of these principles so that we will have built-in protection for the little man. He will not have to get out and fight with his own money against big government in order to get justice.

**Hon. A. A. Wishart** (Attorney General): Mr. Chairman, I wonder if I might say a word on the matter of expropriation, since there seems to be some anticipation that a bill will be produced in this session. Actually, I would remind the hon. members that it was stated in the Speech from the Throne that expropriation legislation would be brought in to provide an equitable basis of compensation.

I have here, the report of the select committee on land expropriation, which was chaired by the present Speaker, and reported in 1961 and 1962. Then The Expropriation Procedures Act, the first Act of that name, was passed in 1962-63, in that session, and has been amended two or three times since. I think our procedures generally were regarded as being pretty well perfected—particularly when we got to the place of providing the negotiating committee, the “kitchen table” committee as we call it, and which has worked very well. And when I hear my colleague, the hon. Minister of Highways say that in 99 per cent of the cases where his department takes land by way of expropriation for the purposes of highways, they succeed in settling 99 per cent of the cases, I think that is pretty good proof that their procedures are not working too badly.

**Mr. Nixon:** Mr. Chairman, a question about that very point. I was confused when the leader of the NDP said a moment ago that almost all the cases where the land was acquired without expropriation. I do not think that is true? The land is expropriated but it is acquired without appeal. Is that not right?



**An hon. member:** Without going to negotiation of the board.

**Hon. Mr. Wishart:** Without going to arbitration, without going on into the appeal procedures.

**Mr. Nixon:** But a plan of expropriation is filed on most of the land?

**Mr. J. B. Trotter (Parkdale):** Oh sure!

**Hon. Mr. Wishart:** Perhaps the Minister can answer your specific question afterwards.

**Mr. Trotter:** Just a big stick!

**Hon. Mr. Wishart:** Now, I would just say this: As I say, the legislation is forecast, it is promised in the Speech from the Throne and I might say that anticipating this legislation this year, we last year, through The Department of the Attorney General, requested the Ontario law reform commission to produce that report which we received in the late part of last summer. And the people from my department, in consultation with the other departments—and as Mr. McRuer points out, there are 35 expropriating bodies covered by expropriating statutes in this province—we have been working assiduously to bring forward a bill which will carry out, insofar as we believe it is feasible and possible, an Act which will provide an equitable basis of compensation.

I might say that this legislation was ready for this session some weeks ago, and then Mr. McRuer was kind enough to offer us these three volumes, the first section of his report. He, as you are aware, makes some very pertinent comments about the matter of expropriation. He does not deal particularly with the basis of compensation, but he does go back now into the matter of procedures, and he refers to the British procedures, the matter of notice. He refers to certain of the payments which should be made, to legal costs, appraisers' fees—and I would just note here that the hon. Mr. McRuer was for a time the chairman of the Ontario law reform commission and sits on that commission as vice-chairman, and took part in the production of the report which we are using as the basis of the legislation we propose to bring forward.

I would not want to talk further at this time except to say that I think perhaps some of the discussion here, which is directed toward my colleague, while it is helpful and valid in its critical note, perhaps will—this is my point—will be covered, I would hope, by the discussions of this House when the expropriation legislation comes forward. It

is a very difficult matter, I may say to you, and I am sure this will appear when that legislation is before you, to determine what is a proper basis of compensation, how far you go, what elements you take in, what factors you set down in rigid language that must be taken note of and applied.

For instance, without making a firm point at this time, the hon. member for Sarnia and, I think, the hon. member for Lakeshore took opposite views on the question of whether legal fees of the persons whose property is being expropriated should in all cases be paid. I think the hon. member for Lakeshore indicated that this was perhaps going a bit far afield unless you had a very careful and well thought out plan for a tariff which would apply to those services; and I could see the danger here. We have had suggestions that perhaps the person whose property is being taken should at least be required to pay some part of the legal fees, just to restrain him perhaps from knowing that his counsel is going to be paid for whatever service is rendered and going on and on and carrying the proceedings up to the highest level.

**Mr. Nixon:** What about appraisers?

**Hon. Mr. Wishart:** This suggestion has been put forward. With appraisers—I was listening to my colleague saying we have two independent appraisers and he was referring to the situation raised by one of the hon. members. Two independent appraisers. They vary, as the member for York South said, by 28 per cent.

**Mr. MacDonald:** Thirty per cent more.

**Hon. Mr. Wishart:** And he charged that the government was making a petty offer. The government got an independent appraiser who quoted \$28,600. I do not know how much time elapsed.

**Mr. Trotter:** Quite a bit.

**Hon. Mr. Wishart:** Quite a bit. Quite a bit, which perhaps explains the increase in value of the second appraisal. But the government in offering that independent value was not trying to take advantage.

**Mr. MacDonald:** The little people might get taken for the \$28,000 and be short-changed \$9,000, but that is the whole basis of your approach.

**Hon. Mr. Wishart:** This is true. I know a case in my own area where the government's



appraisal was \$16,000. The owner's appraisal is \$24,500 and they are asking \$45,000, in the face of their appraisal.

**Mr. MacDonald:** We are all faced with that.

**Hon. Mr. Wishart:** We could give all sorts of examples.

**Mr. J. E. Bullbrook (Sarnia):** But is it not a point that the government hires these independent appraisers?

**Hon. Mr. Wishart:** Yes.

**Mr. Bullbrook:** The government should afford the expropriatee the right to hire.

**Hon. Mr. Wishart:** I am not saying that I am opposed to that, and that is one of the recommendations of the law reform commission report. And I think Mr. McRuer, if he touches it, I think he indicates that he favours that sort of thing too. But I just suggest that there should be some safeguards, and I am sure this will all come out in our discussions. My purpose in standing up now is to say that I think we have pursued this matter pretty thoroughly insofar as the Minister of Highways is concerned, so that if we can get to what I consider the important business of getting this legislation—

**Mr. MacDonald:** We look forward to it.

**Hon. Mr. Wishart:** —through the House as soon as I introduce it, then we will take care of this situation henceforth.

**Mr. M. Shulman (High Park):** We are all looking forward to your estimates.

**Mr. Chairman:** Vote 909.

The member for Sandwich-Riverside.

**Mr. Burr:** Mr. Chairman, when I was on my feet last I did not have the opportunity to congratulate the Minister on his legislation that is being worked out with the Attorney General and perhaps, as he welcomes advice, the Windsor *Star's* idea here might help him to resolve the difference of opinion between the hon. member for Sarnia and the hon. member for Lakeshore.

The information compiled by the government experts should be made available to the owner of the expropriated property. The expropriating authority also should pay the owner full compensation for all reasonable costs for the owner hiring experts to act on his behalf.

I think that is what the Attorney General had in mind and I am sure that some suitable arrangement will be worked out.

The Attorney General also took most of my concluding remarks—made them unnecessary so I shall conclude by saying merely that according to the *Globe and Mail* of April 3, the Toronto board of control has now approved the home-for-a-home principle in expropriation for urban renewal and I suggest that this principle should be put into the new bill too.

**Mr. Chairman:** Vote 909. The member for High Park.

**Mr. Shulman:** I would like to go onto a different aspect of vote 909. Throughout these estimates I have been pointing out what I felt was unnecessary expenditures in this particular department—some millions of dollars—and I would like to make the same point with relation to property purchases.

The specific purchases I am referring to now, is the property purchased for the Ottawa-Montreal freeway—Highway 417 from the Ottawa city limits to the Quebec border. Yesterday, the Minister stated that the cost of expanding the highway that is already there and reconstructing it would be greater than building a new one because the property purchase cost would be so much higher. I asked him for particulars and I quote from page 1172, when he says:

No I do not have them here, Mr. Chairman. I am sure that those will be in the study, Mr. Chairman, when we get it to the member.

I have this study now. I received it today and a very lovely document it is, I will say again. But, unfortunately, it does not contain the information which the Minister said it would contain. On page 76, exhibit 39, the costs are given here for the new Ottawa-Montreal freeway and it is a staggering \$33 million.

There is nowhere, in this book, that gives the cost—the comparable cost of expanding the other highway—and if the actual cost is higher, I wish the Minister would present those figures for us now. If it is in this book, as he stated yesterday, I would like to know what page it is on.

**Hon. Mr. Gomme:** Mr. Chairman, I am informed that our recent figures in the comparison of the alternate routes in the reconstruction of the existing highway—no, this was a 1964 estimate so that one you have is a little updated—would be \$31.3 million and for the new freeway would be \$30.8 million

and the new freeway will give a great deal higher service than the reconstruction of the old Highway 17.

**Mr. Shulman:** Thank you, Mr. Chairman. Mr. Minister, can you explain to me, through you, sir, why the costs of maintenance have gone up the past two years by close to 50 per cent in this particular vote?

**Hon. Mr. Gomme:** The reason for the rise in it is the additional property which we are buying. Naturally, there are more costs than the ordinary rise in the costs of operation, and I have a complete breakdown of what we are attempting to do with it.

**Mr. Shulman:** What I find disturbing, is that the Provincial Treasurer has pointed out to us how we have to scrimp and save this year and bring in new taxes—and I find that you are bringing your expenses up in so many areas by these huge percentages. Surely, your costs of administration, your cost of maintenance has not gone up by 50 per cent in two years. This is way out of line with all the other departments.

**Hon. Mr. Gomme:** We have a greater increased programme of surplus land sales and this is going to produce more revenue than what it did last year. This is partly why—and then there is the increase of the properties which we are buying and the extra property purchases.

**Mr. Shulman:** Well, let us get to the nub of the matter, then. Let us go to the next item which is property purchases and to my amazement, I find that this figure is \$22 million—it is over more than 50 per cent. Surely, this is not the year to be increasing your property purchases by something up to 50 per cent, over 50 per cent in the two years. What is the explanation for that?

**An hon. member:** Shortage of cash!

**Hon. Mr. Gomme:** Well, I explained before that the urban expressways; the E. C. Row, the Kitchener-Waterloo, and Brantford and so on, were taking almost \$5 million of this money, and then we have got to expand some of the services in this area of Toronto. I gave a breakdown of the figure of that and then, of course, property values have increased and there are some of them that, in the last few years, have gone up as high as 40 per cent. We are also this year, as I pointed out, undertaking more work in urban areas which makes property more expensive.

**Mr. Shulman:** That is the whole point. This is not the year you should be doing that. Do you not agree with the Provincial Treasurer that this is the year to pull in your belt and not be increasing your expenses so fantastically?

**Hon. Mr. Gomme:** This is an essential programme that we have, Mr. Chairman, and I do not think we can reduce it any more and continue to give the service which we need to give to the province.

**Mr. Shulman:** Mr. Chairman, through you to the Minister, I must say that it is essential in my own area and the area of Metropolitan Toronto.

We could have gone another year. I hope that we will hear the same from some of the other members but surely, if this area—which is really the most congested—can go another year, some of the other areas could have done the same. You are spending too much money this year.

**Hon. Mr. Simonett:** Why do you not move a motion to reduce the vote?

**Mr. Shulman:** You have got the numbers for a while. You have so many numbers; but if we moved a motion right now you would be beaten.

**Hon. Mr. Grossman:** Name the highways you want to eliminate.

**Mr. Shulman:** I named them all yesterday. I went through them—

**Hon. Mr. Grossman:** You named them in Metro Toronto, what about the north?

**Mr. Shulman:** I went through them highway by highway. You were not listening. If the Minister stayed in the House a little more he would have a better knowledge of what is going on.

**Hon. Mr. Grossman:** I am down here, while you are in the press gallery.

**Mr. Chairman:** Order. Vote 909.  
The member for Dovercourt.

**Mr. De Monte:** Mr. Chairman, may I ask a question of the hon. Minister?

How many properties are either in negotiation, or in expropriation procedures or in purchase arrangements, at the present time?

**Hon. Mr. Gomme:** I could give you the ones for the current year: Covering damages only, 153; the purchase of land, 3,287—were

they the figures the member wanted, Mr. Chairman?

**Mr. De Monte:** The 3,287, does that include properties being negotiated now and properties in the process of expropriation?

**Hon. Mr. Gomme:** No, these are the total number of transactions in the fiscal year 1966-1967. I do not have the figures which you—

**Mr. De Monte:** Mr. Chairman, I understand that he told one of the hon. members that there were 146 appraisers in his department. I think that it is the correct figure he quoted, Mr. Chairman.

**Hon. Mr. Gomme:** No, this was the number in that whole branch, which included appraisers, negotiators, the office staff and all the rest of the people that work on it.

**Mr. De Monte:** Then may I ask the hon. Minister, Mr. Chairman, through you, how many are in his department? I thought he tried to convey to this House that he had 146 appraisers. I would like to clarify that point, Mr. Chairman, if possible.

**Hon. Mr. Gomme:** I am sure I did not say that, Mr. Chairman. I said there were that many in the branch.

**Mr. De Monte:** Appraisers, Mr. Chairman?

**Hon. Mr. Gomme:** No—appraisers, negotiators, typists and clerical staff in that branch for property acquisition.

**Mr. De Monte:** May I know how many actual appraisers the department has, Mr. Chairman?

**Hon. Mr. Gomme:** I do not have that figure, Mr. Chairman, but we can provide it.

**Mr. De Monte:** May he also provide me with the number of solicitors and lawyers in the department, Mr. Chairman?

**Mr. Chairman:** Does the Minister wish to give any further information on this, or has he given all the information he can?

**Hon. Mr. Gomme:** The legal staff was all discussed, Mr. Chairman, several days ago. I am wondering, does the member want to know the number that are in this branch of the department?

**Mr. De Monte:** Well, the whole point is, Mr. Chairman, that what I—

**Mr. Sopha:** A whole new crop has graduated from Osgoode hall.

**Mr. De Monte:** Mr. Chairman, the point I am trying to make is that the department is purchasing \$22 million in land, and I understand, Mr. Chairman—I may have misunderstood—but I understood that there were 146 appraisers. Now I understand that that is not so.

I would like to know, Mr. Chairman, how many appraisers it takes to appraise \$22 million worth of land, and 3,287 different transactions. It seems to me, Mr. Chairman, that the staff in this department, and the cost of acquiring the land, is overly high and I would like to know why.

Perhaps the staff is too great and we have too many appraisers in the department. I understand the department uses outside appraisers and it also uses outside solicitors. Now I am asking, with respect, Mr. Chairman, that these figures be made available to the House so that we can examine them and come to some judgment in this regard.

**Mr. Chairman:** Vote 909.

**Mr. Lawlor:** Just a few remarks on a question arising out of the remarks made by the hon. Attorney General in clarification of something that was said earlier.

As I understood the Minister earlier, Mr. Chairman, there are approaches made to individuals prior to purchasing, and in contradiction to what is contained in the Act—in other words, without registering the plan. Now I want to explore and get clear in my own mind, the practices of the department in this regard.

They say that they have a 99 per cent rate of settlement. What percentage of those settlements are made by immediate approach—as between private person and private person—and what is the percentage that is arrived at by the utilization of section 7, and the placing of a plan of expropriation on the property prior to any information given to individuals at all?

**Hon. Mr. Gomme:** I do not have those figures which the member asked for, but as I stated before, most of the time, before the plan is filed, we have an agreement with the property holders.

Our agents enter into negotiation with the owners to arrive at a settlement, and if the settlement cannot be reached, then we use The Expropriation Procedures Act, or else the matter can be referred to the OMB,



but the figure that I gave was the number of settlements which we arrived at without going to either of these two other methods.

**Mr. Lawlor:** If the hon. Minister would supply me with a break-down of the figures later on?

Vote 909 agreed to.

Vote 910 agreed to.

On vote 911.

**Mr. D. M. Deacon** (York Centre): Mr. Chairman, in connection with vote 911, which is the GO transit, I would appreciate a break-down of the expenditures under this vote. First of all, the expenditures on rolling stock: How much of the \$6,830,000 is going into new diesels?

**Hon. Mr. Gomme:** This is broken down, payable to the CNR for the portion of the improvement cost on the right of way—is the signal system and other improvements—\$3,818,000, and for the purchase of the new coaches which are to be delivered in this fiscal year, \$2,935,000. And then, improvement to car maintenance shop facilities, \$77,000 which brings the total that we have there.

**Mr. Chairman:** Vote 911?

**Mr. Deacon:** Mr. Chairman, in connection with this, are you referring, in the matter of cars and coaches, to the self-propelled units? What is the cost per unit of the self-propelled units?

**Hon. Mr. Gomme:** We are not buying any self-propelled units, Mr. Chairman.

**Mr. Deacon:** What are the cost of these? What I am trying to determine is this: Is there any equipment in this expenditure or is it just plain trackage and no equipment at all? What is the equipment that you are proposing to—

**Hon. Mr. Gomme:** It is the purchase of the coaches, not the self-propelled ones, which I said before are for delivery in this fiscal year—\$2,935,000.

**Mr. Deacon:** How many coaches does that involve?

**Hon. Mr. Gomme:** Fourteen.

**Mr. Deacon:** So the coaches are coming at approximately \$20,000 a coach? Is that correct; 14 coaches for \$2,935,000? Two hundred—sorry, \$200,000 a coach? The cost

of those coaches, I understood, was around \$30,000, not \$200,000 each.

**Hon. Mr. Gomme:** The cost of them is—

**Mr. Chairman:** That is 14 coaches, the Minister states will cost \$2,935,000.

**Mr. Deacon:** What is the cost of the self-propelled coaches that you purchased?

**Hon. Mr. Gomme:** I do not have that figure here, Mr. Chairman, but I can get that for the member.

**Mr. Deacon:** Would the Minister get that for me then, please?

**Mr. Chairman:** I understood that there were no self-propelled coaches in this particular vote, Mr. Minister.

**Hon. Mr. Gomme:** That is correct.

**Mr. Deacon:** It is a matter of deciding the undetermined, Mr. Chairman, the way that the money is being expended. Is it being expended in the wisest manner? Would you also obtain for me, Mr. Chairman, or obtain from the Minister the cost of diesel locomotives that you purchased? Are the diesel locomotives that we own, used for any other purposes than for the GO transit? For example, are they used in off-peak hours by the CNR for other purposes?

**Hon. Mr. Gomme:** No, they are used only for our own purposes now, Mr. Chairman.

**Mr. Deacon:** Well, Mr. Chairman, since we have, I am sure, in the order of at least \$500,000 per locomotive involved, the sharing of the overhead by use of those locomotives in other ways as would normally be the case in other railway operations, would be equivalent to the salaries of several people on our staff.

**Mr. Chairman:** May I point out to the member that this is not in vote 911?

**Mr. Deacon:** This is, sir.

**Mr. Chairman:** Those aspects of the GO transit have been thoroughly discussed in the previous vote covering the GO transit.

**Mr. Deacon:** Mr. Chairman—

**Mr. Chairman:** This is strictly the items that the Minister has mentioned.

**Mr. Deacon:** In that case, are the new coaches being the double deck coaches instead of the present single level coaches?

**Hon. Mr. Gomme:** No, they are not.

**Mr. Deacon:** I was wondering why they were not double deck in view of the fact that capacity would be increased by 50 to 60 per cent—

**Mr. Chairman:** Order please, the member asked those very same questions in the previous vote.

**An hon. member:** Right.

**Mr. Deacon:** Mr. Chairman, this is referring to the item of \$2,935,000—

**Mr. Chairman:** Which has nothing to do with the coaches that you mentioned.

**Mr. Deacon:** I beg your pardon?

**Mr. Chairman:** The Minister has indicated what is covered in this vote and the items that the member for York Centre is discussing were previously discussed in the other vote on GO transit.

**Mr. Deacon:** Mr. Chairman, with all due respect, this is to do with capital expenditure of \$2,935,000, and 14 coaches.

**Mr. Chairman:** And the Minister has answered the questions in that respect.

**Mr. Deacon:** And I am questioning, sir, the wisdom of budgeting for purchase of single-level cars, rather than double-deck cars with these funds. It seems to me that this is within the purview of the vote, sir. It is capital expenditure and it is to do with that portion.

**Mr. Chairman:** It is my recollection that the same questions had been put forth in the previous votes. If the Minister wishes to answer it is perfectly all right.

**Hon. Mr. Gomme:** Mr. Chairman, we are buying similar coaches to what we have before and we have done this of course on the recommendation of our engineers. I think that one of the reasons they did not go for double-deck was the ease of loading. It is much better with the system that we have, with the ones we are buying.

**Mr. Deacon:** Mr. Chairman, I suggest that ease of loading would be greatly facilitated if these were level-loading cars and the platforms were so constructed for level-loading cars. Is there provision in the construction of these coaches for conversion to level loading?

**Hon. Mr. Gomme:** Level loading is at the Union station where the biggest crowd get on and off the cars.

**Mr. Deacon:** I am sorry I could not hear that reply, Mr. Chairman.

**Hon. Mr. Gomme:** Level loading is used now at the Union station. Platforms were made for it where the biggest crowd gets on and off these trains.

**Mr. Deacon:** I am sorry, Mr. Chairman, I have not yet seen where the crowds get on and off on a level-loading basis at the Union station.

**Hon. Mr. Gomme:** I am sorry, Mr. Chairman, I misinformed the House. This is under study—the changing of the platforms for that purpose.

**Mr. Deacon:** Mr. Chairman, the point that I wanted to bring out was that you are now deciding to proceed with the purchase of more coaches—plain coaches. I understand that the self-propelled coaches are not a great deal more expensive than the plain coaches. Is the reason they are not being purchased in this budget because they have had difficulty in getting the new ones into operation—as I understand they are not yet in use?

**Hon. Mr. Gomme:** These were purchased so that we could make longer trains and move more passengers with each train and the self-propelled units are only used at off-peak hours.

**Mr. Deacon:** You mean the self-propelled coaches do not have the same capacity as the regular coaches? In other words the 96 seating, 36 standing room, of the regular coaches is somewhat reduced in the self-propelled?

**Hon. Mr. Gomme:** They have the same seating capacity, but those are only used for off-peak hours. They are like a Budd car, self-propelled as you see, and the others are for the trains where we can carry ten times as many people.

**Mr. Deacon:** Mr. Chairman, I understand that these self-propelled cars can be linked together in a train and that according to the specifications of the self-propelled cars contained in the GO-transit service, a nine-car train with the same capacity as a nine-car, diesel-pulled train would weigh approximately 100 tons less. One would therefore think it would be cheaper to operate, and faster in both acceleration and better in deceleration.

**Hon. Mr. Gomme:** We do not believe that, Mr. Chairman.

**Mr. Deacon:** It is difficult for me, Mr. Chairman, to accept that statement just plainly in that way without good reason, because it does appear logical. The TTC have so found it to be the case with their subway trains, that the lighter the trains and the less load to carry—and I think any person in the transportation business will agree with the lighter train, the less dead weight—the more efficient the service and the lower the cost. Does the Minister have any further explanation he can give us on this matter?

**Hon. Mr. Gomme:** I am advised that we can only get up to four of those self-propelled cars in one unit and we cannot get the acceleration we can with the other trains.

**Mr. Deacon:** That matter of acceleration, Mr. Chairman, is difficult to understand, because according to the specifications of these trains outlined in your GO-transit document the self-propelled trains would be around 3,000 total horsepower, with the Rolls-Royce engines at 330 horsepower per car. Your diesel locomotive horsepower is between 2,000 and 3,000, depending on the rpm and the speed of the locomotive. One would therefore think that, with the considerably less weight—some 20 per cent less weight, and with equivalent power, that the acceleration and deceleration would be better with the self-propelled cars. Could the Minister, Mr. Chairman, give reasons why this statement would be fact?

**Hon. Mr. Gomme:** Our diesel locomotives have 3,500 horsepower and in the self-propelled cars it is only 300 horsepower so, naturally, we can get more acceleration with the diesel units.

**Mr. Deacon:** Mr. Chairman, I was working on the basis of the information that you gave out regarding the model GP 40 General Motors locomotive, diesel-electric, developing 2,000 horsepower at 12.6 miles per hour to match normal adhesion, 3,000 horsepower above 27 miles per hour. So, at the lower speeds, there would be considerably greater horsepower per car available in a nine-car train, which I understand you are working towards. Unless you are not preparing to go to nine-car trains—I thought your platform expenditures this year would provide for this nine-car vs. the six-car train. Also on that matter we will be able to get a better comparison of the costs when you are able

to give us the answers to the question regarding the cost of a diesel, the cost of a self-propelled car, and the cost of the coach. I would reiterate that I cannot understand the reason for these coaches not being double-decked, as they would increase considerably the capacity on the rates we are now charging, the revenue per car. Certainly, the standing-room only conditions in the cars at the present time would indicate that we certainly have the passengers desiring to use the service. Has the Minister something further to reply on that?

**Mr. Chairman:** Vote 911 continuing.

**Mr. Deacon:** In connection with the trackage—the \$3,818,000 on trackage. Does this include new tracks that would be necessary for the construction of higher-level platforms—in other words platforms that would permit level loading? I understand that that is necessary before the GO transit can introduce level loading on their cars from their platforms.

**Hon. Mr. Gomme:** This is for the signal system and trackage that we have to provide.

**Mr. Deacon:** But, Mr. Chairman, could the Minister tell us, if this expenditure on the trackage will enable us to have the extra tracks I understand are required at each station, separate from the main line tracks, that will permit the level-loading cars to be used in the future? And are raised platform level-loading cars to be introduced?

I understand the reason it could not initially be done was because of the fact that some of our stations were on the main line that if we used a level-loading platform there would be insufficient width for the freight to move through and that we could not introduce level loading until new trackage—wider track, separate track—was constructed. Now, is any of the \$3,818,000 being used for this additional track for level loading, or is it largely being used for just the extension of the platform so you can use the nine-car instead of the six-car train?

**Hon. Mr. Gomme:** No, it is not being used for trackage for level loading, Mr. Chairman.

**Mr. Deacon:** Mr. Chairman, I suggest that we should really push forward on that. If you time the subway train stops, even at rush hour they seldom go over 15 seconds. A subway train does have more car entrances per car and thus has a lot more space for passengers to get in and out, but one of the major reasons that it is so fast at these stops which



are keyed to fast efficient service is the fact that people are walking out on the level. Perhaps we could foresee a time when we get the level loading that we could cut our stops to far below what they are at the present time, to as low as 30 to 45 seconds, and greatly increase the capacity of the line and the headway between trains that would be possible.

I also suggest that expenditures on platforms are necessary at each station before very long to increase the access to and from the platforms. During rush hours—

**Mr. Chairman:** The member, I have to point out, is not talking about vote 911.

**Mr. Deacon:** This has to do with trackage and stations, sir, and the expenditure—

**Mr. Chairman:** But the items mentioned in vote 911 have been specified by the Minister. The member is wandering all the way around about other equipment.

**Mr. Singer:** Alterations to tracks!

**Mr. Deacon:** Mr. Chairman, I submit this is completely on the topic, this is money being spent—

**Mr. MacDonald:** What about the “etc.” at the end?

**Mr. Chairman:** Ask the Minister. I just get the feeling the member is straying pretty far from the vote.

**Mr. Deacon:** Mr. Chairman: I submit this is strictly capital expenditure and the way the money that we are setting aside on this, \$3,818,000, is going to be paid to the CNR for improvement of trackage, signal systems, and to do with the platforms as well. I am sure the platforms are in there because work is now proceeding on these platforms, and I am sure we are providing for payment of these extensions. If we will make provision in this budget for additional access to and from the platforms we will greatly reduce the present danger from overcrowding in the small passageways underneath the tracks so the users can get to and from the platforms from the entrances to the stations.

Now, there is another item. If we can get the level loading we can reduce perhaps the headways required between trains and thus greatly increase the capacity of our GO transit, less waiting time, lower headway, can increase perhaps the use of the trains from one or two trips to three or four trips for each morning and evening rush hour.

In this budget, does the Minister, Mr. Chairman, have any provision for expenditure on parking lots?

**Hon. Mr. Gomme:** It is not in this figure, Mr. Chairman.

**Mr. Deacon:** Mr. Chairman, I suggest there is a considerable need for an item for parking lots in this figure. At the present time, at the Danforth station there is no provision for parking, although in the remainder of the stations on the east side of Toronto there is adequate provision for parking—is there not? Mr. Chairman, my colleague says there is not but at the times I have checked it I have found there has been no overflow. But maybe I have just happened to be there on days when there has not been. On the west side at Mimico, there is no provision for parking. At Long Branch, Port Credit, Clarkson and Oakville there is serious overcrowding and it is causing at Port Credit, in particular, a very objectionable situation in the neighbourhood, which the local residents and the police are quite upset about.

I therefore suggest, sir, that some provision be made in this budget for parking lots, particularly in this area that I have mentioned. At Lorne Park there is no parking lot, but of course there is some dispute there as to future use of that station.

In addition to parking lots, I understand that at some of the stations—and Port Credit is one that has been particularly brought to my attention—the conditions during rush hours of the loading and unloading of private vehicles near the station is quite chaotic. I suggest that in addition to additional parking facilities the Minister make provision with the local authority for unloading and loading areas so that the traffic in the neighbourhood of the station is not complete confusion as it has become in the past.

I also suggest that a very dangerous situation is developing at the Union station terminal. Mr. Chairman, the Minister stated that the capacity of the Union station terminal is about 20,000 per day and I can well understand that. Unless we make provision in this budget—

**Mr. Chairman:** I will have to point out again to the member, this is not in vote 911. These items have been discussed previously. The Minister says they are not included in this estimate.

**Mr. Deacon:** But, Mr. Chairman, I submit that the items I am discussing are purely

capital items, the previous vote was concerned with operating expenses, not capital expenses.

**Mr. Chairman:** I must point out that there is no provision in this vote for any of the things the member is mentioning. This is the estimate of the moneys requested by the Minister of the department for these purposes.

**Mr. Deacon:** Well, the item here states, Mr. Chairman, "Purchase of equipment, alteration to track and signal systems, etc."

**Mr. Chairman:** The Minister says that is not included in the "etc."

**Mr. Deacon:** Mr. Chairman, I submit that these points I am discussing should be included in the "etc." This is the only time that it is proper for me to discuss them, and I would ask, Mr. Chairman, that you allow me to proceed with these considerations of items of capital expenditure, which I believe should be properly brought forward here at this time. It is the only opportunity for me to bring them forward.

**Hon. Mr. MacNaughton:** Mr. Chairman, I think I would like to rise on a point of order here, if I may, and I am being repetitive, I know. But the Minister has stated that in the capital vote moneys requested, there is no provision for the items to which the hon. member is making reference, unless he is proposing that the House vote the Minister some more money at this particular point in time. I have to suggest to you that he is out of order, sir. The budget has not provided for it, the estimates of the Minister have made no provision for it, as he said, and I think it is quite superfluous pursuing debate at this time.

**Mr. Singer:** Mr. Chairman, if I may address myself to the point of order, with great respect to the Provincial Treasurer, we have in this budget one item for capital expenditure for GO transit, which is \$6,830,000 and it deals with purchase of equipment, alteration of track and signal system etc., and it would seem to me, sir, the course of natural and logical common sense, that the whole of the capital expenditure which will make GO transit an efficient instrument of transportation is contained in this \$6 million expenditure. I am sure it is within the right of my colleague from York Centre to suggest to the Minister how this \$6,830,000 should be spent. It is the only way we can hope to

influence the course of government in the expenditure of this important sum of money.

**An hon. member:** An irresistible argument.

**Mr. T. Reid (Scarborough East):** On the same point of order, I would just like to point out that on vote 906 with relation to parking lots the reference is to the "maintenance of parking lots" and not what my colleague is examining, which is the creation of additional space for parking lots. That, sir, is a capital expenditure.

**Hon. Mr. MacNaughton:** On the same point of order, if I may, Mr. Chairman. The appropriate place to discuss these things is in the Budget debate, not on the estimates of the Minister. He has clearly told you—he clearly told the committee that these items are not provided for in this estimate. So I do suggest he is out of order sir.

**Mr. Deacon:** Mr. Chairman, do you rule me out of order on this?

**Mr. Chairman:** Well, I would say that the Minister indicated to the House his breakdown of the total capital expenditure proposed for GO transit. He indicated that \$3,818,000 was for the CNR, for the rights-of-way, the signal system and other matters with which they had to deal with the CNR, also that the \$2,935,000 was for the purchase of 14 coaches.

Now, the Minister has also indicated that the "etc." is included in this total, making up \$6,830,000, but there are no such items as parking lots, elevated coaches—

**Mr. Singer:** What do you—

**Mr. Chairman:**—two tier coaches—and the Minister has indicated this, and they are not in the budget. And I, therefore, cannot see how the member can discuss something that is not in the budget.

**Mr. Deacon:** Mr. Chairman, what I cannot quite understand is, what is the purpose of our even discussing a budget unless we have an opportunity to perhaps persuade the Minister to reallocate some of his expenditures to the capital items that we think might be more important and we would like to have him give consideration to giving them priority.

**Hon. Mr. Gomme:** Mr. Chairman, the two figures which you use are correct, and, there is an item there "etc."—which might lead to open up other things. But at the introduction,



I told you that there was an item of \$77,000 which was for improvements to car maintenance and shop facilities. These three items add up to the total amount of money which we are asking for.

**Mr. Chairman:** I would say further that in the remarks made by the member, most of them I can recollect as having been said in the vote on maintenance, and it is a repetition of what has been said before.

**Mr. Deacon:** Mr. Chairman, I perhaps was incorrect in my discussions on maintenance, but I restricted my points—all my points—when it came to maintenance, to the operation of this system. I think if you will read *Hansard*, that my comments at that time were to do with the costs of operation, but I did not go into these points of capital expenditure in discussing ways of spending this item because I did not feel it properly came under operations.

But it really does come under GO-transit capital. That is the reason I am just speaking right now to the points where I feel that capital expenditures might best be made.

**Mr. Chairman:** Of course, the member is discussing a new system, a new theory, different processes, self-propelled—everything else other than the system we are using.

He is advocating many changes in the system which is now in use and for this purpose he has gone over the whole programme of the GO-transit system.

In my view this is not proper.

**Mr. Nixon:** By now we could have completed it.

**Mr. Deacon:** Mr. Chairman, most of the information I have been taking out of the suggestions, are based upon specifications that are in the present GO transit. The level loading and platform access; the level platform perhaps is not. I understand they are not yet in a position to adopt it, but I feel that it should be something that should be given consideration when we are setting aside \$3 million here for expenditures to the CNR on our trackage and platforms.

**Hon. Mr. Gomme:** This was not for the platform, Mr. Chairman, it was for the portion of the improvements cost on the right-of-way.

**Mr. Chairman:** This is the existing right-of-way.

**Mr. Bullbrook:** Mr. Chairman, might I, not necessarily on a point of order, but for my edification as a relatively new member and the edification of my colleague who is also relatively new, put this to you, for your consideration, Mr. Chairman: I sat in this House with you this morning until approximately 1:30 and during the currency of that, sir, at least one and one-half hours was spent by at least one member of this House discussing compensation for injurious affection under vote 907. And not one thing was said, Mr. Chairman, I say this most respectfully to you, about this.

I eventually got up, sir, and asked you if I should continue, or relate my remarks in connection with property purchase under vote 909. You felt, sir, that vote 909 was the appropriate spot. But in effect, sir, we were there discussing compensation for injurious affection under the item, "capital disbursements, construction and other capital projects."

I suggest, most respectfully to you, that my colleague is much more relevant to the capital expenditure under Go transit capital here, in connection with his remarks, than the remarks that were made last night.

However, I say, sir, that what I had to say in this respect should not, in any way, influence you. If, perhaps, we were wrong last night it does not make it right tonight, but might I ask you this, Mr. Chairman. Am I correct in assuming therefore, that if there is brought before us, as members of this House, a capital budget and the hon. Minister is able to say to us, "I am sorry, what you are discussing I have not included in my capital budget," then we cannot discuss the necessity of such a capital expenditure—because if my mind is logical, this is the way I interpret the procedure that you wish to adopt in this connection.

In other words, we are confronted with this situation; that, in effect, the Minister can abort the necessary operation of any department and the necessary adequate discussion of a capital expenditure by saying, "it is not included in what I intend to spend."

Now along that line, the hon. Provincial Treasurer says to us that the proper time to discuss that is during the Budget. But in point of fact, what if nothing is said in the Budget in connection with this and what if, in point of fact, we have already approved the estimates of the particular department by the time we get to a discussion of the Budget.



In point of fact it is *post facto*. In point of fact, what merit do the people of Ontario get after the fact, after we have approved the estimates of the department? If I might most respectfully, sir, I suggest that you should rule in favour of my colleague in this respect. Surely to goodness we cannot be confronted with the situation where a Minister can say, in effect, I am not going to spend any money on that and as a result you cannot even talk about that.

**Hon. J. P. Roberts** (Prime Minister): Mr. Chairman, I would like to inform the hon. members that—and the last member who spoke made a plea on the basis of being a newcomer to the House—that he is not in any way—nobody is being cut off from making suggestions as to what this government should or should not do.

**Mr. Bullbrook:** It was for my edification.

**Hon. Mr. Roberts:** We are voting a sum of money for a specific purpose, and we are not voting what that money might be used for but where it is going to be used, for the purpose of which it is in the budget.

Because that is the purpose of bringing before the Legislature a budget which is a list of the government's expenditures allocated for the purposes which the government considers to be necessary.

If you think that we should be spending some more money on some other form of GO transit, or some other equipment or something else in GO transit, you have every opportunity to say so—but not when you are being asked to consider the expenditure on this sum of money for this purpose. This is why the estimates are broken down as they are, into the various votes, so that you may see where the money is, in effect, being allocated.

Now, if you think that this money should not be spent here, why, you are free to say so, but we are not discussing in this case a future extension of GO transit. If you think this should be done, you have plenty of opportunity to say so. You may make this contribution at some other period.

**Mr. Bullbrook:** The hon. member was not talking about—

**Hon. Mr. Roberts:** Mr. Chairman, we have not continued the Budget debate, quite frankly, because there are not any speakers available to speak. It is on the order paper. I could call the order for the Budget debate at any time. But I have had no indication

from the Whips that there are any members of the House who wish to speak in that debate.

**Mr. MacDonald:** It has never been asked.

**Mr. Bullbrook:** On a point of order.

**Hon. Mr. Roberts:** I have asked for a list on several occasions.

**Mr. Bullbrook:** On a point of order.

**Hon. Mr. Roberts:** Now then, Mr. Chairman, I am still speaking to the point of order, if the hon. member will restrain himself.

**Mr. Bullbrook:** I did not raise a point of order initially, Mr. Chairman. On a point of order.

**Hon. Mr. Roberts:** I am speaking to a point of order in any event. So I think we have had a good long discussion about this point of order. My suggestion is that you make your ruling and we will see if the House abides by it.

**Mr. Nixon:** Mr. Chairman, we have had a good long discussion about the point of order, and surely the Premier, in listening to the debates on many of these votes over this session and previous sessions, realizes that when a general topic comes up on the expenditure of certain funds, it has never been the practice to tie it down specifically to each detailed item associated with the vote. It is in many ways a hook upon which reasonable discussion of the plans and procedures of the government can be placed.

The thought that the discussion has to be associated word for word with the funds and phrases under the vote is certainly a new idea indeed. The Chairman has never tried to channel the discussions on such a specific procedure as the Premier has put before you. I would say that we would very well have been able to have carried this vote in all probability in the last ten minutes, if the Provincial Treasurer had not raised this rather feeble point some 10 or 15 minutes ago.

**Mr. Chairman:** May I say to the member for Sarnia, your comparison between certain discussion in the previous vote regarding settlements and so on—and he pointed out that I had permitted these discussions under a vote which in his opinion should not have been permitted—to this I would say that the Chairman must necessarily be guided to a great extent by the Minister of the depart-

ment whose estimates are before the House. The Minister in this particular case agreed that the discussion at that time could probably be discussed under his vote 907, I believe it was. So the Chairman naturally permitted the discussion.

My recollection was that the member for York Centre and other persons had discussed this entire matter of the GO transit system previously. The words the member is using this evening are all familiar and have been discussed before. The Minister has pointed out that this particular vote includes certain specific things, none of which are included in the discussion of the member for York Centre.

I therefore rule that his comments in vote 911 are out of order.

**Mr. T. Reid:** May I speak to that point of order, Mr. Chairman?

**An hon. member:** No, you cannot.

**Mr. Deacon:** Mr. Chairman, regretfully I rise to appeal your ruling, because first of all I would feel that if this is not a point at which I can discuss capital expenditures for GO transit, there is no place that I can discuss in this debate any capital expenditures for it and if we are confining the debate—

**Hon. Mr. Grossman:** The Budget debate.

**Mr. Deacon:** —to the items that the Minister has included in his capital budget, and we have no opportunity to present facts and our ideas as to better ways of spending the money, then I feel this whole debate on the highways is quite futile.

**Mr. MacDonald:** Mr. Chairman, I would like to indicate that regretfully we will support the appeal of your ruling. Since I did not speak on the point of order, I would like to explain why.

You, Mr. Chairman, have indicated that you are acting on the guidance of the Minister, who has indicated that this vote covers certain specific things and nothing else, so I agree with the leader of the Opposition—if we are moving into a new policy or approach to estimates, if now the Minister's delineation of what is in the estimates is all we can debate—

**Mr. Trotter:** Right.

**Mr. MacDonald:** —and anything else in relation to the capital expenditure of GO, in effect is beyond our scope of debate at the present time, I think that is a narrowing of

our approach and I think it will frustrate reasonable debate.

For example, the hon. member for York Centre may feel that this expenditure of \$6 million is not the best capital expenditure at the present time and as a matter of fact, at this experimental stage in GO, I think we may be spending our time as usefully as we ever will in terms of discovering what is the most effective development of the GO transit system. We are contemplating expansion of the system and these proposals for the more efficient use of GO, the better increase of revenues for GO, are extremely relevant, particularly at this time, because this is going to establish a pattern which will be more broadly expanded throughout southern Ontario, and conceivably more than southern Ontario at some time.

But my main point, Mr. Chairman, and I repeat it, and then let the matter rest is that what in effect under the direction of the Minister you have indicated, is that we are now going to narrow all debates to what is specifically in the estimates, and anything else that is related to that estimate which has been debated for the last 13 years that I have been in this House, without any restriction, is now going to be excluded. In other words, this is an important new restriction on the approach to estimates, and I think it is going to be a narrowing and a frustrating one, therefore I will support the appeal of your ruling.

**Mr. Chairman:** Yes. Well, I will just say—

**Mr. White:** Mr. Chairman, speaking briefly, if I may, to the point of order, I think your ruling is quite right. I refer once again to May, page 736 on civil estimates. "The debate must be kept to the specific object of the grant." Now, sir, the specific object of the grant—

**Mr. MacDonald:** A new policy after 13 years.

**Mr. White:** —as the Minister said, is capital expenditure for GO transit. My learned friend from Victoria-Haliburton has informed me—

**Mr. Nixon:** Mr. Chairman, why are you listening to a point of order, when your ruling, made before the House, has been appealed? Surely that is what you should deal with.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, the only person to speak was myself and I explained why we are supporting the appeal.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. White:** It will only take me a minute.

**Mr. Chairman:** Order, please!

I have made my ruling and I permitted the member for York South to make certain comments. In view of that permission, I therefore permit the member for London South to make similar comments.

**Mr. White:** They will be very brief.

**Mr. T. Reid:** But he is the leader of a political party.

**Hon. Mr. Simonett:** Leader of a what?

**Mr. White:** The hon. member for Victoria-Haliburton (Mr. R. G. Hodgson) has reminded me that non-capital items were debated during the transport estimates under item 2207 for transportation planning. So there is ample opportunity to debate the non-capital matters and this certainly is not the item under which such a debate should come.

**Mr. Trotter:** What has this to do with GO transit?

**Mr. Chairman:** I just want to make one more comment, and that is that I have not tried to restrict debate in any of the votes before us. In fact, on any vote in committee there is a free-wheeling discussion and this I have tried to allow. However, in this particular case, the member for York Centre seemed to be reviewing the entire concept and manner of GO transit, which had been done before.

**Mr. Sopha:** Well, he is entitled to.

**Mr. Chairman:** And in my opinion he was straying much too far from vote 911. I have made my ruling and the members may challenge that ruling if they wish.

An hon. member: He has.

**Mr. Nixon:** Mr. Chairman, on behalf of my colleague, the official Opposition does challenge your ruling and we would ask you to put the—

**Mr. Singer:** No, you have got it. Put the question.

**Mr. Chairman:** All those in favour of the Chairman's ruling, will please say "aye".

Those opposed will please say "nay".

In my opinion the "ayes" have it.

Call in the members.

**Mr. Chairman:** All those in favour of the Chairman's ruling will please rise. All those opposed will please rise.

**Clerk of the House:** Mr. Chairman, the ayes are 45; the nays are 34.

**Mr. Chairman's ruling was upheld.**

**Mr. Chairman:** Vote 911.

**Mr. Deacon:** Mr. Chairman, I just wanted to summarize, and say that there is no more efficient way that I think the moneys of The Department of Highways are being expended around the Toronto area than in this matter of GO transit, for capital expenditures, that for a million or 1.5 million per mile on GO transit we can carry the equivalent of three Don Valley parkways, and it might therefore release more money to be expended in other areas of the province where roads desperately need attention.

**Mr. Chairman:** Vote 911?

**Mr. T. Reid:** Mr. Chairman, I understand that in vote 911—and I am sure that the Minister will correct me if I am incorrect—there is a grant to the CNR for trackage and platform capital construction. Is that correct Mr. Chairman?

**Hon. Mr. Gomme:** Mr. Chairman it is not a grant, it is payable on an account to the CNR for the portion of the improvement of the cost of the right of way, and there is nothing about platforms.

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** Mr. Chairman, when I raised in the earlier stage of the estimates, the question of the proposed cut-off on April 29, of the station at Lorne Park, the Minister indicated that the reason why this was being done, was that it would require a capital expenditure in tracks amounting to between \$4.5 million, and \$8.5 million to retain it; and therefore, Lorne Park was being telescoped with Clarkson. I listened to the Minister's explanation and told him, on the basis of the limited information that had come to my hand, it sounded somewhat persuasive, but that I would be back if those who were familiar with the subject were not persuaded,



and they were not persuaded—with a vengeance. Indeed such a storm arose, that even the local member, who is not with us tonight, had local meetings as a result of which he put a question to the Prime Minister, and the Prime Minister indicated that he was going to get The Department of Highways to review this whole situation.

My question to the Minister is: Has he completed the review, and if not, when does he propose to complete the review if it is going to be meaningful, since the cut-off takes place on April 29?

**Hon. Mr. Gomme:** Well, Mr. Chairman, the review still indicates that the answer that I gave the hon. member before is the one that we have decided upon.

**Hon. Mr. Roberts:** Mr. Chairman, just a minute, this report that I asked for is, I believe, in my office, I have not as yet had a chance to examine it, but I will do so immediately, because the time is getting short, as the hon. member has indicated.

**Mr. MacDonald:** Could I just repeat this, Mr. Chairman? Is the Prime Minister in fact intimating that he will speak to this point in the House—perhaps tomorrow in the House before the orders of the day?

**Hon. Mr. Roberts:** Well, I really was not intimating that, but I suppose I am quite prepared to say whatever the government's decision is in the House, it is because the matter was raised here. But I said, in answer to the question from the hon. member for Peel South, that I would ask for a review of the situation and this I have done. Naturally, the government will have to decide what it is going to do, and we will, of course, tell all concerned what our decision is.

**Mr. MacDonald:** Mr. Chairman, may I make my point briefly this way? Either the Minister, or the Prime Minister, I think should review their reasons. If the Prime Minister would do it tomorrow, I will not even bother putting the question before the orders of the day. If he requires the question, I will put it.

**Hon. Mr. Roberts:** I do not require it.

**Mr. MacDonald:** No, I do not think that you do require it, so leave that matter rest there.

**Mr. Chairman:** Vote 911?

**Mr. T. Reid:** Mr. Chairman, again a matter of clarification in vote 911. Is there an item there for the purchase of coaches?

**Hon. Mr. Gomme:** Mr. Chairman, I have repeated this at least three times since we started this.

**Mr. T. Reid:** Yes? I just wanted to make sure that I am on topic. The question that I would like to raise is as follows. There is a short preamble to it: the last train going east to the east end of Toronto, in which my riding is, leaves Union station at, I believe, 11:13 p.m. Now this is far too early for the enjoyment of anything going on downtown in the evening—

**Mr. Chairman:** We just voted on that.

**Mr. T. Reid:** Mr. Chairman, I believe that I am quite in order on this.

**Mr. Chairman:** No, you are not. This has nothing to do with vote 911.

**Mr. T. Reid:** I understood from your remarks, that I am sure will be verified in *Hansard*, that this vote does include an item for expenditures on additional coaches, and if that is so, Mr. Chairman—

**Mr. Chairman:** But not at any specific time.

**Mr. T. Reid:** The point is that unless I can give you some specific idea of what the problem is, Mr. Chairman, I cannot elaborate on the need for additional coaches than those the Minister has requested.

**Mr. Chairman:** Well, will the member relate the departure times to his argument on coaches?

**Mr. T. Reid:** Yes, Mr. Chairman, if you will leave me two more minutes, before you muzzle me, to make my point.

**Mr. Chairman:** I object, but I am considering it.

**Mr. T. Reid:** Mr. Chairman, the last train going east leaves Union station, I believe, at 11:13 p.m. Now this is far too early for the enjoyment of anything going on downtown in the evening, including the enjoyment of my time here. All theatres close late, especially this theatre, and most activities—

**Hon. Mr. Roberts:** On a point of order, I must object to this. If we want to stay here until 4 o'clock every morning; if we want to completely abuse the rules of the House; if we want to disregard the ruling of the Chairman that he has just made on the conduct of the business here, then we must accept what that is. But I just simply have to object to this line of attack.

There has been some question made here about changes in approach to the estimates. I think we are going to have to do something about the entire procedure as a result of what we have gone through in the estimates of this department, because at the rate we are going right now, we have to bring some order into the debate in this House, otherwise we are going to remain here. I am prepared to be here, right through July and August.

Interjections by hon. members.

Mr. Chairman: Order, please!

Hon. Mr. Robarts: Your ruling, Mr. Chairman, was upheld by the House. I think that it is a proper ruling, and I think that we must abide by it. If we do not abide by the rulings, we may kiss goodbye to all order in this chamber.

Mr. T. Reid: Mr. Chairman, I realize that you intended to give me two minutes, but the Prime Minister gave me 20 seconds before he tried to muzzle me. Now, my point is this—

Hon. Mr. Robarts: I am not trying to muzzle you.

Mr. T. Reid: My point is this: That on March 31, 1967—

Some hon. members: Out of order! Out of order!

Mr. Chairman: Order, please!

Mr. T. Reid: —almost one year ago, and here I would like to quote from the Minister's reports, "delivery had been taken of eight, 3,000-horsepower diesel locomotives, and 10 commuter coaches." That, sir, is in the Minister's report.

Also still "on the assembly line one year ago were 30 commuter coaches, and nine self-propelled cars." Again and the Minister should know these references.

What I was trying to do, sir, was to relate the demand for coaches, which I know quite well, being from the east end of Toronto, to the supply of coaches. My point was a very simple one—that the demand is much greater than the Minister has acknowledged in his reports, and which Mr. W. T. Howard, the manager of the government of Ontario transit, has relayed to me in five letters over the past four months.

I submit to you, Mr. Chairman, that this is very relevant. If I can prove or illustrate to the Minister, through you, sir, that the demand is much greater than his reports suggest, and Mr. Howard's letters to me suggest,

then he is basing his plans on faulty analysis, and I am making a valid point for the need for increased capital expenditures on coaches.

If the Prime Minister cannot understand demand and supply, I feel very sorry for the economy of this province.

May I continue, Mr. Chairman?

Mr. Chairman: Well, the member is trying to relate the fact that the number of coaches that are ordered, according to this estimate, are not adequate for the extension of the entire GO transit system.

Mr. T. Reid: Exactly!

Mr. Chairman: So the member is trying to point out the fact that the number of coaches provided for in this estimate are not sufficient—that the estimate should be increased. I must point out that there is no provision for anybody introducing a motion to increase the estimate.

Mr. T. Reid: Mr. Chairman, if I could—

Mr. S. Lewis (Scarborough West): He is not making any motion. That would be out of order.

Mr. Chairman: What is he trying to do?

Mr. MacDonald: He is trying to comment on the fact that the estimate is inadequate.

Mr. T. Reid: If you would let me suggest, sir, I am discussing the reallocation of the existing amounts in the budget, and if this is not relevant, sir, I will go back to my economics books and study a bit more.

Mr. Lewis: It is the reappropriation of estimates.

Mr. T. Reid: It is the reappropriation of estimates—thank you, my friend from Scarborough West.

Mr. Chairman, I assure you I am not trying to filibuster. I am simply trying to make a very short question, with a very short preamble, so the Minister might understand some of the complexities of his own department. May I continue, Mr. Chairman?

Mr. Chairman: No, the Minister has stated that the estimate includes provision for the purchase of 14 additional coaches to the present system. Now the Minister has also explained throughout the discussion and the debate that they have studied the whole system, they have taken heed of all the recommendations of various people, they have been to Detroit, they have been to Chicago, they have been all over the place—



**Mr. T. Reid:** They have not been to Scarborough East.

**Mr. Chairman:** This is pure nonsense, this is pure nonsense!

In my opinion any discussion along these lines is out of order, it is not under vote 911.

**Mr. Sopha:** Mr. Chairman, may I speak to a point of order? May I raise a point of order?

**Mr. Chairman:** Yes.

**Mr. Sopha:** We have heard a good deal of casuistry tonight about this. I make this simple point to you. If The Department of Highways or the Treasury board, or whoever it is that arranges these estimates, is indiscreet enough to put two votes in the estimates of The Department of Highways respecting GO transit, then I say that it is completely in order for any member in voting moneys under one of the votes to raise any matter in respect of GO transit, and he may do it in double-style fashion. We did not order the way the estimates are set up and if the Minister of Highways wanted GO transit to be discussed once he ought to have put it in one vote.

Now, the wording used, if you will follow me is "purchase of equipment, alteration to track and signal systems, etc." What a strange adjunctive to find in the vote, "etc.", so that presumably includes everything related to GO transit—

**Mr. Chairman:** Yes, well—

**Mr. Sopha:** And it is idle for the Prime Minister to get up and try to indulge us by separating our contributions into a neat parcel and category that we may only address ourselves to the way the money is being spent, and thus denegrating from any opportunity we have to make suggestions on behalf of the people of this province that the money might appropriately be spent in a better way.

Now, certainly if we were to abide by that we would be remiss in carrying out our responsibilities.

**Mr. Chairman:** All right, the member—

**Mr. Sopha:** Now, my friend from Scarborough East is saying in his remarks, if I judge them correctly, "I do not agree with your spending of \$7 million here and I am ready to propose on my responsibility a better allocation of it." Now what is wrong with that? It is up to the leader of the Opposition but if it requires questioning a ruling which we hesitate to do on every occasion, then we

would be putting aside our responsibilities if we did not, in insisting upon our right to make constructive, alternative suggestions toward the spending of public moneys.

**Mr. Nixon:** Mr. Chairman, if I might speak to the point of order? This is the second one that has been raised by the government and it is a pity that we have to spend endless hours discussing the government's points of order. I would draw to your attention, sir, that you have said that my hon. colleague is out of order because his proposal would entail increasing funds voted by the government.

**Mr. Chairman:** In part, in part!

**Mr. Nixon:** By the department. He is saying that the money is poorly allocated but he has made no motion that would go before the House that would, in fact, raise this fund and so surely what he has proposed is not out of order and I would ask you, sir, to give him an opportunity—I am sure that he would be able to complete his comments and ask the questions of the Minister in short order.

**Mr. Chairman:** I must say there is some area in which I have doubts as to whether there should have been two votes in this estimate as has been raised. However—

**Hon. Mr. MacNaughton:** Mr. Chairman, there must be two votes. You know that there are ordinary and capital expenditures. They must be separate.

**Mr. Chairman:** Of course. However, I believe that this has created previous discussions which in my opinion are repeated at this particular time and the rules of the House clearly indicate that repetition in debates on the estimates should not be tolerated at all, and all things that the member has said have been said before.

**Mr. MacDonald:** On a point of order, may I try to avoid a repetition of these difficulties, because heaven knows we are going to have enough to frustrate us. My suggestion is to revert to a proposal we have used in previous years—that you call the two estimates at the same time, on the maintenance and the capital expenditure if they deal with a specific subject, and then you are not faced with a Solomon's choice that you have to make as to whether it is a maintenance or whether it is a capital expenditure. I just draw it by way of a friendly suggestion for guidance in the future.

Interjections by hon. members.



**Mr. Chairman:** This is out of order, I say to the member. This has nothing to do with the point at issue at the moment. Is the Minister about to rise?

**Hon. Mr. Gomme:** If I might clear up the situation a little, I well remember when we had vote 906 you allowed the members every opportunity to discuss everything—railway operating costs—and we heard all the story about the double-deck coaches and the platforms, and we accepted certain recommendations, and when we come to this vote—

**Mr. Sopha:** But he is asking for \$7 million more.

**Hon. Mr. Gomme:** This is for capital and we have definitely stated what these two things are. The hon. member who spoke before referred to the number of coaches and probably—I do not know what he was going to come to, but I might inform the House that my information is that this is all the number of coaches that we can use on the train to expand the system under the present trackage that is available to us.

**Mr. T. Reid:** Mr. Chairman, I would like to thank the Minister very much because now I can continue with my remarks.

**Mr. Chairman:** If they are not out of order.

**Mr. T. Reid:** The Minister has said that the present number of coaches ordered as per his estimates is the maximum amount that the system can bear. I would like to have an opportunity tonight to come up with a constructive proposal, I believe, which shows that there can be an increase in the number of coaches to the east end of Toronto because his information is open to question.

An hon. member: So is yours.

**Mr. T. Reid:** How do you know, if I have not given it to you? Mr. Chairman, I would like to continue my remarks if I might, and I assure the Chairman and the government benches that I have no more than four minutes at the very most.

**Mr. Lewis:** Do you apologize.

**Mr. Chairman:** Order, please! I am permitting the member to proceed. As soon as I feel he is out of order I will rule him so.

**Mr. Sopha:** Well, do not wait in tense expectancy.

**Mr. T. Reid:** Mr. Chairman—

**Mr. Chairman:** He is waiting—I am waiting for him.

**Mr. T. Reid:** Mr. Chairman, the last train going east leaves Union station at 11:13 p.m.

An hon. member: You should have been on it.

**Mr. T. Reid:** Mr. Chairman, I will work on the assumption that the train has left.

Interjections by hon. members.

**Mr. T. Reid:** But there is a demand from people for later trains—okay?

Now, this question was raised by the Rev. M. M. Ulonska of Scarborough East in a letter to me which I forwarded to Mr. W. T. Howard, the manager of the government of Ontario transit system. Mr. Howard provided me, in his letter dated January 30, 1968, with the following information concerning the same point the Minister has raised. Mr. Howard said this, and it is only two or three sentences:

Certain limitations are placed on night schedules of GO trains because of availability of equipment. Inspection and maintenance must be done after the equipment comes out of service at night and be completed in time to return the equipment into service for the morning rush hour.

Now, Rev. Ulonska replied in a few sentences against this very easy dismissal of the need for additional services after 11:13 p.m. And he said this, this is the Rev. Ulonska, a minister in West Hill, he replied as follows:

I cannot understand why at least a two-car rail liner at midnight should tie up the nightly inspection and maintenance of all their equipment, especially if one realizes that a rail liner would not be used in the morning rush hours anyhow.

**Hon. Mr. Gomme:** Mr. Chairman, if I might be permitted just a short statement on this—although it is not in this vote—I am advised that there is a new train going on to the east at 12:13 starting next Sunday night.

Vote 911 agreed to.

**Hon. Mr. Grossman:** It is going to be called the "swingers' special".

**Mr. Chairman:** This completes the estimates of The Department of Highways.

**Mr. Sopha:** He decided about that train in the last ten minutes.

**Hon. Mr. Robarts** moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Mr. MacDonald: Mr. Chairman, before the motion is put, I rise on a point of order.

Last night, this House was treated to a vindictive and punitive effort — uncharacteristically, quite frankly — on the part of the Prime Minister, in which he thought he was going to finish the estimates and so he kept us here until 1.40 a.m. I think it was most unreasonable, most unintelligent and I venture the prediction that if that kind of thing is continued, we will get less done rather than more done.

However, if the Prime Minister is going to be fair about it, I think his Minister of Health should start his estimates now.

Interjections by hon. members.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

Mr. D. C. MacDonald (York South): Two sets of rules!

Hon. J. P. Robarts (Prime Minister): I never answer personal attacks in the House.

Mr. MacDonald: It is nothing personal, I was criticizing your decision.

Hon. Mr. Robarts: Mr. Speaker, tomorrow we will proceed with the estimates of The Department of Health.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:25 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Wednesday, April 24, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, APRIL 24, 1968

The House met today at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: In the east gallery, Oak Park junior high school, Toronto; and in the west gallery, George Vanier secondary school, Don Mills; Newtonbrook secondary school, Newtonbrook; and Bramalea secondary school, Bramalea.

Later this afternoon, at 3:30 p.m., in the east gallery, we will have students from Harrow district senior elementary school, Harrow; and then later, at 4:30 p.m., again in the east gallery, students from the high school of commerce, Windsor.

Petitions.

Presenting reports.

Motions.

**Mr. R. F. Nixon** (Leader of the Opposition), in the absence of **Mr. E. W. Sopha** (Sudbury), moves that the fees less the penalties in the actual cost of printing be remitted with respect to Bill Pr47, An Act respecting Laurentian University of Sudbury.

Motion agreed to.

Introduction of bills.

## THE DEPARTMENT OF AGRICULTURE AND FOOD ACT

**Hon. W. A. Stewart** (Minister of Agriculture and Food) moves first reading of bill intituled, An Act to amend The Department of Agriculture and Food Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Stewart:** Mr. Speaker, by way of explanation, this amendment simply provides for the formalization of the adverse weather assistance loan, granted last fall, which requires an amendment to the Act.

## THE JUDICATURE ACT

**Hon. A. A. Wishart** (Attorney General) moves first reading of bill intituled, An Act to amend The Judicature Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, this amendment is to provide changes in our procedures under our Judicature Act for the purpose of implementing the procedures laid on by the new Divorce Act (Canada).

**Mr. E. Sargent** (Grey-Bruce): Before my question, through you, Mr. Speaker, I would like to express the greetings of the House to the hon. member for Niagara Falls (Mr. Bukator) on my right, who is celebrating his 55th birthday today.

**Mr. Speaker:** The leader of the Opposition has the floor.

**Mr. Nixon:** Mr. Speaker, I have a question for the Premier.

Has Ontario reduced its budget for the hiring of summer student labour for the coming season, as reported in the *Globe and Mail*, April 24?

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, I looked at this report and I cannot say that it is being done by the provincial government. It says that the federal government is reducing expenditures in this area.

**Mr. Nixon:** And that the provinces have followed suit.

**Hon. Mr. Robarts:** The prime reason is the reduction in federal government spending. We have no budget which is allocated specifically to the employment of summer students, and I have had several questions in the House on this matter in the last few weeks.

I think the answers to those questions make it quite clear that we, as a government, are doing everything we can to insure what employment we have available for students will, of course, be there for them. Now we have no budget specifically allocated to summer employment and, therefore, we have no budget that could be reduced.



I can only say in answer to the question that we will do everything in our power to insure that we employ as many students as possible during the summer season.

**Mr. Nixon:** Might I ask the Premier if there is one particular Minister who has the responsibility of co-ordinating the efforts to expand this facility?

**Hon. Mr. Roberts:** No, of course not. As I pointed out some days ago, in answer to another question in this regard, there are a great many students employed by The Department of Education during the summer. There are a great many employed by The Department of Highways and there are a great many employed by The Department of Lands and Forests. There are three departments involved, but we do not have a separate department to look after summer employment of students.

**Mr. Speaker:** Yesterday, the member for High Park had a question for the Minister of Reform Institutions who had left before the end of the question period. Perhaps he would place it now.

**Mr. M. Shulman (High Park):** Thank you, Mr. Speaker.

In light of the incarceration of a mental incompetent on November 14, 1967, one Mario A., after being certified as mentally well by the Don jail physicians, does the Minister intend to change the present system of mental examinations?

**Hon. A. Grossman (Minister of Reform Institutions):** Mr. Speaker, I will take that question as notice.

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, a question to the Minister of Transport. Is the Minister planning a review of the province's system of demerit points leading to licence suspension, in view of the criticism of the system by police officers at the Ontario traffic conference this week?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, the Ontario demerit point system is designed to identify and correct unsatisfactory driving attitudes. If and when the Ontario traffic conference makes representations to me, you can be sure that they will receive very careful study and every consideration.

**Mr. Sargent:** Will the Minister answer a supplementary on this?

Mr. Speaker, in a quotation in the same conference by Hamilton inspector John Robinson objecting to the return of the indiscriminate use of enforcement by some police office departments, he said: "Some police departments treated motorists—"

**Mr. Speaker:** Order! This is not supplementary to the question on the demerit point system.

**Mr. Sargent:** Would the Minister advise the House if police officers are given a quota of how many motorists they must knock off in a given day? In the words of the *Hamilton Spectator*, he says—

**Mr. Speaker:** Order! If the member wishes to question the Minister—

**Mr. Sargent:** He cannot answer it until I tell him what I want to—

**Mr. Speaker:** Order! The member will take his seat. If the member wishes to ask questions about police enforcement in the province of Ontario, he will direct them to the Attorney General, the Minister responsible for that. Therefore that supplementary question is out of order, and if the member wishes to raise the point he will do so in the normal course tomorrow, through the Speaker's office.

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I have a—

**Mr. Speaker:** Order! The member has a further question. I am sorry, the Minister has left. He will be back. The member for Brantford has the floor.

**Mr. Makarchuk:** Thank you. Mr. Speaker, I have a question for the Minister of Highways. Is the department building any dumping stations to contain the waste from toilet holding tanks of travel trailers, pick-up campers, and tent trailers?

The second part of the question is, how many such dumping stations are in existence in Ontario now, or will be ready in time for vacation traffic?

**Hon. G. E. Comme (Minister of Highways):** Mr. Speaker, the answer to the first question is "no." To the second—since some of these, we understand, are located in service stations who are providing this service for the motoring public, we are meeting with the petroleum association so that any plans we may make will be consistent with theirs.

**Mr. Speaker:** Now the member for Grey-Bruce—sorry, a supplementary question?

**Mr. Makarchuk:** Will the Minister answer a supplementary question? In view of the fact that this has become a serious problem in the United States, can the Minister provide some assurance that a similar situation will not develop in Ontario? Also, will the Minister consider putting the location of the dumping stations in the road maps printed by his department?

**Hon. Mr. Gomme:** Mr. Speaker, I have answered the question in the first instance to say we are meeting with the petroleum association so that our plans might fit in with theirs.

**Mr. Makarchuk:** Mr. Speaker?

**Mr. Speaker:** The member is still pursuing the matter?

**Mr. Makarchuk:** Yes, he did not answer the latter part of the question. Will the Minister consider putting this information on the road maps printed by his department as to the location of these dumping stations?

**Hon. Mr. Gomme:** I think I did answer it, Mr. Speaker. When we know where they are going to be we will take it under consideration.

**Mr. Speaker:** Now the member for Grey-Bruce might please finish his questions.

**Mr. Sargent:** Thank you, Mr. Speaker. I have a question of the Minister of Health.

Is the Minister in a position to give a report to the House on the threatened withdrawal from the civil service association of Ontario of the 200 employees of Whitby Ontario Hospital?

**Hon. M. B. Dymond (Minister of Health):** No, Mr. Speaker, I am not. This is a matter of issue between the members of the civil service and their association and has nothing to do with the department whatsoever.

**Mr. Sargent:** May I ask a supplementary on this? This is a very serious situation. If they do go on strike—

**Mr. Speaker:** Order; order! The member will confine himself to a question. A question!

**Mr. Sargent:** Do you plan to intervene if they go on strike?

**Hon. Mr. Dymond:** Mr. Speaker, they will not go on strike.

**Mr. Speaker:** The member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I wonder if I could direct a question to the Minister of Labour? When will The Operating Engineers Act, 1965, which received Royal assent on April 14, 1965, be proclaimed?

**An hon. member:** That is a good question.

**Mr. Speaker:** Is the Minister of Labour ready to answer the question that was placed by the member for Peterborough? The question is: When will The Operating Engineers Act, 1965, which received Royal assent on April 14, 1965, be proclaimed?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, the department has been working with the labour-management board of review to develop mutually satisfactory regulations. I am pleased to say that this work is now nearing completion and I expect it will be possible to bring the Act into force in the next few months.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I have a question of the Minister of Health.

Can the Minister advise the House what response he has had from the International Nickel Company of Canada and Falconbridge Nickel Mine regarding his statement of October 13, 1967, as reported in the *Sudbury Star*, that both companies advise him within six months of their plans to effect a substantial reduction in sulphur dioxide emission?

If any plans have been received from either company, have any time limits been established for completion of the work with the installation of equipment designed to provide adequate control? If so, what is the time limit?

**Hon. Mr. Dymond:** Mr. Speaker, both companies have replied to our correspondence. Their replies and the proposals are presently being evaluated and assessed by the experts in my department. Until that has been done and the emission survey which is planned for the Sudbury-Copper Cliff area completed, it would be impossible to state what time limit will be placed upon them.

**An hon. member:** That is not very satisfactory.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I have a question for the hon. Prime Minister.

Can the Prime Minister tell the House when legislation will be introduced to provide French-language secondary schools within the framework of the public education system of Ontario in those areas of the province in which there are sufficient French-speaking students to warrant such schools, as indicated in the Speech from the Throne?

Is it the government's intention that such French-language secondary schools will be in operation by the beginning of the school year?

**Hon. Mr. Robarts:** Mr. Speaker, this legislation is presently under consideration by the government. I cannot say exactly when it will be introduced into the House, but there is a good deal of work going on, as I have said previously, by certain of the boards concerned. We are satisfied we are making progress in the establishment of these schools as indicated in the Speech from the Throne.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 50th order; House in committee of supply. Mr. A. E. Reuter in the chair.

#### ESTIMATES, THE DEPARTMENT OF HEALTH

**Hon. M. B. Dymond** (Minister of Health): Mr. Chairman, you will no doubt recall, sir, last year the format of the estimates of my department was changed somewhat. This change in format reflected the reorganization of the department and the present estimates parallel the format of last year with three exceptions.

There has been added the health insurance registration board represented by a new vote in the estimates, 808. Under this same vote, you will find transferred the estimates for the data processing branch which appeared elsewhere last year. Grants in this year's estimates have been allocated to appropriate sections of the department and this vote has been deleted as such. With these changes, the general format follows the pattern established last year.

Because of the number and diversity of the activities of The Department of Health it is, you will understand, quite impossible to touch on each branch. Attention will be given here to those involved in changing responsibilities, and hon. members will no doubt have many questions pertaining to all matters.

Under vote 801, departmental administration, will appear 18 items and in this state-

ment I propose to elaborate on the programme associated with only a few of these.

The Ontario council of health, which was established last year and which, you will recall, you were advised was to be the senior advisory body to the government of Ontario on health matters, has met in plenary sessions on three occasions and its committees and supporting subcommittees held 70 meetings. Through its committee structure, some 60 persons have been involved in the work of the council and through various subcommittees it is expected that the total number of active participants will alter from time to time, depending upon the need for special or particular study or information.

The involvement of a large number of persons in this kind of activity has two advantages: it makes effective use of the skills available to government, and results in a substantial number of people acquiring a close and intimate knowledge of provincial programmes, and therefore the objectives of government, through The Department of Health. The primary and more important committees working in the following fields are: health manpower; education of the health disciplines; regional organization of health services; physical resources; health research; health statistics; library services.

This year we anticipate that each committee will be presenting a substantial report on its activities during the present year, which will provide advice to government on the planning and development of health services in Ontario. We are looking forward with some anticipation, for example, to the report of the committee on health manpower. We expect this to be a major presentation to council at its May meeting and this will provide an analysis of health manpower, which is most important to the work of the other primary committees and the planned development of service, educational and research resources for the health field.

Similarly, we expect the committee on the education of the health disciplines to advise on the location and general arrangements for educational programmes. A common pattern for the regional organization of health services, taking into account other related services, will be proposed. The committee on health research is defining the province's role in health research. This, it is proposed, will be complementary to arrangements supported by the federal government and voluntary sources. The committee on health statistics will make proposals to close the gaps in our knowledge of essential information on health status and



services. The research and planning branch of the department is a multidiscipline organization which provides primary support and executive assistance to council. This branch has been expanded to keep pace with the very substantial programme which has been undertaken.

Provincial bursaries for medical, dental and other health services personnel have been increased for the next fiscal year by \$500,000. This increase, we submit, is necessary to ensure that adequately trained persons are available for new and expanded programmes for health resources in the province. The expansion of our health resources in which the bursary programme plays an important part is tending to reverse the "brain drain" as a substantial number of persons are being attracted from other countries and locations to Ontario. It is most satisfying to find that many are Canadians who, having left Canada, now wish to return.

Funds for health research show an increase in the estimates before you of \$1,321,000. A substantial part of these funds is allocated to the foundations and institutes associated with the department, but in addition, money will be available to permit the province to undertake health research in areas which are vital to the development of health services of high quality. Emphasis will be placed on operational research, which is the application of scientific methods of assessment to the administration, organization and procedures in our health arrangements. These studies will be designed to ensure the efficiency and effectiveness of these arrangements consistent with reasonable economy.

In the financial services branch, which is the second vote but is actually a part of general administration, during the latter part of 1967, the branch took the necessary steps for centralization of the accounting functions for the homes for special care programmes. Under the Canada assistance plan, the federal government will subsidize to the extent of 50 per cent, qualified expenditures in respect of persons placed in homes for special care.

At the present time, the accounting functions in connection with the homes for special care programme are still carried out by the business offices of the various Ontario hospitals and hospital schools. However, on April 1, 1968, the present decentralized accounting functions were consolidated into one single operation located in Toronto, and payments to nursing home operators and all others providing services will now be made from the central office.

The advisory services division of Treasury board has commended the establishment of the nucleus of a systems and procedures branch in the financial and administrative services division. Funds for this branch have been provided for in the 1968-69 estimates.

An increase of \$1 million is requested in the estimates for home care. You will recall that this is a shared programme with the Ontario hospital services commission and is designed to support the development of comprehensive home care programmes. These arrangements place an emphasis on the effective use of community resources and play an important role in decreasing the demand for hospital admission. It is our intention to stimulate the development of home care arrangements which have been carefully planned and developed to meet these objectives. More will be said of this under the hospital services vote.

The primary purpose of the local health services branch is to stimulate, guide and assist the progressive development of modern public health services across the province in close correlation with the needs for such services. The branch facilitates the delivery of provincial public health services to local health agencies and residents and provides consultative advice and assistance to local health agencies; promotes liaison and co-operation among agencies whose work affects the health of the public. It assists in the training of health personnel and development of public health research.

A measure of decentralization has been effected in this division during the current year by the establishment of the head office, located in Toronto, and the regional offices, located as follows: Northern—Toronto; south-western—London; midwestern—Hamilton; central—Toronto; and eastern—Kingston.

The basic staff in the head office and in each regional office comprises consultants in public health in the following areas: dental education, inspection, medical, nursing and supporting staff. The administrative head in each office is respectively the senior medical officer and the regional medical officer.

The local health services branch staff in the five regional offices will be augmented by the addition of engineers, nutritionists and veterinarians as consultants.

The primary objective of the local health services branch in 1967 was amalgamation of local health units and health departments into district units to promote improvement and delivery of modern public health services.

Based on exhaustive studies by a task force, it was recommended that the department establish 29 district health units in Ontario. Following review of this proposal by local officials and consideration of their comments, the department announced acceptance of the 29 district health unit boundaries. Fourteen district health units have been established and we anticipate adding at least four districts in the next two or three months. Fourteen of those district health units have been established and three more will be presently before the Lieutenant-Governor in council for approval. Consultations are going on steadily in respect of the others.

The 1967 Public Health Amendment Act and pursuant regulations provided for the payment of grants for all approved full-time public health services—25 per cent to single municipal health departments and 50 per cent to municipal health departments forming part of health units. These became effective April 1, 1967. A 75 per cent grant to establish district health units went into effect January 1, 1968.

Increasing emphasis is being placed on the role of the department in the development of province-wide programmes to insure adequate public health standards throughout Ontario. These programmes will be based on recommendations of task forces and of special committees, some of which had already been formed. All official local health agencies are included.

In October, reports of task forces and special committees and other reports were presented at a meeting of medical officers of health and chairmen of boards of health in Niagara Falls. The subjects covered preventive dentistry, tuberculosis control, school health, home care, family planning, health aspects of accidents, community mental health aftercare, immunizing agents, manpower resources, financing and other provincial programmes. The work of these groups has already proven to be of great benefit in the total public health programme.

There is no question that this will become steadily more important since it is becoming very evident that only in preventive health care can be found the most effective control of the rapidly escalating costs of treatment services.

The Air Pollution Control Act, with the exceptions of sections 12 and 13 which deal with automotive exhaust controls, was promulgated on October 26, 1967. On January 2, 1968, a general regulation became effective,

the primary function of which is to replace existing municipal air pollution bylaws. Specific regulations, dealing with specific classes of industry or particular subject matter are presently being drafted. The air pollution control service is responsible for the enforcement of the Act and regulations.

To carry out its greatly increased responsibilities, the service has been completely re-organized and is being greatly enlarged. The municipally operated air pollution control programme for Metropolitan Toronto was amalgamated with the provincial programme on January 2, 1968, and those for Hamilton, London and Peel county are to be incorporated during the present year. The increase in personnel caused by the integration of existing municipal organizations will bring the total complement for the service for 1967-68 to 85.

Supporting the service will be a 22-man air pollution laboratory section within the environmental health laboratories service. Work performed by the service during 1967 included approval of control installations for new industrial sources or for existing sources which are altered or modified; some 262 applications covering 347 major sources were processed. Visits to firms in connection with approvals totalled 323. Other direct measures taken, or underway, for the control of air pollution sources include:

1. Notification to motor vehicle manufacturers that, starting with the 1969 model year, automobiles must be equipped with exhaust emission controls.

2. Notification to certain industrial sources of air pollution, not previously subject to control, that abatement of their atmospheric emissions must be undertaken now.

3. Asphalt mixing plants in the province have been surveyed and control requirements will be promulgated shortly.

4. A study involving the meat-packing and allied industries is currently underway in the Keele-St. Clair area of Toronto, as the result of which control requirements to reduce odours will be made applicable across the province.

Complaints concerning 181 sources of air pollution were investigated. Assistance was given on 73 requests from municipalities. Financial assistance for support of local air pollution control programmes was given eight municipalities, totalling approximately \$150,000.

Air quality monitoring equipment, which will permit the continuous measurement of



sulphur dioxide, oxides of nitrogen, hydrocarbons, oxidants, and carbon monoxide, has been purchased by the service. This equipment forms the nucleus around which a province-wide sampling network will be built. A special 300-foot micro-meteorological tower has been erected in Metropolitan Toronto and a portable 100-foot tower purchased for use in specialized locations in the province. It is presently erected at Windsor.

In the vicinity of four new industrial operations where control equipment has been installed, air quality studies which were being carried out before installation, are being continued. These studies are being done in Atikokan, Guelph, Lambton county, and Port Robinson. Emission surveys and air quality studies have been undertaken at Sault Ste. Marie, Aurora and along the Niagara River. A similar study is scheduled to start in Welland in the immediate future. A co-operative air pollution monitoring programme is being carried out with the Peel county air pollution control agency.

Other studies are under way in the Grimsby and Humberstone township areas, and in the Windsor-St. Clair River valley. The latter study is in response to a recent air pollution reference to the international joint commission, with both the federal and Ontario governments participating. The federal role is one of documenting trans-boundary flow. The province is responsible for the documentation of ambient air quality, atmospheric emissions and meteorology. The study will include an investigation of the effects of air pollution on vegetation materials and human health.

In the Sudbury area, available information on vegetation injury and atmospheric levels of sulphur dioxide is being evaluated. The meteorological parameters are being determined so that the necessary equipment can be purchased. An emission survey of atmospheric pollutants will be undertaken during 1968. Fog formation to the west of Copper Cliff is presently being studied.

Seven applications for funds for air pollution research projects, and one for equipment to be used in graduate teaching, were approved, the total financial assistance amounting to approximately \$250,000.

Interjection by an hon. member.

**Mr. Chairman:** Order, order!

**Mr. E. W. Sopha (Sudbury):** All you have to do is go and look at it; it is a disgraceful

situation. They are studying it. All they ever do is study it.

**Mr. Chairman:** Order. I would think that the member should permit the Minister the courtesy of—

**Mr. Sopha:** Well, he provokes me—

**Mr. Chairman:** —permitting him to make his introductory remarks. Order.

**Hon. Mr. Dymond:** Mr. Chairman, ordinarily I could shout him down, but I am afraid that today my throat has got the better of me. However I will sit down until he is finished.

A great deal has been said, Mr. Chairman, about pollution and I think it quite right and reasonable to say more should have been done earlier. There may be some consolation in the knowledge that we are not alone in this respect, by any means. The important thing is that the job is being tackled now, not as one hon. member fears by "toothless legislation", and I quote, but in a positive manner.

Because there is much that is yet unknown about air pollution, fear and near hysteria are not uncommon among some likely to be affected, nor should this be surprising. All of us fear the unknown. But panic, sensationalism, misstatement, understatement, snap judgments, instant research and instant experts are not the answer or the solution. In my view, the opinions as expressed, for example, in *Modern Power and Engineering* of January 1968, give a far better understanding and more objective assessment of what we face and what we are doing.

One hon. member suggested that I refused to admit that I and my department had problems. Never was one so far off the mark. None knows better than we the problems we face, but each is a challenge which cannot be dealt with by turning our back or resigning as another hon. member suggested. There is only one way to deal with our problems, and that is to buckle down to them and seek solutions—controlling their effects as best we can while seeking and finding more permanent solutions.

**Mr. M. Shulman (High Park):** Why do you not carry out the methods of air pollution control already proven in other jurisdictions?

**Hon. Mr. Dymond:** I said that we did not need instant experts, Mr. Chairman.

Interjection by an hon. member.



**Mr. Chairman:** Order, please! There is a vote under this particular estimate in which—

Interjection by an hon. member.

**Mr. Chairman:** Order! The members may direct their remarks to the Minister when this vote is being considered.

**Mr. Sopha:** Do you know the debt that we owe to the CBC for calling public attention to that disgraceful situation?

**Mr. Chairman:** Order.

**Mr. Sopha:** They would not be doing a thing but for the CBC's intervention.

Interjections by hon. members.

**Mr. Chairman:** The members will have every opportunity to make their remarks when this particular vote comes up.

**Mr. Sopha:** This is just silly, listening to this provocative statement that he makes.

**Mr. Shulman:** What about the untrue statements he makes?

**Mr. Chairman:** Order!

**Mr. Sopha:** We have been the victims of half a century of wrong doing.

**Mr. Chairman:** The members can make their remarks—

**Mr. Sopha:** You talk about instant experts!

**Mr. Chairman:** I think that they should afford the Minister the courtesy of making his introductory remarks.

**Mr. Sopha:** He should not make provocative statements.

**Hon. Mr. Dymond:** What is it the apostle says in Hebrews? Not easily provoked?

It is encouraging to note that the province has been able to attract engineering staff of high quality to this programme. When The Air Pollution Control Act was presented to the House last year, I indicated to you a five-year programme for the planned development of control arrangements. We intend to adhere to this pattern, but I must emphasize that, if the staff are involved in too many isolated incidents, it will be difficult for them to attain the planned objective.

This is not to suggest that important incidents should be ignored, and matters of this sort will be dealt with on a current basis. However, we are receiving many requests of

a minor nature which do dissipate staff effort in a way which could adversely affect an orderly development of the control programme. The department will do its best to handle current situations, but, I repeat, a programme of this magnitude must proceed on an orderly and co-ordinated and planned basis.

The air pollution control service is to be expanded by the addition of 55 staff in our 1968-69 estimates, to bring the complement for this service to 140. The majority of these are required for work in the abatement section and in the approvals and criteria section.

In addition to the services provided locally for Metro Toronto, Hamilton, London and Peel county, regional and district offices will be established at Windsor, Sarnia, Welland, Sudbury, and the Lakehead.

A small automotive exhaust control section will also be established during 1968-69. An instrumented meteorological tower is planned for the Guelph-Kitchener area.

Two complete gaseous sampling stations and other specialized monitoring equipment will be put into operation in Metro Toronto, and a mobile sampling unit obtained for surveys in various localities. Three mobile sampling stations are planned for the automotive exhaust control programme. Regulations are being drafted governing the emission of pollutants by incinerators, automobiles, asphalt mixing plants and the rendering and meat-packing industry.

In the less than one year of operation of provincial licensing of nursing homes, very considerable progress has been made. The size of the task can be judged by the simile of comparing 8,000 nursing home beds, to legislating for sixteen 500-bed extended-care hospitals. It is recognized that nursing homes are not hospitals, but, in fact, an alternate place of residence; nevertheless the needs of these residents for supportive care, as well as board and lodging, indicate service requirements not far below other extended care institutions.

In every large enterprise, there are initial problems, and the nursing home programme is no exception. At the outset, it was recognized that a single piece of legislation is not easy to apply to a heterogeneous group of institutions. The variation in servicing and physical plant alone showed wide divergence of function and need, within the frameworks of urban, suburban and rural areas of the province.

Moreover, previous local nursing home legislation, or lack of it, together with the salient fact that nursing homes are over 90 per cent privately owned, all contributed to the difficulty of establishing a cohesive, smooth-working programme. Nevertheless, a good beginning has been made, and present indications show that the original forecast—namely, that the task might take at least three years, and possibly five years—is strongly supported by the present accumulated information.

Up-grading is being undertaken as a co-operative effort by the medical officers of health and the provincial Department of Health, the former performing the prime inspection service, and the latter giving consultation and supportive help. In this connection, the importance of fire safety must be noted. In drafting the legislation, the advice tendered by the fire marshal for Ontario was accepted, and incorporated in the legislation.

This placed the onus for providing fire safety inspection service on the provincial Department of Health, and the size of this task can be understood when not one home in ten had adequate fire safety equipment. Equipment alone will not provide fire safety; the need for training of nursing home staff is of prime importance, and plans for this education process are being established.

While there have been losses of nursing home beds to the community, these are being offset by new building. At the end of 1967, there were over 1,000 new beds presently building, or being built, in some 35 homes. Since more than half of these beds are in three large projects, the department is studying the optimum size of nursing homes with the result that a provisional figure of 200-bed maximum has been established, in line with homes for the aged practice.

As mentioned previously, attention is being given to the need to provide nursing home patients with structured broad rehabilitation programmes to prevent, insofar as is possible, any feelings of isolation and banishment from the community.

As far as the future of nursing home care is concerned, with an aging population—that is, over nine per cent aged 65 and over—some 700,000 persons in the province are potential consumers of nursing home services. From this basic figure, we believe a possible needs formula to be two nursing home beds per 1,000 of population.

The homes for special care programme continues to make satisfactory progress in placing in nursing and residential homes, category 4 and category 5 patients discharged from Ontario hospitals. By the end of February, 1968, 5,200 nursing care patients, and 1,200 residential home patients have been placed in the community since the inception of the programme.

There have been significant population movements and there were 350 deaths in the past year in this group. Returns to hospital during the year number 160, but most of these are temporary for restabilization. Discharges have increased to 80, but still remain disappointingly low. Many patients improve greatly when discharged and, therefore, more could go to their own homes if relatives felt able to accept them.

In the past six months, we have arranged with The Department of Social and Family Services to identify those homes for special care patients who, by virtue of indigence or other qualification, become eligible for assistance under federal-provincial cost-sharing welfare arrangements. Some 2,000 patients have been so identified to date, and there will, undoubtedly, be more.

I am pleased to report the marked progress made in the re-organization, and in the further advancement, of the provincial mental health programme. The mental health division is responsible for the planning, development and administration of the provincial mental health programme, the objectives of which are:

1. The appropriate distribution of services so that assistance will readily be available.
2. The provision of a full range of diagnostic and treatment services, offering a continuity of care through the use of in-patient, out-patient, and day care programmes, in each area of the province.
3. An adequate volume of services of a high standard.
4. The co-ordination of community, regional and provincial resources to achieve a properly balanced programme of prevention, diagnosis, treatment, and rehabilitation for the mentally ill and the retarded.

In recent years, an increasing number of local agencies have been encouraged to meet the need for additional services, and at the present time, there are approximately 90 facilities offering psychiatric services throughout the province. Included in this number are: 15 provincial hospitals for the mentally



ill; nine provincial facilities for the retarded; six community psychiatric hospitals; 41 general hospitals; and eight mental health clinics as well as a number of private hospitals and other types of facilities.

Because of additional resources within the division, it has been possible to initiate a number of new projects, each of which has a direct application to the stated objectives of the mental health programme.

Basic data pertaining to the current bed utilization for the care and treatment of the mentally ill and the retarded has been compiled. This information is being utilized in the preparation of master plans for the provision of services throughout the province in relation to anticipated population growth, and in the development of short-term and long-term plans for each of the provincial facilities. In the formulation of these plans, particular attention is given to population distribution, and to the co-ordination of related services.

Closer working relationships have been established within government and with outside bodies. A liaison committee has been established with the senior officers of the mental health and public health divisions to achieve a close collaboration in the further development of the respective programmes. This committee will continue to focus its attention on certain target areas, such as aftercare and school health services, in order to set guidelines for co-ordination of services at local and regional levels.

Closer working relationships have also been established with The Attorney General's Department in respect to the provision of psychiatric services to the courts in the examination of individuals charged with a capital offence.

A liaison committee has been established with the five professional associations identified with the field of mental health. This has provided an opportunity for the senior staff of the division to review the present programme with the representatives of these associations, and enlist their assistance and support in the further development of mental health services in Ontario.

A similar relationship has been established with the five professors and heads of departments of psychiatry at the universities in order to co-ordinate the further development of training programmes in relation to the service programmes.

The professional services branch has been particularly concerned with staff development and recruitment. A new curriculum for

training of hospital aides and attendants has been prepared and is in use. Negotiations are being carried on with the college of nurses in order to gain recognition of the training programme so that our graduates will be eligible for registration as nursing assistants.

In-service training programmes for supervisory staff are also being developed. Each of the consultants meets regularly with the heads of the corresponding department in the provincial facilities to promote the further development and application of their professional knowledge and skills.

Extensive advertising and recruitment programmes have been undertaken in Canada, the United States, and the United Kingdom. Continuing correspondence with individuals and contacts with professional groups are maintained in an effort to recruit staff for the programme. The staff of the branch maintain close contacts with the university centres to promote the development of clinical teaching, and to assist in arranging field placements.

The bursary programme for psychiatrists has been revised and extended, and bursary assistance is being provided to other professional groups.

All of these activities have been undertaken in an effort to raise standards of care. New projects to be undertaken in the coming year include studies of patterns of service within the community, in order to find ways of making more effective use of available resources and to direct more attention to preventive programmes. The potential of community colleges and technical institutes for training mental health personnel will be explored, and residency programmes developed in clinical psychology, psychiatric nursing, social work and activity therapies.

It is evident that widespread changes and re-organization are taking place in programmes of treatment and care, in staffing patterns, and in professional education. Every effort is being made to use, and to influence, these trends for the greatest possible benefit for the mentally ill patient and the community.

The hospital management services branch has also undertaken a number of special projects which are related to the administration and management of the provincial facilities in an effort to raise the standards and quality of care in this regard as well.

As a further step in the administrative re-organization of the provincial facilities, specific plans have been made to adopt a cost accounting system on a departmental



basis, and to establish more clearly, defined budget, accounting and cost control systems. By April, 1969, all provincial facilities will operate on the standard cost accounting system used by all general hospitals.

This standardization and uniformity will provide considerably more information, permit the development of standards applicable to all mental hospitals and the intelligent use of cost controls and comparisons and, I may add, Mr. Chairman, will prepare us to fit in to that day when under the just society, mental hospitals shall be brought within the framework officially of federal-sharing-in-total-hospital-care programmes.

Training and educational programmes have been undertaken for a wide range of hospital employees. Management seminars have been provided for senior administrative staff. Regular in-service training conferences are being held for senior management staff and department heads. Courses are being arranged in collaboration with the provincial institute of trades, and The Departments of Labour and Education for senior food preparation staff and apprenticeship training for butchers, bakers, cooks and other similar vocations. Staff are also being involved in courses offered by the Ontario and Canadian hospital associations for food supervisors, housekeepers, medical records technicians and clerks.

The branch has also been assisting the hospitals to prepare for accreditation by the Canadian council on hospital accreditation. One of our provincial hospitals was included in the three mental hospitals surveyed by the council last year, and achieved provisional accreditation. This was the first provincial mental hospital to be surveyed, and we are very pleased that the Lakeshore psychiatric hospital received this recognition.

I was most proud, Mr. Chairman, to have the opportunity, in company with one of the hon. members for that area, to visit the hospital and to officiate on the occasion of the official recognition of this achievement.

During the past year, the mental hospitals branch has been engaged in an extensive review of the clinical services and physical facilities at the 16 provincial hospitals. In carrying out this study, particular attention has been given to the supporting roles and relationships of other agencies and services. Continuing efforts will be made to achieve better co-ordination and utilization of all of the resources in the community, and in the region which the hospital serves. Special attention has been given to the development of services for children in accordance with the

government programme. Throughout the system, staffing patterns are being reviewed and studied to determine the most effective means of raising standards of clinical care. The unification of nursing services has been completed in most hospitals and is in process in the remainder.

During the past year, staff formerly identified with the rehabilitation branch have been integrated into the hospital programmes so that they will work more closely and effectively with all services in the hospital in assisting patients to return to the community. Industrial therapy programmes have been expanded, and the full range of programmes related to vocational and recreational activities are being re-organized under one department. A number of improvements have been made in hospital accommodation and facilities. The first phase in the new construction at the hospital in London is nearing completion, and the preliminary plans for the reconstruction of the hospital in Toronto are well advanced. The construction of the new hospital to serve northeastern Ontario is virtually complete and a number of senior staff have been appointed. The new block of retraining apartments at Penetanguishene was officially opened in October. Renovations have been carried out, and are in process in a number of the hospitals. Any major changes to be made in the building at any of the hospitals now, will be based on the master plans under development for that hospital and the region it serves.

Additional programmes for the treatment of alcoholism have been established within the mental hospitals in collaboration with the addiction research foundation, the government's agency in this area of service. The relationship and continuing liaison with local and provincial educational authorities, Mr. Chairman, is being strengthened to provide the necessary services for patients within the provincial hospitals, with particular reference to children and adolescents. Greater involvement and collaboration with public health agencies is evident within the hospitals and in the central administration of the programme. Public health nurses have been appointed to the staff of a number of hospitals to further strengthen the link between the hospitals and the public health services at local and regional levels. The guidelines prepared by the public health and mental health divisions in respect to aftercare have been circulated to assist those concerned in co-ordinating their efforts in this area of programming.

The activities of the mental retardation branch have been greatly strengthened by

the interdepartmental committee on mental retardation and the liaison committee with the Ontario association for the mentally retarded. Out of these co-operative and co-ordinated efforts, better services are developing and will develop still further. Within the provincial facilities, special attention is given to the multiple-handicapped child and to the seriously retarded, as well as to the needs of families for support and back-up assistance, particularly where children are being managed in their home.

The development of new services and training programmes has been pushed forward vigorously. With the assistance of The Department of Education, the number of teachers working within the facilities has been increased by 26 to a total of 127. Additional classrooms have been provided, and the number of children receiving classroom instruction has been raised by 16 per cent to approximately 1,200. The procedures for assessing the needs of the child and the family situation have been revised so that requests for institutional care can be handled more efficiently. A rating scale has been devised, and is being used to establish the urgency of the need for placement, and to identify those children who require prompt attention. The public health division has been particularly helpful in the development of a programme which makes use of staff of the local public health agency in assessing the family situation.

A new in-service training programme has been prepared for the staff providing day-to-day care, training and instruction for the retarded, for implementation this year. In the curriculum, emphasis is on child-care and child development principles. Provision has been made in the staffing of the branch for a co-ordinator of in-service training, who will work closely with the facilities in the introduction of the new training programme.

At November 30, 1967, there were 10,535 patients in the 15 provincial hospitals for the mentally ill, in comparison with 11,402 at this same date in 1966. The total population in the residential units of the hospitals has also shown a slight decrease from 2,657 to 2,624. The number of patients admitted during this 12-month interval was increased from 13,377 to 14,765 and the numbers of discharges from 13,604 to 14,979. During 1966, two psychiatric units were added to general hospitals for a total of 63 new psychiatric beds, and a further unit of 44 beds was added during 1967 for a total of such beds to 769. Admissions to these units totalled 8,690 and discharges were 8,645.

Five new out-patient services were opened in general hospitals during 1966, bringing the total number of facilities providing out-patient psychiatric services to 55. The community psychiatric hospitals provided 175 beds in 1965 and 381 in 1966. The number of admissions to these facilities rose from 1,013 to 1,392 and discharges increased from 1,003 to 1,287.

One new community psychiatric hospital was established in 1967 at Hamilton, and the new building for the expanded programme at the C. M. Hincks treatment centre in Toronto was completed. This facility offers extensive out-patient and day care services for children and adolescents, as well as 16 beds for in-patient diagnosis and treatment. The first stage in the construction of the new community psychiatric hospital in Windsor was completed, and the second stage was started. This work will be completed this year and provide 80 adult beds for the care and treatment of the mentally ill. Having completed the new buildings, renovations will be carried out in one of the existing buildings to accommodate the regional centre for children.

The total population of the provincial facilities for the retarded was 6,900 at November 30, 1967, as compared to 6,845 at the same date in 1966. This increase is accounted for by the expansion of programmes in some of the newer facilities, and there has been a reduction in the population at the hospital schools at Orillia and Smiths Falls. The number of admissions increased from 1,083 to 1,309 and discharges from 861 to 1,138 during this interval.

During 1967, the number of beds for the seriously handicapped in privately operated facilities was increased by the opening of a unit at the Ongwanada sanatorium in Kingston, and expansions of the programme at the Brantford and Fort William sanatoria. There are now approximately 550 beds for such children throughout the province, which are maintained by the government.

By the end of 1967, 5,745 persons had been discharged from our mental hospitals to homes for special care. This substantial movement of patients, with careful placements in selected homes, was achieved in a period of three years. It represents an important development of community services to provide a level of care required by a substantial number of persons who can be discharged from hospital and returned to a community setting. The province expects to make sub-



stantial claims against the Canada assistance plan for the support of this programme.

Significant advances have been made in the recruitment of professional and other staff to the provincial facilities during the past year. The advertising campaigns, recruitment efforts by staff, the introduction of contract employment, a new class series for psychiatrists, improved salaries, as well as the general recognition of the advancement of the programme in this province have all contributed to this change.

Full-time medical staff has increased to 206 at January 1, 1968. The number of psychologists and psychometrists has increased to 100, and social workers to 174. Occupational therapists and OT assistants had increased to 252. Ward staff increased by approximately 400.

The total allocation of positions for the hospitals for the mentally ill for the fiscal year 1967-68 was increased to 10,353 and for the facilities for the retarded to 4,474. The number of full-time staff employed within the mental hospitals at January 1, 1968, was 9,833 and in the facilities for the retarded, 4,236. In addition to the full-time staff, a number of professional staff are employed on a part-time basis.

At January 1, 1968, there were 107 psychiatrists enrolled in post-graduate training programmes at universities in Ontario. The number of trainees has been increased from 90 in the previous year. Bursary assistance is being provided to 50 psychiatrists in training, and an additional 21 are on the staff of the mental health division having been selected as career-line trainees.

The number of students enrolled in the occupational therapy assistants course was increased from 44 to 71 last year. Five hundred and thirty-one hospital aids in attendance completed their training in 1967. In addition to the bursaries provided for psychiatrists, bursaries were granted to four psychologists, 39 social workers, 11 nurses, one speech therapist and one teacher during 1967.

An increasing number of clinical studies and research projects are being carried on within the provincial facilities. All moneys from the federal and provincial governments for project research are administered by the Ontario mental health foundation. During the past five years that the foundation has taken the responsibility for co-ordinating and developing research activities, the number of projects supported through the foundation increased from 13 to 73 and the moneys

provided for this purpose from \$85,000 to \$782,000. The chairman of the Ontario mental health foundation has just recently advised me that no project was rejected because of lack of funds.

A short time ago the hon. member for High Park made reference to a specific instance of a hostess in the approved home programme. He stated—*Hansard* p. 514:

The week after I wrote, the Minister of Health had all of the patients removed from the Uberlah home—everyone." These were the actions of a mean, petty, small mentality.

There are some errors in the hon. member's submission, Mr. Chairman. First of all I categorically deny having the patients removed and the hon. member for High Park cannot produce anything to substantiate this claim.

**Mr. Shulman:** Your staff did it, try and deny that.

**Hon. Mr. Dymond:** Mr. Chairman, may I remind the hon. member again that he blamed me personally and I simply—

**Mr. Shulman:** You are responsible.

**Hon. Mr. Dymond:** Mr. Chairman, may I have the floor please?

**Mr. Shulman:** You cannot dodge that responsibility.

**Mr. Chairman:** Order, please.

**Hon. Mr. Dymond:** I do not think he would grasp the force of this, but I trust my staff and they know they must assume responsibilities. They do what they believe in their professional judgment is best for their patients. The medical director whose hospital achieved accreditation, a very much sought after achievement in the hospital field, is one of the most highly regarded men in our whole profession, and the hon. member's statement is a scurrilous attack on the professional reputation of a respected colleague.

Only one thing can flow from a review of this or like cases in this House. The persons involved here, Mr. and Mrs. Uberlah, are bound to be hurt. I have no desire to do this. I repeat, I respect and trust the good judgment of my staff in such matters. At no time am I consulted on such questions; I am advised, after the fact. I have not, in nearly ten years, had reason to change this procedure.

I might add that the decision to increase the *per diem* rates had been reached and was being processed before the hon. member wrote to me about it.



In the case of emotionally disturbed children, Mr. Chairman, the five departments identified with the government programme are proceeding with implementation of the programme described in the white paper tabled in the Legislature a year ago. These efforts are co-ordinated by an interdepartmental committee of senior technical officers representing each of the departments concerned. There has been continuing liaison with many groups identified with services for children at the local level, in order to review the programme and provide the guidance and direction required for co-ordinated action on a broad basis. These involvements have been productive in identifying problem areas, gaps and overlapping of efforts to provide services, and in enlisting the support and co-operation of those who work in this field.

The development of the regional centres is proceeding as quickly as facilities and staff can be provided.

Ottawa: This city has been providing an out-patient and day care programme for some time. An 18-bed in-patient unit was opened in July last year pending the construction of a new children's centre.

Kingston: An out-patient service has been in operation for many years. A 16-bed in-patient unit was opened in May of last year in a separate building completely renovated for this purpose.

Toronto: A new out-patient service has been established at Thistletown, a master plan prepared and submitted to increase the capacity of the Thistletown facilities to 160 beds. Renovations to the former Toronto psychiatric hospital are nearing completion and will enable the mental retardation centre to expand their programme to provide a total of 55 beds and an enlarged out-patient and day care service.

Hamilton: An out-patient and day care programme has been established as the first stage in the development of the regional centre and additional space made available to expand these services. Preliminary plans have been prepared for the construction of the new buildings.

London: Beds have been provided for 50 emotionally disturbed children and adolescents at CPRI. Approval has been given for the construction of three new cottages which will provide an additional 36 beds, and plans are now being prepared.

Windsor: An out-patient service is being provided at the community psychiatric hospital and the construction of the new

community psychiatric hospital is nearing completion. It will not be possible to establish the in-patient unit until the new addition to the general hospital has been completed, but I reiterate for emphasis, Mr. Chairman, an out-patient service is now being provided.

Sudbury: Out-patient services are being provided and an in-patient unit is under development.

Port Arthur: Out-patient services are being provided and the in-patient service in the diagnostic and assessment unit will be expanded as soon as additional professional staff are available.

Special liaison personnel have been assigned to the eight regional centres by each of the departments. Of the 32 such positions, only four assignments remain to be made. These vacancies are due to the fact that staff with the necessary qualifications are not available, and the positions will be filled as soon as possible. At the present time the regional centres provide approximately 450 beds. The present plans call for an expansion of these facilities to 850 beds. Since several of the expansion programmes involve new construction, it will take some time to reach this objective.

Additional services primarily for adolescents, and representing approximately 400 beds, have been identified for development in Ontario hospitals and community psychiatric hospitals. Some of these programmes are already in operation, for example at the Lakeshore psychiatric hospital and the Ontario Hospital, Hamilton. A task force of child psychiatrists has been established to assist those responsible for these programmes in development of their clinical services as quickly as possible.

An expert and technical committee has been established in relation to each of the eight regional centres. These committees consist of the regional medical officer of health who is the chairman, the director of the regional centre, and the four special liaison officers assigned to the regional centre by the other department of government. The purpose and function of the committees is to provide expert and technical advice and assistance to communities in the development of co-ordinated programmes for children. A number of communities have requested such assistance, and have been advised of the resources available to them through the expert and technical committees. The local medical officer of health is a key person in the co-ordination of mental health services

for children, as in other aspects of local health services.

Priority has been given to programmes for children in supporting the development and expansion of mental health services in the community. A new diagnostic and assessment centre has been established in Ottawa. An out-patient service opened in Niagara Falls. A new pilot project directed to primary prevention was undertaken in the Muskoka region. The children's clinic reopened in Oshawa. The clinic in Hamilton expanded. The new C. M. Hincks treatment centre opened in Toronto, as already stated. The diagnostic and assessment service at the Metropolitan Toronto juvenile and family court was re-organized and placed under the direction and supervision of the Clarke institute of psychiatry.

While we are sensitive to the present need for residential placements we are even more anxious to provide facilities for early diagnosis and treatment for these children in an effort to avoid the necessity of removing them from their home and community for a lengthy period of residential care.

The number of child care workers in training at the Thistletown hospital has been increased to 130 and additional space provided for this function. Additional training programmes have been established at CPRI in London, the Lakeshore psychiatric hospital, and in Ottawa. Two community colleges are now providing courses for child care workers. A committee has been established in collaboration with The Department of Education to co-ordinate the further development of training centres for child care workers and to relate the training programmes to the standards established at Thistletown and adhered to by all provincial facilities offering such courses of instruction.

Standards for accreditation have been prepared and were distributed in November. Because of the need for residential placements, first attention was directed to those facilities offering treatment services by a local agency under schedule 4 of The Children's Institutions Act. Copies of the standards and the accreditation manual have been provided to other facilities on request. Five facilities have been inspected and one more inspection has been arranged. In several instances we are waiting for the facility to complete and return the survey manual. Those facilities which achieve full or provisional accreditation as a treatment centre will come under the jurisdiction of The

Department of Health and will be listed under schedule 4 of The Mental Health Act. Under the provisions of this Act and regulations financial assistance will be provided to the facility to cover the net allowance operating costs so that an individual parent or guardian will not be required to pay for the services provided to his or her child.

The other departments participating in the programme are developing similar methods for establishing appropriate standards for those facilities operating under their jurisdiction and comparable financial arrangements.

All the regulations required to bring the new Mental Health Act into force have been made, filed and published. Much discussion has been had with various groups who will be using the provisions of the new Act to help them become familiar with the changes that are being introduced. These discussions have been valuable and have met with favourable response.

It had been hoped that the new Act would have been operative by this time, but the preparation of regulations and the printing of the new forms to be used have been very large tasks. It was deemed better to take the time necessary to familiarize everyone concerned with the regulations, and with our aims and objectives, rather than to rush the legislation into operation before this had been done. As soon as the required forms are available, and they are now available, sample kits will go forward to all who are likely to be using them. Every effort will be made to insure that doctors, hospitals and any others relevant are fully familiar with every aspect of the new Act. We anticipate this can be accomplished by June 1, and we would look to the proclamation of the Act and its becoming effective on that date.

Many improvements and procedural changes occurred in the administration of the medical services insurance plan during 1967 and these will continue to be reflected in the fiscal year 1968-69. The highlights of these achievements were reflected particularly in the following areas.

As a result of OMSIP, just over 95 per cent of Ontario's population as of December 31, 1966, is believed to enjoy medical services insurance coverage. OMSIP's enrollment continued to grow and, by the end of 1967, an estimated 2,000,000 people, or almost 30 per cent of Ontario's population were covered under the plan. Of this total, just over 50 per cent were in receipt of some form of premium assistance.



The breakdown of OMSIP's coverage is as follows:

Social assistance recipients and eligible dependents .....	373,000
Fully assisted .....	536,000
Partially assisted .....	151,000
Full premium paying .....	940,000
Total .....	2,000,000

Temporary assistance—110,000—persons receiving temporary premium assistance, but whose regular contract would be included in the full-premium-paying or partially assisted categories.

The completion of the transfer of PSI pay-direct subscribers to OMSIP was realized by the end of 1967. 108,000 former PSI pay-direct contract holders are now covered by OMSIP, effective January 1, 1968. As of January 1, 1968, OMSIP offers group medical insurance coverage through the health insurance registration board. Many groups previously too small to qualify for coverage by private companies are eligible under this new provision. The minimum size of groups is six persons, much smaller than usually required for group coverage by private companies. And there is provision for "collectors' groups", an innovation for medical insurance in this province.

The latest figures recorded on the computer subscriber file indicate:

Groups .....	130
Persons covered .....	5,500

An extension of benefits is being proposed in an amendment to The Medical Services Insurance Act to include refraction services provided by optometrists as well as by physicians. It will be proposed that the section of the Act dealing with "examination of the eyes by refraction" be deleted and ocular-visual assessments when carried out by optometrists or non-specialist physicians will be included in the extended programme.

Steady improvement in the claims payment operation was made during 1967. New systems were introduced, including a method of cyclical payment to physicians. Staff was rigorously trained and re-trained. The processing time for an average claim was reduced to approximately three weeks. But unusual claims are still difficult to handle and are inevitably delayed.

The number of claims received, processed and paid by OMSIP in 1967 is as follows:

Total claims submitted in 1967 .....	4,251,945
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Total claims processed in 1967 .....	4,162,270
Total claims paid in 1967 .....	4,078,147
Total claims returned for insufficient information .....	89,675

An active information campaign was conducted in 1967 to inform physicians and subscribers as to the basic requirements of accurate claims filing. This campaign included direct-mailing to all subscribers, which tied in with television, radio, and newspaper advertisements. The proportions of payment of claims is as follows:

Claims paid directly to the physician .....	80 per cent
Claims paid to the subscriber, submitted by the doctor on a claim card .....	7 per cent
Claims paid to the subscriber, submitted by the subscriber as a letterhead account ....	13 per cent

The hon. leader of the Opposition (Mr. Nixon) suggested the two health insurance programmes be brought together. You see, sir, that this is an excellent suggestion. You will recall when at the last session of the Legislature, the health insurance registration board was established, it was for this purpose. If you will permit me to quote a statement at that time:

It will permit a maximum integration of hospital and medical services insurance, and establish a mechanism which can be extended to other health insurance arrangements sponsored by government. At the same time, it envisages the retention of the services and programme components in the Ontario hospital services commission and the medical services insurance division.

This retention is required for many reasons but the fundamental principle set forth in the first sentence is not offended or transgressed in any way. It is the intention of government to integrate these programmes as quickly and fully as possible.

The health insurance registration board acts as insurer for both the medical services insurance plan and the Ontario hospital services commission. Under the terms of The Health Insurance Registration Board Act, 1967, it has the function and power:

a. To establish and administer a system to provide for the enrolment and entitlement of persons to coverage for insured services under The Hospital Services Insurance Act and The Medical Services Insurance Act, 1965, including the collection of premiums and the determination of eligibility.

b. To maintain a central registry and records for insured persons under The Hos-



pital Services Commission Act and The Medical Services Insurance Act, 1965.

The board began to function in this capacity at the beginning of 1968, and is the prime *interface* with the public on health insurance matters. This integration of the insurance aspects of the two programmes is leading to a more effective management of health insurance arrangements in the province, and provides a vehicle which can be used for any extension of health insurance in the future.

At the same time, it recognizes that the Ontario hospital services commission has an important programme in the development and the maintenance of a hospital system for the province. Similarly, medical services insurance is concerned with personal health care arrangements and, in this way, both agencies have important programmes to manage.

As mentioned at the start of this presentation, the health data centre has been placed with the board, as the computer requirements for the two operational programmes constitute a substantial part of the work of such a centre. However, it should be recognized that the health data centre has a two-fold responsibility. An information system must be provided which serves the functions of enrolment, eligibility, billing and claims payment for health insurance and, at the same time, collects meaningful data which can be utilized in an evaluation of the health insurance programme. Second, systems engineering, programme design and data processing must be made available to assist other organizations within the department such as air pollution control, research and planning branch, mental health division, Ontario provincial laboratories, general and psychiatric hospitals and others concerned with the total spectrum of health services in the province. This health data centre will be the focal point for a health statistical system, and through the development of this system, Ontario plans to have one of the most advanced health information centres in the world.

One of the advantages of the health insurance registration board is that the pattern for handling enquiries from the public is being dealt with in an efficient and expeditious manner. This was one of the major problem areas associated with the development of OMSIP—and those who were in this House at the time OHSC came into operation will remember we had the same problems with it—and the new set-up is demonstrating a greatly improved ability in this regard. As an indication of the magnitude of the prob-

lem, the health insurance registration board receives 7,500 written, and 11,000 telephone inquiries each week. Answers are required for all of these and a substantial proportion require investigation before the answer can be provided. We are trying to ensure in the future that inquiries will be answered within one week or, where investigation is involved, a definitive reply will be provided in three weeks. This is a difficult objective to achieve, but I am assured by my staff that it will be accomplished in most instances.

The story of Ontario hospital insurance, since it was launched on January 1, 1959, is one of increasing service and peace of mind for the people of Ontario, but it is also one of rising costs and greater use of hospital services. Never, in the history of the province, has necessary hospital care been as readily available to the people from the standpoint of finance. In just over nine years, millions of patients have received benefits amounting to over \$2.5 billion.

A number of factors have combined to greatly increase the cost of the plan and the upward trend is expected to continue for a number of years to come. The main items bringing about the increases are:

1. The increased costs to hospitals for salaries, wages, and practically everything else they must buy;
2. The availability of more hospital beds and greater use of hospitals by the general public;
3. Improved medical techniques requiring more complex hospital diagnostic and treatment services; and
4. The increased number of insured persons, and a broadening of the range of services insured under the plan.

Along with the higher costs, however, has come a better hospital product. The rapid progress medical science is making has added to the cost, but it has also enhanced the patient's prospects for recovery to good health. Modern hospitals now offer their patients the lifesaving benefits of such scientific advances as: intensive care and special coronary care units; kidney dialysis machines; sophisticated X-ray; laboratory and electronic equipment; and many other wonder-working facilities. These have made modern hospital care very much superior to the kind of care that was available a decade or two ago.

In its first nine years of operation, the total cost of the Ontario hospital insurance plan increased from \$223 million in 1959 to an

estimated \$612 million in 1967. The cost forecast for 1968 is \$744 million. On the average, OHSC administration accounts for less than 2 per cent of the total cost of the plan. About 75 per cent of commission payments to hospitals cover the salaries, wages and fringe benefits received by hospital employees.

In 1959, the average cost to the commission for each day of insured care in general hospitals was \$16.16. The estimated daily cost in 1967 is \$32.81, a little more than double the 1959 cost. The cost per day in 1968 is expected to average \$37.35, and if the present trend continues, the cost in 1970 will be over \$46 a day.

The estimated number of persons insured at December 31, 1967, was 7,149,000 which represented approximately 99.2 per cent of the eligible population of Ontario—based on population estimates of the Dominion bureau of statistics at June 1, 1967, and adjusted for growth to the year end.

As is well known, the insurance plan in Ontario is financed by premiums and contributions from the federal and provincial governments. Of the total estimated cost of some \$612 million in 1967, \$190 million was provided by the provincial government—approximately one third of the total—\$157 million was provided through premiums, and \$226 million was provided by the federal government. The remaining \$39 million is accounted for by additional capital construction support provided by the government of Ontario.

There is still existing much misunderstanding concerning the cost of care in mental and tuberculosis hospitals. From the beginning of the plan in Ontario, this has been an integral part of our programme, and since the federal government has steadfastly refused to recognize this and to participate in it, as legitimate hospital care costs, the government of Ontario has financed it wholly out of provincial moneys.

I must re-emphasize that this is an integral part of the hospital care insurance programme in Ontario, and no matter whether it had been done prior to the inception of the plan or not, it is still an important phase of our operation. I would point out there were other services provided out of provincial funds prior to the inception of the hospital programme—these, too, have been included in the plan and accepted as part of the provincial contribution.

The cost of hospital services covered by OHSC, the special grants, mental and tuberculosis care in 1968, will reach approximately \$744 million, of which the province

of Ontario will assume liability for approximately \$250 million.

The provincial government has, since 1947, been paying grants towards the cost of public hospital construction and renovation programmes. To the end of 1968, the amount paid in these grants will be approximately \$222 million, and as an additional spur to hospital construction, a further estimated \$100 million will also have been provided hospitals in the form of low cost loans to help them finance their capital programmes. This is in keeping with the province's policy of financial assistance to hospital boards to the extent of two thirds of the approved cost of construction and equipping new and renovation projects. The federal government has contributed \$96 million for capital purposes to hospitals in Ontario in the period 1947 to 1967.

Increasing costs for hospital care are not new, nor are they confined to the province of Ontario. Ever since World War II, the science of medicine has been introducing many important discoveries and improvements, and as the economy in Canada and the United States has taken an upward trend, hospitals have had to cope with greater costs.

It was anticipated that, by this time, there would be a "levelling off" in the rate of salary increases but the general inflationary trend in the province's economy has resulted in a continuing sharp annual increase in hospital pay rates. In addition, the greater complexity of hospital service has made it necessary for hospitals to employ more staff per day of patient care than in the past. Public hospitals now have 18 per cent more staff on a day of care basis than they had in 1959.

Prior to this, hospital employees had very few of the fringe benefits to which they were entitled and which were enjoyed by other persons employed throughout the province. Today, they have an industry-wide contributory pension plan, a group life insurance plan and the majority of hospitals pay two-thirds of their hospital and medical insurance premiums. These fringe benefits amounted to an estimated \$18 million last year as compared with \$3.3 million in 1959.

Non-salary items—the food, drugs, medical and office supplies, light, heat, power, and so on—that a hospital uses in the treatment of patients and in its administration, also cost more year-by-year. These items account for some 25 per cent of insured hospital operating costs.

Between 1959 and 1967, the number of hospital beds in Ontario increased from 35,870



to 46,880. This brought the number of beds per thousand to 6.5 at the end of 1967. The availability of more beds on a per capita basis has contributed to an increase in the number of days of hospital care used annually by each 1,000 insured residents. Whereas in 1959, insured persons used 1,767 days of care, the same number used an estimated 1,987 hospital days in 1967. Each day-per-thousand increase at 1968 costs, adds approximately \$260,000 to the cost of the insurance plan.

The bed situation in Toronto is now greatly improved. At December 31, 1967, there were 13,483 beds. It is expected that by the end of this calendar year, there will be 14,766 beds. It is most encouraging to have reported to me by the Metropolitan Toronto hospital planning council, and I quote:

There are sufficient active treatment beds available or in approved planning stages to meet the needs in Metropolitan Toronto for the next seven to nine years.

Indication that the hospital is becoming more and more the centre of community health is found in the fact that the number of out-patient visits and treatments recorded in 1967 was an estimated 87 per cent greater than the number recorded in 1963.

While many out-patient services are of a relatively minor nature in hospitals where adequate facilities are available, it is often possible to provide treatment on an out-patient basis which would otherwise require admission as an in-patient. This contributes to a more efficient use of hospital beds.

Much of the increase in the use of hospital out-patient facilities can be attributed to the widening group of services provided as benefits under the plan over the years, as well as another growing trend to turn to the hospital for treatment in an emergency health situation.

Much study is being given constantly to ways and means of controlling steadily rising costs. Since a large part of the hospital costs is absorbed in staff salaries and wages, relatively little remains in the controllable bracket. Certain indicators, however, are coming out of our studies, which suggest that there are possible avenues of savings. Among these are:

Over the past few years, the commission has been developing and promoting the concept of regionalization of hospital services. The main objectives of this programme are:

a. To meet hospital needs of the community as a whole by making necessary beds and

services available to provide high quality care where it is needed;

b. To eliminate unnecessary duplication of beds and services;

c. To permit maximum utilization of professional and technical personnel; and

d. To achieve these with the greatest economy of financial resources.

Thus, in any good system of regional planning for the province as a whole, it is necessary to develop a framework into which existing rural, urban, and metropolitan patterns of hospitalization can fit themselves. Only in this way, will it be possible to develop a cohesive unit and deal with the requests quickly and thoroughly.

Central heating will be utilized wherever possible.

The two central laundries in Toronto will be ready to operate this year. Completion date for the Booth Avenue laundry limited is July 1, 1968. It will initially serve five hospitals downtown.

The Centennial hospital laundry services incorporated has a completion date of May 30, 1968. This will serve ten hospitals, in the periphery of Metropolitan Toronto. In certain other areas of the province, central laundries are being planned, or are under construction, to serve the hospitals in a more efficient and less costly manner.

Our proposal to seek negotiated prices for drugs used in hospitals, and related institutions, should provide quite substantial savings and will, we hope, give us some experience to seek similar economies in other fields where central purchasing would be possible.

A pilot project has been authorized which can be developed into the first central computer facilities for hospitals in Ontario. The hospital for sick children has been approved as the initial site for developing systems, locating the computer equipment and training technical personnel.

As the various hospital applications are automated and the systems become operational, the computer programmes will be ready for use in other central computer installations which may be established in various centres throughout the province. In this way, development, programming, and operational costs can be kept to a minimum with eventual benefits to a maximum number of hospitals.

Out-patient services have, over the years been extended to cover follow-up treatment of fractures; hospital services for procedures which normally would make it necessary for



the patient to be admitted; physiotherapy, occupational therapy and speech therapy and radiotherapy.

Out-of-hospital benefits cover prescribed physiotherapy as a course of treatment in privately owned facilities and organized home care. Organized home care plans are now functioning in nine centres across the province; approval or approval-in-principle has been given to three more, and a further six programmes are actively engaged in organizational planning. In this fiscal year, the cost of functioning home care plans is estimated at \$1.7 million and this is borne on a 50-50 basis by OHSC and The Department of Health. Private physiotherapy services currently cost the plan about \$2.5 million a year.

The OHSC plans as of July 1, 1968, will include, as insured hospital services, a number of out-patient services not presently covered by the hospital plan. This extension will close the gap between the commission's present out-patient benefits and those services which are normally covered by OMSIP, and related contracts. These will include the use of a substantial list of care facilities and special equipment available at the hospitals which may be utilized by physicians for necessary treatment on an out-patient basis. It is anticipated that this important addition to the hospital insurance programme will contribute to a more effective use of the specialized facilities in the modern hospitals of our province, as patients will no longer have to occupy bed facilities to obtain these services through their insurance programmes.

Residents of the province holding hospital insurance coverage through the hospital programme of the OHSC, and the Ontario medical insurance plan should not, after July 1, 1968, be required to make a payment at the time service is provided at the hospital, for facilities of the hospital deemed necessary by their physicians for their treatment.

Diagnostic radiological examinations and clinical laboratory tests—other than as now covered under emergency benefits and in follow-up treatment of fractures—which are listed as OMSIP insured benefits, will not be covered by the hospital plan; neither will the plan pay for drugs taken home by the patient. It is expected that the cost to the commission for the additional insured services, on an out-patient basis, will be around \$7 million in the first year.

Also effective July 1, 1968, responsibility for administering ambulance services in the province will be transferred from The Depart-

ment of Health to the Ontario hospital services commission. The emergency health services of the department, which has been developing and administering the programme since passage of the present Ambulance Services Act, will be transferred to the commission which will take responsibility for all the programmes of the emergency health service. After July 1, municipal contributions to the support of ambulance operations will no longer be required.

Since this now will be an insured service, the financing of essential ambulance services will be channelled through the Ontario hospital services commission through direct agreements with ambulance operators, similar to those which are currently in effect between the Minister of Health and operators as part of county and district programmes. Support arrangements will be limited to essential ambulance services.

As in the case of hospital charges, the Ontario hospital services commission rate board will be deeply involved in the determination of charges for ambulance services. A patient-participation fee will be established. This will amount to about 25 per cent of the scheduled rate for the particular service supplied, up to a stated maximum, so that no insured person will be required to pay any more than this maximum amount for long distance travel by ambulance.

Ambulance services will be closely identified with the hospital system, and an organized pattern will be developed to ensure an efficient, effective and economic service. The first year's ambulance service cost to the commission will be about \$9 million.

For the first time in our history, the number of nurses newly registered in Ontario during 1967 exceeded 5,000 in number. Newly registered nursing assistants numbered 1,790. There were 54,500 registered nurses in the province in 1967, and 14,011 registered nursing assistants. For the 38,313 rated beds in public general hospitals, there were 35,440 nursing care staff.

In the matter of salaries, between 30 to 35 per cent of the total cost of hospital services in Ontario is paid to personnel in the nursing department. This is half of the total salary and wage bill for hospitals.

The salary ranges for registered nurses in hospitals have again substantially increased from 1967-1968. Since the inception of the plan, the basic rate paid to registered general duty nurses has increased \$210 per month, or 89 per cent and the 1968 minimum is

\$445 per month. Under the 1968 schedule of rates, a newly graduated and registered nurse is paid \$5,340 a year, which rises in five years to a maximum of \$6,420. This compares with the minimum in 1961 for a general duty staff nurse of \$3,420 per annum and the maximum in the same year, \$3,900 per year.

In addition, as was announced last year, encouragement has been given to nurses to obtain higher standing at the present, particularly in university preparation. In recognition of the completion of the Canadian hospital association course in nursing administration, they allow an additional salary up to \$15 per month.

In recognition of the university diploma course of eight months' duration up to \$25 per month. In recognition of the baccalaureate degree in nursing up to \$50 per month. In recognition of the master's degree in nursing, up to \$80 per month.

And we are very busily engaged at the present time, through the subcommittee of the Ontario council of health, in devising a plan whereby we will encourage nurses who are particularly interested and clinically oriented to attain ever expanding education in the various clinical specialties.

Thank you.

**Mr. Chairman:** Before we proceed, I am sure the members will be pleased to learn that we have special visitors with us today in both galleries. We have students from the Harrow and Colchester South public schools. We welcome these students who are with us today.

The member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, my one regret in giving the opening remarks on these estimates for my party is that I am pinch-hitting for the member for Humber (Mr. Ben). As you know, he has been sick for a while, but I have been recently informed that he will soon be back here in his usual fighting spirit, and I know that the members of the House will be glad to hear it.

**Mr. R. F. Nixon (Leader of the Opposition):** He is the rules expert.

**Mr. Trotter:** Mr. Chairman, I have had the opportunity on a number of occasions to listen to the Minister of Health give his estimates. I have always listened very closely to what he has had to say, and as the years go by, we often suspect that he has been reading the speeches made on this side of the

House two or three years beforehand, and then bringing them into policy.

I am glad that at long last he has recognized what the leader of the Opposition had to say about the formation of HIRB, the health insurance registration board. This has been needed for a long time. In fact we on this side of the House did not give it that particular title. We said that what we needed was a health commission here in the province of Ontario, that covered not only hospitalization, but medical insurance, and perhaps, and I hope in the future, dental care, as well as drug care. This is the type of overall approach that this department needs to give health care to the people of Ontario.

I believe I heard the Minister right, Mr. Chairman. I think he said that in nursing homes, not one in ten had proper fire safety when this department took over the inspection of nursing homes. If that is the true situation, then it is far worse than we in the Opposition said it was. You know, when you are in Opposition, you are often accused of exaggerating and blowing things up out of proportion. We knew that the nursing home situation in this province was bad when we were urging the province to do something about it, but I never anticipated that actually nine out of ten—if I again, Mr. Chairman, heard the Minister correctly—did not have proper fire protection.

We can see that the government, when it has made changes that have been advocated, when it has made the necessary changes, has been extremely slow in bringing about these most necessary changes. And again I emphasize, as I have emphasized on many occasions, Mr. Chairman, that we expect the province of Ontario to lead in the changes that are needed, because Ontario has the facilities, it has the money if it wants to find it. It has the personnel, if it wants to train it, to bring about the many changes that are needed.

I do regret, though, Mr. Chairman, that the Minister has failed to deal in his opening remarks with the key issues that beset this department. He has told us how a particular out-patient unit has been constructed in a particular community, or a particular hospital, and all these things are important. I realize that in sum total they are the services that add to the entire services here in the province of Ontario. But if you closely analyzed what he said and went into it in detail, you would find that the construction of new buildings, or the construction of new services scarcely keep up with the increase in the

population of this province. On numerous occasions we have pleaded for more facilities for retarded children, but there is still no announcement. Again, as years ago, they said they were going to do something about 999 Queen Street, and yet we listen in vain, Mr. Chairman, for what I consider a key matter here, certainly in Metropolitan Toronto, and in mental health facilities in Ontario—that we have a community centre for mental health at 999 Queen. But these major things we hear nothing about, and again the Minister says, “Well, we are looking into the high cost of these facilities for health in the province”.

He said, “We now realize that regional planning is important”. Mr. Chairman, we have been telling him for years that you must have regional planning in the province of Ontario in order to have economic administration of health care in the province. And when you have a department with total expenditures of \$369,648,000, plus the capital disbursements of over \$26 million—and this is really only a small part of what we actually administer, when we consider the cost of hospital services and medical services.

Now what I want to deal with, Mr. Chairman, in some detail, is the overall cost of health services in the province of Ontario, because health costs are getting out of control. But they do not need to get out of control if we have a proper efficient administration and looked into this problem with a will to act, because there are practical examples of where we can cut costs without cutting the services to the people.

I want to dwell at some length on this. I admit, Mr. Chairman, that I do not have the facility for getting some of the total figures that I should have. I find that the hon. Minister has said that the cost for Ontario hospital services commission next year, at least in 1968, will be \$744 million. That is far worse than I thought it was going to be. If my figures are out in one or two places, it is really in favour of the government. The situation is getting even worse, it is getting to an explosive state. It is true, Mr. Chairman, that every type of capital investment and every kind of service is caught up in the dangers of inflation. A dollar just is not worth what it used to be. But so much could be done to improve our health services in the province of Ontario at a much more reasonable cost if the present Conservative government was not wallowing in a sea of inefficiency.

Last year I said that by 1969 we would be spending in the province of Ontario \$1 billion

when we include the cost of hospitals, the cost of OMSIP and the cost of mental health. Already the estimated cost of hospitals—as I thought when I first prepared this a few days ago—in 1968 will be \$628 million. I now hear from the Minister it is going to be \$744 million. So with these new figures, we are already over the \$1 billion mark; it is going to about \$1,013 million for the total cost of hospitalization, for medical insurance and for mental health in the province of Ontario in 1968. That is a tremendous amount of money.

The cost of OMSIP, Mr. Chairman, is estimated at \$145 million and the cost of mental health is approximately \$124 million, making now a total of \$1,013 million. These health services are absolutely vital to the people of Ontario. I do not question their necessity at all.

In fact, I see the day when health services in this province will be greatly expanded. However, I very seriously question whether the present operation is efficient. And I think, when we examine closely our services in this province, they are simply not efficient.

But what I want to emphasize, Mr. Chairman, that despite how critical I might be, I believe that these services are most necessary. And I also want to emphasize that the individual responsible for these services in the province of Ontario is the Minister of Health.

I noticed that there was an exchange earlier this afternoon between the Minister and the member for High Park, and the Minister seemed to think that he did not know about it, or he trusted his staff. Now, the responsibility is with the Minister, and any criticism I have to give on The Department of Health is centered on the Minister of Health and on the government as a whole. And let us not try to blame any—

Mr. Nixon: That is the democratic way.

Mr. Trotter: I do want to just interrupt my remarks, Mr. Chairman, to mention this—that the students in the gallery are from Windsor high school of commerce, from the riding of Windsor-Walkerville, represented by the man in the front bench here (Mr. B. Newman). I would ask you to welcome them here.

Mr. Chairman, my own observations are that the present administration is shockingly wasteful and either deliberately, or just stupidly, blind to obvious inefficiency in the system in the province.

First, let us look at the Ontario hospital services commission. In 1959, it cost over \$157 million, not counting the cost of administration. Now that is not quite ten years ago,



when it was \$157 million. In those days, we had a total of 5.3 million patients enrolled, being approximately 91 per cent of the population of the province.

In 1960, the costs rose 19.6 per cent—in one year they went up that much. And many things can be explained. When a new system is introduced, you can expect, maybe in the first two or three years, that costs will rise more than they normally should. Costs for hospitalization kept rising at approximately 12 per cent per year, and by 1965, hospitalization was costing the people of the province of Ontario \$350 million, an increase of about \$1 million per week for each and every week for the previous two-year period—\$1 million a week! That is a lot of money, Mr. Chairman.

By 1966, the total cost of OHSC was up another 15 per cent, and we estimated the cost for 1967 at approximately \$466 million. That has turned out to be low. According to statements made by the hon. Treasurer (Mr. MacNaughton) of this province in his Budget address recently, the cost of operating hospital insurance for 1967 to 1968, exceeds \$500 million, up over 20 per cent from the previous year.

I thought I had figures that possibly were closer to increasing it by 25 per cent. And then again I am still surprised, and there may be some reason for it, when the hon. Minister said the figures were \$744 million. Perhaps something is included in the breakdown that should not be, because the figures seem to disagree with what the Treasurer of the province said.

But again, the costs are up, approximately somewhere in the neighbourhood of 25 per cent. And any government, or any business, has simply to ask itself, why have the costs gone up? The value of the dollar has not been inflated that much, nor has the number of patients increased that much.

The cost of the hospital plan for 1968-69 will be, I would say, \$628 million, but again we have \$744 million. It is true ambulance services will be added to the cost of the scheme, but ambulance services certainly cannot account for the tremendous increase in the scheme. Again, it is an increase of around 25 per cent. The gross provincial product, Mr. Chairman, is only increasing at approximately 7 per cent per year which, in real terms, is about 4 per cent per year. We have to face up to the fact that hospital costs are increasing at a rate of three times the gross provincial product. This is a very serious problem because these services are

certainly required, but we have to ask ourselves as a government, are we efficient?

Again, the old insult is hurled at politicians and at civil servants—simply that they are not as efficient as men who are in business, and my problem here, to which I am attempting to make a contribution, Mr. Chairman, is that we in government simply have to learn how to handle high costs, whether it be in health or anything else.

In these particular estimates, where we are dealing with hundreds of millions of dollars, it is an extremely important matter.

Back in 1959, to hospitalize a patient in the province of Ontario cost OHSC \$28.38 per day per patient. Again, the figures that the Minister gave may differ with mine and there may be reasons for it, depending where a patient is located in a particular hospital, or where that hospital is located, but back in 1959 the cost per day was estimated at \$28.38 per patient.

In 1967, I understand the cost per day was \$64.30 for the overall cost per patient. I notice the Minister gives different figures, and maybe we can debate that later on, but I am pretty sure the overall cost is someplace in the neighbourhood of \$64 per day per patient. It is up 127 per cent since 1959. Since 1959, the cost of living has gone up almost 14 per cent, not 127 per cent, so we cannot say it is inflation. Yet we are told that the cost of hospitalization is going to increase at a similar rate through the 1970s and quite frankly, we do not know where it is going to end.

Mr. Chairman, before I suggest improvements that can be made in the Ontario hospital services commission, and before I look at the cost of health care as a whole for the province of Ontario, and in particular, for the individual and his family, I would like the members of the House, through you, Mr. Chairman, to examine the cost of OMSIP.

In many ways, the cost of OHSC and the cost of OMSIP are interrelated. They are intertwined. This year, the provincial government, through its general revenues, is giving approximately a \$37 million subsidy to OMSIP. The total cost of OMSIP for the people of the province of Ontario is estimated at \$145 million.

Therefore, the \$37 million subsidy paid directly by the province, is approximately 25 per cent of the entire cost of the scheme. It is true that \$16 million of the \$37 million paid by the province is for those people who

are receiving social services, either from the federal or the provincial government.

Now I may say, Mr. Chairman, that that \$16 million would be paid out whether we had OMSIP, or another scheme or not. These people are normally, what we called in the old days, "welfare" patients, and so we had these costs with us.

The sum of \$21 million of the \$37 million paid by the province is a subsidy for people who are on marginal income and those who are capable of paying their own way.

There are three types of people covered by OMSIP, Mr. Chairman; one is those who are receiving social services and they are really a total care. Then there are those who are on a marginal income, they are receiving some help. Then, there are those who can normally pay their own way and they pay the full premium.

Mr. E. Sargent (Grey-Bruce): And the insurance companies.

Mr. Trotter: Yes. We will get to those because OMSIP is a great friend of the insurance companies, as this government is. I would like to get to those.

Mr. Sargent: We would have saved \$150 million if we had gone federally.

Mr. Trotter: When it is admitted that \$16 million of the \$37 million subsidy from the government is for those receiving social services, we must remember that \$21 million is paid to underwrite the basic cost of the plan. The government pays about 16 per cent of the cost of the plan, exclusive of those on social services, in order to balance OMSIP's budget. In other words, Mr. Chairman, even those who can afford to pay their own way are really being subsidized by the taxpayer.

Why is it, Mr. Chairman, that PSI can run a plan for medical services at a cost of \$38.30 per patient, while OMSIP's patient costs are some place in the neighbourhood of \$58 and \$64. You can argue that—between \$58 and \$64—I know it is a spread. Even if you take the lowest, there is quite a difference between PSI's cost of \$38.30 to OMSIP's minimum of \$58 per patient.

For example, the most recent figures I have of PSI are for 1968. In that year, the total medical services paid for by PSI totalled \$62,758,367. PSI had enrolled 1,725,000 patients. The cost of total medical services increase when we add on the cost of administration, which increases the total outlay of

PSI to \$66,075,000 plus. This comes to \$38.30 per patient.

In fairness to our civil servants, Mr. Chairman, and despite all the complaints we have of the administration of OMSIP—and I am one who has many and there are an awful lot of things to be ironed out yet—the total cost of administration of OMSIP is not much higher than what is for PSI. This despite the fact that OMSIP started to operate under, maybe, very hurried circumstances and so that the real cost—the real heavy loss that the taxpayer seems to suffer, is not so much from the administration, it is the basic policy of what is wrong with the plan. This is something we have to bear in mind.

OMSIP's estimated cost for the coming year is \$145 million. At the present time there are approximately 2,250,000 patients enrolled. There again, probably I should accept the Minister's figures. He said two million patients enrolled, but I was thinking that there would probably be a few more at the present time.

Let us suppose that OMSIP enrolls approximately half a million people this coming year. This would average out to enrolling just over 41,000 people per month. By the time we bear in mind that not all the half million new-found patients will be in the scheme for a full year, it means that it is going to cost OMSIP approximately \$60 per patient.

In other words, your cost this year for OMSIP is going to be \$60 per patient and again, I remind you, the 1966 figure for PSI was \$38. Assuming that their costs are going up too, if you look at their similar rates; their costs are going to be around \$40. Why, when we get into government administration, is there \$20 more per patient than there is in a non-profit plan?

These are the things, you know, when you are dealing with millions of people; it in turn becomes hundreds of million of dollars. It is time that the government took a look at the basic policy in how we administered and handled health care facilities in this province. I admit that PSI figures were based on 1966, but making all allowances, the principle still holds good that there is a tremendous difference.

One of the main reasons, Mr. Chairman, why OMSIP is so inefficient is that it is a pay-direct plan. It is only recently that the provincial government has permitted OMSIP to enrol groups. In a helter-skelter manner, the provincial government established



OMSIP. It began the scheme in an inefficient and wasteful manner and has continued to perpetuate its mistakes.

After all, OMSIP did one good thing, it gave insurance to people who could not get insurance from the insurance companies. But it was obvious that those who were sick, and the old, and those who were going to obviously need health care if they are going to live any length of time, would come to the government. The private insurance plans in many cases—and I know of many instances—would refuse to insure people who are over 55, despite the fact that they had been on the private plan rolls for many years. You go to OMSIP because you are going to become a losing proposition.

Obviously, what we as taxpayers are doing, is underwriting the private insurance companies. This is why there is this tremendous spread. It is not that the civil servants or the politicians are necessarily inefficient as administrators. It is because the politicians, the people in power, are showing favouritism to a certain economic bloc in our community and, again, it is obviously the insurance companies.

This is one basic weakness in our plan and we have gone over it and over it again. I, for one, and I am certain that many others on this side of the House are going to keep pounding and pounding away. Until the taxpayer gets a decent break we are just going to thunder away at this government and ask them to stop underwriting that private insurance plan.

I have already pointed out that where PSI pays approximately \$38.30 per enrolled patient per year, OMSIP pays approximately \$60. If OMSIP's programme was attempting to pay its way, as PSI has been attempting to pay its way, excepting, of course, the patients receiving social services and assistance, OMSIP's rate would increase another 16 per cent. The family rate would be \$17.15 per month. That is, if you exclude the people receiving social services, which you are paying for in any event, Mr. Chairman, the government would have to charge the average family \$17.15 per month.

For comparison's sake, Mr. Chairman, let me remind you that PSI's rates for a family are as follows: Pay direct, \$17 per month; group insurance, \$13.25 per month. But because the high costs have even affected PSI, a non-profit plan, their group insurance rate is now going to go up to \$17 per month, and despite this, PSI in 1967 lost money.

We are all caught up in this, and I want to, as I go on, Mr. Chairman, show that one of the reasons why even the non-profit groups like PSI that have been so successful are now losing money. One of the reasons is the inefficient way that OHSC and OMSIP is handled; it causes costs to become inflated, and it even affects the private insurance plans.

It is a wonder that great lobby, the insurance companies, have not been down on the government's throat over this. I point out one or two things where, because of the way that the government handles its hospital-care and medical-care services, whether it realizes or not, it deliberately inflates the costs for everyone right across the board. Despite the fact that OMSIP has taken off the rolls of PSI, as well as off the rolls of the private insurance companies, many of the people who are older and thus have a higher medical cost in the average, even PSI is starting to lose money. Part of the reason for this is the foolish and inefficient way that the OHSC and OMSIP schemes have been operating. The manner in which these schemes are operated is not only costing the taxpayer money, through taxes and premiums, but it is also affecting those who belong to other non-profit plans.

Let me give you some examples. And again, these are practical examples, not just puny little things that affect a dollar here and a dollar there, but they are major items going up into hundreds of thousands of dollars. After the creation of OHSC, and before the advent of OMSIP, OHSC paid \$2.25 per patient to a hospital for each out-patient served by a hospital. In other words, any hospital which had out-patient facilities in the province of Ontario received \$2.25 for each patient treated by its out-patient services. That is pretty good—\$2.25 per patient and the hospital supplies the out-patient services, it cannot complain about that. Believe me, for all the criticisms that we may make about hospitals, let us be frank about it, we have the best treatment services anywhere in Canada, and probably anywhere in the world. It is not that I am criticizing standards. It is that I am criticizing the economic inefficiency of how we operate our health care services. They are getting out of hand now, and if we do not do something now, it is going to be far worse in the future. It is much better to anticipate the problems that we have with us before we have a crisis that becomes utterly uncontrollable.



For years welfare and indigent patients were covered by the hospital out-patient department at no charge; the patients were treated mainly by interns, and resident doctors, but in many cases they were also treated by a practising medical man. The \$2.25 from OHSC was, in a manner of speaking, repayment to the hospital for the use of the facilities of a practising doctor. In many cases when a patient attended the out-patient facilities the patient would be referred to his or her family doctor. Then came OMSIP, and let us see what happened. OHSC continued to pay the hospital \$2.25 per patient. OMSIP started to pay the doctor 90 per cent of the \$5 visitation fee. And where it used to cost the government agency \$2.25 it now costs, Mr. Chairman, \$2.25 plus \$4.50, that is 90 per cent of the \$5 doctor's fee. In other words, it costs \$6.75 per patient when he goes to the out-patient services of a hospital. Mind you, if the same patient called at the doctor's office, and still was covered by OMSIP, it would cost OMSIP only \$4.50. If I go to see a doctor in the out-patient service it is going to cost the government \$6.75 for the same service. If I go to the doctor, it costs the government \$4.50. The out-patient services are being greatly abused by the medical profession. This is where the government ought to face the fact that it is being used as a patsy. Maybe they know it. I hope they do because it is costing hundreds of thousands of dollars. But here is the setup, and it is going on in a big way, Mr. Chairman.

In a great many cases, interns and residents see the patients going to the out-patient department at a hospital. And interns have never been permitted to charge. But today doctors have formed an association in a great many local hospitals and are charging OMSIP for seeing the patients. Remember also, Mr. Chairman, that the intern's salary and living allowance, which is paid for by the hospital is picked up by OHSC, and is billed to the *per diem* of the hospital. So it is really more than \$6.75 per patient, because we must remember that these interns are also being paid for by our government under the *per diem* costs. Again, it is another hidden cost. When you break it down, it really inflates the price. No wonder the Provincial Treasurer had to tell us that costs were going up 20 per cent. I think it is more likely to be 25 per cent.

These are some of the practical reasons, so let me remind you that prior to OMSIP,

OHSC was not only paying \$2.25 per patient, but was also paying for the intern's salaries and living allowances. The medical profession has really climbed on the gravy train by abusing the out-patient services, and milking the public. The doctors in a great many general hospitals have formed what they call out-patient associations. These associations have a variety of names picked by the local doctors at the hospital. The doctors draw up a partnership agreement. The doctors render services, and their fees are billed by an accountant, a trust company or billing service. They even have billing services now to help the doctors use this new system, and a type of billing service has grown up as a result of the advent of OMSIP.

The money collected for fees by doctors at the out-patient services goes into the pot, and the doctors divide it up. Again, let me remind you, Mr. Chairman, that if the patient attended the doctor's office, OMSIP would pay 90 per cent of \$5, or \$4.50, and out of that \$4.50 the doctor would have to pay his office overhead which often amounts to between 40 and 50 per cent of the fee which he receives, but because of the abuse of the out-patient service, OHSC pays \$2.25 for the out-patient, pays the cost of the interns and resident doctors through their *per diem* rate in the hospital, and now OMSIP generously comes along and pays the doctor another \$4.50.

The OMA tariff for a doctor seeing an out-patient is the same as if he saw him in his office, and in many cases, interns or resident doctors have seen the out-patient, and that charge is also made, not only to OMSIP but to private plans. In other words, the extra built-in cost, as a result of the poor planning and administration of OMSIP, has raised the cost of other non-profit plans and also of private plans. I am quite certain that doctors are attempting to obtain funds even when they have not seen the patient, as complaints have already been made by some of the private plans to the college of physicians and surgeons. And if the college ever denies that to the hon. Minister, and he checks into it, he should come and tell me; I can give him some of the cases. This is going on; interns cannot charge and yet the taxpayer is being billed for it.

It is time the government spoke up on behalf of the taxpayer and got a bit tough with the medical profession. It is not that I do not have a tremendous respect for the medical profession. There is no question in my mind that their professional standards in

this province are the highest in the world. But this does not mean to say that their charges should become so excessive, that the scheme we have here—which can be of tremendous service to the people of this province and a tremendous example to governments throughout the world—should be abused by the profession in the way it is obviously doing, because this is going on in a very blatant and obvious way.

Such doctors' associations for out-patient services, I know, exist at such large hospitals as St. Michael's, Toronto General, Sick Children's hospital, St. Joseph's, Toronto Western, Scarborough General, Toronto East General hospital, Scarborough Centennial, Northwestern hospital, Kingston General, the Ottawa General, the London General—oh, why go on, there are so many of them. But this is a very important abuse and you will find it in almost every major hospital in Ontario. If the officials of OMSIP and OHSC made any examination or investigation of this very major and costly problem, they would find that most of the hospitals which have out-patient services are subject to the same treatment.

It would be expected that with the advent of automation, the cost of medical services would be decreased. Mr. Chairman, we know and say that with the coming of machinery and automation we can do away with so many laborious things, we can cut costs, we can invent machines that will help us and obviously use modern invention to help the average patient and to cut medical services. It is true that the cost of medical services can be cut by the various health schemes that have been devised, but it seems to me that only in Ontario, when they invent some new system that will cut costs, it actually increases the cost of OMSIP and OHSC. Again, I will give you a very practical example which goes on in a big way.

Mr. Chairman, there is now in use in our hospitals a procedure for analyzing blood, known as the automated SMA-12 analysis. I am no expert, Mr. Chairman, on these things, but I was in the hospital earlier this year. They give you various tests, and I would say, why cannot you just put a drop of blood in a machine and have a Rube Goldberg invention that does everything and solves it all? Later I was talking about this and they said, "Well, there is one, there is something that can in certain circumstances be very useful and cut costs, and this is what is known as the automated SMA-12 analysis." Now the good Minister, Mr. Chairman, will know

much more about the scientific end of it than I would, but I just want to give him some of the economic possibilities of this machine and some of the economic abuses that now exist today in our system—and the Minister's department is paying for them.

This analysis system has to do with procedures performed by simultaneous multi-channelled auto-analyzers. The equipment performs trial biochemical determinations on a single sample of blood. Before this machine was available and each test had to be performed by a doctor, according to the Ontario medical association tariff, the 12 tests would have cost approximately \$45. The entire 12 tests, based on the cost of the machine, is approximately 50 cents.

Now, Mr. Chairman, you think, "Well now, here is something; if a man needed 12 tests, it would once cost him \$45. Along comes an invention and it will cost only 50 cents. In fact, the head pathologist at the Ottawa Civic hospital said they cost so little that they are not going to charge the patients at all. In other words, it went down from \$45 to nothing. It may be true, Mr. Chairman, that a patient needed only the one test, but for 50 cents, or for nothing, you got the 12 whether you needed them or not; the machine works it all out. It was a tremendous saving, and we would think that it would be a tremendous help to the cost of OMSIP and OHSC. However, Mr. Chairman, when the news got around about how we could save money, something happened, somebody objected and we will just show you what these things now cost.

We do not know who objected—possibly the medical profession. But certainly the health plans, be they public or private, would not object to not being charged for blood tests; and certainly the low cost objections would not come from the government, or from the civil service. Now, there is a fee schedule for the tests performed by the simultaneous multi-channel auto-analyzer—and please bear in mind that this machine carries out 12 tests in one operation. The charge for two went to 50 cents and then down to nothing, but this is the way it works now: The charge for two procedures or less is \$5. If three or more tests are required, even though it is all in one operation, the charge is \$12. They said at one time they would charge 50 cents for it and the Ottawa Civic hospital said it was not going to charge anything. Now they want to charge, and they are charging, \$12. And, of course, OMSIP is



paying for it. The private plans are paying for it. The non-profit plans are paying for it.

**Mr. Sargent:** The people are paying for it.

**Mr. Trotter:** It is true, as my friend says, the people are paying for it, either through premiums or through their taxes. This goes on today. For example, if a patient required a glucose test and a doctor carried it out without the aid of the simultaneous multi-channel analyzer the charge would be \$3. In other words, the doctor gave it in the old-fashioned way for \$3, but if you want to use the new automated and expensive way, it has gone up to \$5. This is what automation is doing to health costs, despite the fact it could be done for 50 cents. If this test were carried out by the machine, the cost would continue to increase, because even for two tests, it would come to around \$12. For more than two tests, where again even the doctors were doing it in the old-fashioned way, it could be done for \$6. So it is possible that in some cases the automation has literally doubled the cost.

This is something this government has simply got to inquire into, in looking at the cost, because it is a very, very serious abuse and if you do not step in now it is going to continue and if there is no policing of our system of costs, we are simply going to have to come back each year and find that our costs are going up 20, 25, 30 per cent. It will be hard to keep track.

But through you, Mr. Chairman—for the edification of the Minister of Health, and having still to do with this machine—these are the blood tests that can be carried out at a cost of 50 cents as the result of automation. The same tests would cost \$45 under the Ontario medical association tariff. The Ottawa Civic hospital thought the costs of those tests were so insignificant, that it did not bother to charge either the patient or the medical insurance plans, which would include OMSIP. But now, for the 50-cent test, the patient or the patient's plan is paying from \$5 to \$12.

These are the blood tests that can be carried out. I will not go into all the scientific names. They are, I am told on medical advice, the usual tests that are required. I understand that only the two doctors who are members of the House could probably understand the various tests, but they are standard tests required and it is a saving

that is needed and required by all of the plans. Again I emphasize that it is simply poor administration, a lack of efficiency on the part of government today.

On another point, Mr. Speaker, the system of doctors charging fees should be completely reanalyzed by the Minister of Health. The doctors' attitude towards charging the patient is in many ways affected by the way the schedule of fees is set up. Today the fee schedule is so set up that if a woman is having a baby, the set fee for the attending doctor is \$150, including visits before and after birth, and attending at the birth. They can—

**Mr. Sargent:** Too much money.

**Mr. Trotter:** No, it is not too much money. I disagree with my friend on that. Again, I say that if a doctor handles a job properly, \$150 is certainly not overcharging. I do not believe, Mr. Chairman, in being niggardly with the medical profession. They deserve to be the highest paid group in our society. I think they perform the greatest service in our society. What I am objecting to is that their charges are becoming utterly and completely excessive. Here is a practical example. Even the Ontario medical association said that instead of a doctor making numerous calls in the case of a woman having a child, there will be one set fee of \$150. It cut costs. They cannot run up a large bill.

But today, if an individual has a heart attack, according to the fee schedules, the doctor not only charges \$30 for the consultation but he can charge \$5 a day for each visit made to the patient. I use this just as an example of charges. Because we now have so many medical schemes there is a tremendous tendency on the part of the medical profession just to have the number of calls instead of the flat fee. And so I suggest that we are going to have to have a set of fees for the medical profession that I hope they would honour—and the government could be persuasive.

Here is another example. The Ontario medical association recently made a change in the fee schedule. Again, inflationary costs caused by administrative decision, either on the part of government or on the part of doctors—and this is, again, a decision on the part of the Ontario medical association. In order to get a few extra dollars from the



public purse, this is a change the OMA has made.

There is a treatment given patients where dye is injected into the patient for X-ray purposes. Up until recent years, the radiologist, who is a medical practitioner and a medical doctor, has injected the dye and made the X-ray. But no, the neurologists came along and said, "Oh no, we inject the dye, and the radiologists, they take the X-rays." So instead of having just one medical man there for a relatively simple operation, you have two, and again it increases the cost.

If a patient is in hospital this procedure in the past has been covered by the Ontario hospital services commission—this is the procedure known as the angiograms. I understand that OHSC never did commit itself on whether or not a fee should be paid to the neurologists, but along comes OMSIP. Poor old OMSIP is becoming just about everybody's patsy I am afraid, and so along comes OMSIP and immediately the Ontario medical association has now a split fee procedure. Well, of course, the Ontario medical association may not use that term. They say they do not believe in split fee procedures, but in effect, and let us say an economic effect, that is exactly what it is.

What, in effect, is happening now when the treatment of angiograms is carried out there must be, in most instances, for what is rather a simple matter you have two highly trained men, a radiologist and a neurologist, receiving two fees, and this amounts, in a difference in fees, to anywhere between \$15 to \$100. All of which is borne by—guess who—the taxpayer and the person who pays the premiums, and of course, again, much of the blame again falls on OMSIP.

Often labour unions are accused of feather bedding but when it comes to feather bedding the Ontario medical association seems to know all the tricks and it does it in the name of efficiency. And you know that the doctors claim that they are overworked because they have got so many patients, and it takes a long time to see a doctor. I ask in common sense, why do they have to carry on a procedure such as that? If the radiologist was not a highly trained man we might question it. But again, he is a highly trained man. He has been doing it for years, and again I urge the Minister that he has simply got to take a very hard look at all these procedures that are obviously being changed at

public cost and at no greater efficiency—in fact, in many cases, at much greater inefficiency to the patient.

Government agencies are often held in low esteem because the general public and sometimes a particular group or profession think that they can milk the public cow indefinitely simply because it is public money. More than ever before, simply because we are spending hundreds of millions of dollars, onus is upon government agencies to see to it that they are highly efficient. The shame of it is, Mr. Chairman, that OMSIP, particularly in its basic policy, is highly inefficient at a tremendous cost to the public.

It would be very wise, in our administration, and in carrying out such matters as drawing up fee schedules, that economic incentives to co-operate with efficiency be given to the medical profession. It is about time the medical profession bore in mind that OMSIP is the best bill collection agency for any profession anywhere and in any province of this country. Already, over 75 per cent of the doctors recognize this and bill OMSIP directly. When over 75 per cent of the doctors wish to co-operate with OMSIP in payment of their bills, why should a small minority force the province as a whole to bear extra costs? Do you know that despite the fact the executive of the Ontario medical association held meetings and urged the doctors not to co-operate with OMSIP, the medical profession as a whole have overwhelmingly co-operated with the government and why should they not?

**Mr. Sargent:** No bad debts either.

**Mr. Trotter:** I say it is a collection agency. It may be that the legal profession have a wider view of the world. You did not see any lawyers really protesting legal aid, because legal aid is not only a good thing for the public, let us face it, it has been an excellent thing for the lawyers—

**Mr. D. C. MacDonald (York South):** Too good.

**Mr. Trotter:** And I cannot understand the medical profession—

**Mr. MacDonald:** Tory welfare is getting out of hand.

**Mr. Trotter:** —at least through their official spokesman. As I regard the attitude of the

medical profession in their relationship with government I cannot help but draw a line between their official spokesman, as represented by the executive of the Ontario medical association, and the average doctor, general practitioner or specialist who is carrying on practice in Ontario. The medical profession are poorly represented in their spokesman. They are given a light in the public far worse than the average doctor deserves and I think that if we had a commonsense approach in reaching the average doctor, that I would hope they could bring about some changes in the official spokesman that they have in the Ontario medical association. The average doctor, whether a GP or a specialist, deserves better representation than he is getting from his official spokesman.

**Mr. Sargent:** Not another Scotchman, either.

**Mr. Trotter:** Well now, well a Scotchman might be—I am not objecting to a Scotchman. I am biased, I am biased.

**An hon. member:** He cannot even cure his own cold.

**Mr. Trotter:** Now when—

**Hon. Mr. Dymond:** We like to be called Scots.

**Mr. Trotter:** Mr Chairman, my complaint here of the present setup is a matter of administration. When a doctor insists on dealing through a patient instead of sending the bill directly to the plan, it is costing the doctor more money, it is certainly costing the plan more money. You know, in a modern business administration today, in the city of Toronto, it costs about \$2 to send a letter, when you calculate your overhead and the cost of the machinery. It is \$2 a letter, and all these extra thousands of letters that go back and forth between the doctor and the patient, and then there is a mistake in the number, and they go back to the OMSIP, cost not only in time but a tremendous amount of money.

Most consultants in the management field in a modern office will tell you that the system that OMSIP uses is strictly dated. The only efficient way to pay medical bills is directly from the plan to the doctor and I think maybe there could be a carrot placed in what the plan can offer the doctor if he deals directly with the plan, because it certainly is far more efficient. Untold thousands of dollars are wasted every day because the

government simply refuses to change its Victorian attitude towards health services.

It costs approximately \$64.30 per day per person to keep a patient in a general hospital in Toronto. Many hundreds of people in a general hospital today probably do not need to be there. Many diagnostic tests could be carried out in out-patient services, but if the diagnostic tests are carried out in out-patient services, many of them are not covered by insurance, so what does the patient do? And again we have laboured this point time and time again, and I know that the out-patient services have been gradually increased, but the truth of it is that if you get your X-ray when in the hospital, it does not cost you anything, but depending what plan you are on, if you get an X-ray at an out-patient service, you have to pay for it. So obviously you try to get into the hospital.

If you do not have the money, and you have a friendly doctor, he probably closes one eye and sees to it that you get into the hospital. So what does the X-ray cost instead of just \$25? It costs \$25 plus the \$64 a day the person is in the hospital, and most of that money is borne by the government. When it is borne by the government, guess who pays, once again—it is the taxpayer.

So under these circumstances, Mr. Chairman, I cannot understand why a far more vigorous approach has not been taken in constructing convalescence hospitals and chronic hospitals. I know the Minister talks about this from time to time, I know that each year he tells us that somewhere in Ontario there has been a new nursing home, a new chronic hospital, a new convalescent hospital, something has been done. But it does not get to the basic attack on a major problem which exists in our whole system of health care.

When people today are sent to general hospitals for tests, Mr. Chairman, many are sent in on a Friday. Now this actually happens. They go into the hospital on a Friday. Often the tests, in fact in most cases, do not take place until the Tuesday—sometimes on the Monday, but in most cases on the Tuesday. And so they are in there the Friday, the Saturday, and the Sunday. It is a nice hotel. It is nice to be in the hospital if you are not too sick, because you get pretty good service. But it is expensive. For \$64 a day you can stay in one of the best hotels in Miami. So this is a highly economic system.

What is the function of a general hospital, Mr. Chairman—and again this comes into the whole picture of health costs. No one seems



to know these days. There is confusion in the government ranks. Fourteen per cent of all the active general hospital beds in the province of Ontario are within a two-mile radius of College and University Avenue. In other words, in a two-mile radius of where we are here is 14 per cent of all the active bed space in Ontario.

We are within the largest teaching complex in North America, probably in the world, right in this very area. In many ways we should be very proud of this great complex, but how functional is it? How useful is it? Are we getting value for our dollar? And whether it be the public dollar or the dollars collected from private charges we should ask ourselves, are we getting our money's worth?

The University of Toronto itself has many doubts. At the present time, the University of Toronto has three separate management studies at a cost of \$750,000, trying to decide what to do with this great hospital teaching complex at the front of this building, and by this building I mean the legislative assembly that we are in. The answers we are going to be told, I think are obvious. This has happened in other jurisdictions; they can tell you the answers right now. And without trying to be an expert, Mr. Chairman, I will just suggest to the Minister, even before the university spends all its money and we sit around in confusion, I will tell you what the answers are obviously going to be. Hospitals are going to have to diversify.

There is a lot of duplication in the Toronto area. In other words, our hospitals on University all cannot be experts on hearts. They all cannot be experts on kidneys. They are going to have to become a complex specializing in certain things. These things we are going to have to do, to learn to diversify in the immediate future.

I know something is being done, in a small way, but really, they have not attacked the problems. For example, because equipment is so expensive, not every hospital, as I say, could specialize in heart surgery or any particular surgery. They are going to simply have to learn to co-operate and work together, so that all the facilities are available to all the people at reasonable cost.

Yes, Mr. Chairman, we are going to have to learn to diversify—and this includes fewer general hospitals and more hospitals for long-term care. A patient who requires long-term care can be given excellent treatment at less than \$20 a day, and yet we in Ontario continue to pay, particularly in the Toronto area,

\$64 a day for a \$20 a day value, and do little or nothing about it. We are all aware of the home care plan, and the Minister mentioned it in his opening remarks. Again, that is gradually being improved and I do not deny that something has been done. But because what we have done has worked so well, it is obvious that it can work much better, at a greater saving, if we really do something about it. It is a disgrace. The government continues to tolerate an expensive way of carrying out our health services, in a way that just is not necessary.

I have mentioned before in this House, Mr. Chairman, the example of the clinic in Sault Ste. Marie. That is a district health centre that serves 20,000 people. By the use of an out-patient clinic and home visits, the hospital patients have been tremendously reduced. The provincial average per thousand population, in the province of Ontario, is 1,800 patient days—that is for a thousand of our population. For those people who are attached to the Sault Ste. Marie clinic, the average is 800 patient days per thousand people. This clinic saves between \$600,000 and \$700,000 a year in hospital costs in the Sault Ste. Marie area, based on the 1966 figures. Here is an example, where you see something working. Nothing succeeds like success.

I am afraid I am getting the Minister's laryngitis but it is not from being close to him.

**An hon. member:** Time for the member to sit down!

**Mr. Trotter:** Well, that is too bad, you are just going to have to listen.

**Mr. Nixon:** It is a pleasure to listen to a good speech.

**Mr. Trotter:** I just want to emphasize that of 1,000 population in Ontario, the average in hospital is 1,800 patient days. The Sault Ste. Marie clinic have reduced this from 1,800 days to 800.

**Mr. C. G. Pilkey (Oshawa):** Who built that in Sault Ste. Marie?

**Mr. Trotter:** The united automobile workers, the steelworkers—yes, the union. This has been done in various places throughout the United States. Here you have a practical example, and when you are talking about the economics of health you have to be practical. This is the type of thing that should be encouraged by the government, but it is



literally doing nothing. One reason may be they do not like to interfere with the Ontario medical association, because the Ontario medical association really does not like clinics; they discourage them. And yet the truth of it is, the doctors on their own are forming these clinics, whether they come from Great Britain or whether they are home-trained here in Ontario. This is an obvious trend and it should be encouraged by government, because you get more efficient service for the patient and that is the primary concern, more efficient service for the patient. Over and above that, you make a tremendous saving.

If we accept the figures from Sault Ste. Marie, it amounts to a saving of 50 per cent in hospital costs. Suppose that this is high? Suppose that it was even 25 per cent? Is it not much better to be cutting costs by 25 per cent, than going up 25 per cent, as we have been in this last budget? This government still has the old Victorian viewpoint that if a hospital is losing money, it must be doing a tremendous amount of good.

The fact is that they are doing so much good, but it is a charity, and we are losing money. Yet, if you have a hospital that is efficient, its *per diem* rate for next year may be cut; they want to expand their services, and they cannot do it. The odds are that it will be cut, if it is efficient.

You have got to have a completely different approach. When a hospital is efficient, and wants to improve its services, you just have got to get away from the thinking that it should be penalized.

These are a few of the practical suggestions that, insofar as our hospitalization and medical care has been concerned, we certainly have to take, even from an administrative point of view, a much harder look at the way we are handling the business of health in the province of Ontario. It exasperates and infuriates me that, year in and year out, the same old inefficient, Victorian way of handling things goes on. In fact, we fail to take advantage of automation. You would think that instead of automation cutting costs, it actually increased costs. I gave you the examples that show it, Mr. Chairman, and this is a tragedy that is costing the taxpayer in Ontario dearly.

Basically, Mr. Chairman, there is really only one way of bringing efficient medical services to the province of Ontario, and that is to accept the proposition that the federal government has placed before the people of this country, and that is that we should have

in Canada, a portable comprehensive, a universal and a government operated health scheme in the province of Ontario, and in each and every province in Canada.

The fact that our government has turned down the federal government offer, has meant that because of that, a number of other provinces have not done so. You may argue back and forth that only because the province of Ontario refused to become part of the scheme did the other provinces also stay out.

I believe that many of the other provinces did stay out because Ontario is not part of it, and as a result, you are denying many people across—

**Hon. A. Grossman** (Minister of Reform Institutions): Why should they stay out because of us?

**Mr. Trotter**: It is simply that they have used this government as an "excuse", if you quote their utterances, but despite that, I understand that Mr. Smallwood, by April of 1969, will be in the scheme. Here, in Ontario, we have lost approximately \$160 million a year that we could have had from the federal government because we did not go into the scheme.

The total cost of medical care for the people of Ontario, at the present time, is approximately \$350 million; the federal government share of this for Ontario is \$160 million, leaving the provincial share at \$190 million. The provincial government is already paying by way of subsidy, one way or another, \$70 million through mental health and various other subsidies. I am in full agreement with the Minister when he says that the federal government should recognize its responsibilities when it comes to the cost of mental health.

We on the provincial level have certainly argued that the mentally ill should be treated on the same basis as one who is physically ill, and I have no hesitation in arguing with the federal government that they are greatly amiss in not recognizing the importance of having mental illness treated and helped by the federal government.

But as a result of it, even out of our own revenues, we in the province are subsidizing mental or medicare costs by \$70 million. So when we consider what we would get from the federal government, and what we already pay, we are looking for \$120 million to subsidize or to pay for the balance of medical insurance.

The premiums already being paid by the people of the province of Ontario now are approximately \$275 million, and this is why we, on this side of the House, argue that if we were in the federal scheme, instead of having to pay \$275 million in premiums from our people—which is really a tax—we would only have to pay out \$120 million. In other words, approximately \$155 million that we could either use to reduce premiums or, as my leader said in speaking on this matter in the Throne debate, the money could be used for housing—but that is the priority that the government puts on its funds.

Instead of either decreasing the premiums for OMSIP or OHSC, we are now faced with an increase, and the major reason for it is that the Ontario government will not accept a very sensible scheme that the federal government has propounded. We have been fortunate in this country that we have had a federal government that has presented this country, and its people, with a far-reaching social plan, and this medical scheme was one of the farthest or foremost in the world. To illustrate this, Mr. Chairman, I was down at the University of California on one occasion, regarding the treatment and health for our old people, and during the discussions, many things came up about government efficiency.

Those of us from Ontario asked the people in California what was the most efficient way to treat the aged and such items, and one of the professors turned to me and asked, "Are you really interested in how to handle health costs efficiently? And how to organize it?" I said, "Certainly." He said, "Have you ever heard of a place called Ottawa?" So at that point I leave it with you, Mr. Chairman, that we, in this country, are recognized abroad for our health services and the regard that has come to the federal government.

Mr. Chairman, we have thrown away the opportunity of reducing premiums by turning down this scheme that the federal government has propounded. And again, I emphasize that of the schemes that we have debated in this House so many times, basically the one propounded by the government is most important because it should be government operated.

There should be no profit in health care. It should be comprehensive, and again today, 43 per cent of our people that are insured, are with the private schemes, and many of these schemes are schemes where the individual can be cut off at a certain age, and they cannot be reinsured.

When he gives the high percentage and the number of people in the province that are covered by insurance, the Minister does not point out the fine print of many of the contracts that the private insurance companies have. That is one good thing about OMSIP—that certainly those who really need it can come to it, but if you are going to have efficient and economic schemes, it is ridiculous that the government scheme should take in only those people that really cannot get it any place else, and this, in effect, makes the government scheme the most inefficient anywhere in Ontario. Why we, at the very beginning, would not go into group plans is ridiculous—and we now are.

I realize that this has been changed, but you will not have an economic scheme of health or medical insurance in this province. Mr. Chairman, until OMSIP has become comprehensive throughout the province, and it is government operated, and takes in all groups, particularly the healthy groups. You are bound to have a \$20 discrepancy per patient, even with a non-profit group like PSI, from between the \$40 cost for PSI and approximately \$60 for OMSIP.

You are bound to have that ridiculous discrepancy as long as you continue to underwrite the private insurance companies. Because the private insurance companies are only interested in the patient or the subscriber on whom they can make a profit, and unless we have people in government schemes on whom we make a profit, we are simply going to overtax and overburden the taxpayer. And this is a basic error that we have made from the very inception of OMSIP and it is going to have to be emphasized again and again.

It is sickening, Mr. Chairman, when we look at what OHSC and OMSIP now cost. OMSIP, a premium for an individual for one month used to be \$5-\$60 a year. Now it is \$5.90 a month, up to \$70.80 per year. When you look at a family, it is \$14.75 per month. It used to be \$12 per month.

When you realize that a man with a family of two or more pays \$177 a year for OMSIP and about \$132 a year for OHSC, \$309 a year, that is an awful lot of money for a man who is making \$6,000 to \$6,500 a year. Heaven help the person who is even making \$5,000, because they receive no subsidy—I believe the cut-off line is around \$4,400 a year where the government pays part of the cost.

But a person who is making around \$5,000, keeping two or more children, how in the world are they going to pay \$309 a year in

premiums? This situation has become ridiculous and yet we have a government here that has turned down a \$160 million grant from the federal government. They refuse to implement a scheme that is said to be basically sound, is what the people really need and could actually save them money and I know it is argued how much can be saved, but certainly it is a scheme that is needed and it is far more economical in the long run to use such a scheme as we have propounded.

Mr. Chairman, when you figure that the man making \$5,000 a year has to pay \$309 a year, not counting drugs, not counting his dental bills, how is he going to pay for it? I think it is obvious to about everybody, except the present Tory government, that the cost of OMSIP and the cost of OHSC by the premium method is getting completely out of hand for the average family. The method of financing these schemes and premiums is an extreme form of regressive taxation. It is a very extreme form of regressive taxation, Mr. Chairman, and by this I mean that the premiums take a far greater percentage of the income of a man earning \$5,000 or \$7,000 a year, than they take of a man whose income earning power is \$25,000 or \$30,000 a year.

The use of progressive personal income tax rates, especially on a widened comprehensive tax base, is a much more equitable means of financing the programme. If we are going to assist the lower income brackets of our population, we can only do it by two methods. The first is a heavy, direct subsidization by government of the Ontario hospital services commission and OMSIP, and the second method is to wipe out the premium method entirely and obtain funds through government for a health scheme by a direct tax method.

I believe that this latter tax system is by far the best way in which to finance our health schemes. It would in essence be financed the same way as the Canada pension plan is financed, and just as we set out in our income tax returns our Canada pension plan premiums, so we would in the same way pay for our hospital and medical insurance costs. If an individual had an income low enough that he or she was not taxable, then there would be no hospital or medical health premiums to pay, and if an individual had a high income, then he or she would pay a greater proportion of the health cost, subject of course to a maximum amount, just as the

Canada pension plan costs are subject to a maximum amount.

Mr. Chairman, this is really the only fair way to pay it and it is certainly far more economical because this system of computers will repay the government. The premium system, or these letters that are being billed, all are added costs and from an administrative point of view it is far more efficient to pay for our health services as we pay for the Canada pension plan. Again, it is far more fair to the general public, because it is ridiculous to ask the average person who needs the health protection to pay the premiums and the amount of money that he is paying today.

Even under the old rates before they started to skyrocket since the Provincial Treasurer's talk, I have received many calls from older people and from people out of work asking, "How do we get the coverage?" It is true, OMSIP would temporarily take over, but many people just simply do not like asking for welfare. But for the Ontario hospital services commission it is pretty hard to keep up the payments if you simply do not have the money.

I admit, Mr. Chairman, I have dwelt at some length on this subject of economic costs of our health, but it is vital. It is now going into over \$1 billion a year and it is going up at a rate some place around 25 per cent a year. We simply have to take a hard look at how we are administering our schemes, how we are paying for them, and how our people can stand the burden of high premium costs, because the people who can least afford to pay are paying the most and this simply is not fair in a modern society. It is up to us to mend our ways, and I beg of the present administration, as we have on this side of the House so many times, for heaven's sake wake up, modernize and give the people of this province the service that they need for health care.

Mr. Chairman, I have one item that I will speak on briefly. It is a subject that before these estimates are over I want to say quite a bit about, because it is air pollution and this is another matter that has been shockingly neglected for so many years. We know that on many occasions we have read and quoted from the select committee formed about ten years ago at considerable expense and time, as to the need of taking strong measures to clean the sewers that are in the air. And so little has been done. For years we argued on this side of the House with



the present Minister of Health to get rid of this so-called local autonomy. He had a bylaw he recommended for municipalities to use and in the over 900 municipalities only a mere handful ever tried to effect a proper bylaw. It is so senseless, because one municipality might be very ardent trying to clean pollutants out of the air and the neighbouring municipality might show it could not care less, so that if the wind blows the wrong way the most dedicated municipality could do nothing.

Last year the law was changed and the Minister was again going to take action. He has told us in his opening remarks of the things that he hopes to do, that before this year is over Hamilton and some of these other areas will be taken over from the province. But I am amazed to learn from his opening remarks, Mr. Chairman, that it is not until some time later this year that we are stepping into the Hamilton area to help, because if you just go over the Burlington bridge and take a deep breath you know that they have a serious air pollution problem in the Hamilton area. Yet despite lecture after lecture, speech after speech, complaint after complaint, this situation has gone on year in and year out and it is time that the government and the people of this province realized how little the government is actually doing.

We had a regulation passed—at least regulations are drawn up by this government and what happens is that they go to court and the regulations are shot full of holes. Surely, Mr Chairman, with all the experience that other municipalities, other jurisdictions have had in the problem of air pollution and the laws and the regulations that they have drawn up, that we could learn something. We have not been able to get a single conviction under the administration of the province of Ontario against these firms that are causing our air to be literally poisoned.

I know two years ago we complained bitterly when the city of Toronto was still administering the Act that Lever Brothers were fined only \$50 for polluting the Don River. Well, that may be an instance where the water and not the air was spoiled but it is the same thing—it is the same theory that the fines paid and action taken, even when the action has been won, have been nothing but a licence for a company to carry on in the same way that they have been doing.

This government has literally given no practical suggestion, taken no practical action in protecting the public from this problem

and we have a very sinister problem that has been too long overlooked by the government of the province of Ontario. The subtle long-range effects on public health and continual exposure of the human body to small quantities of poison in the air have been going on for years, despite the fact that this has been within the knowledge of the government and many of its trained people in its service. It must be frustrating for the people within the civil service of this government who are trained and have knowledge, to know that they are really working under an administration that I feel just could not care less. The present Minister has been playing politics for years with the problems of air pollution. We have had announcements, we have had promises, but we have had no action.

The only really forthright action indicated was during the last election campaign when the Minister said he was going to enforce a contraption on automobiles by 1969 that would cut down the fumes from cars. We had that promise and I hope it comes to pass. But it seems to take an election to get even the smallest bit of action out of this administration.

We know the effects of pollution have been causing cancer, and the carbon monoxide and the sulphur dioxide are in the air about us at increasing quantities, and again we simply have no plan. Year by year a person's respiratory system can be damaged. There is evidence to prove the link between air pollution and emphysema, which is the physical deterioration of the lungs. We know from the records in Los Angeles that this seems to be the case. In an area like Los Angeles, which has one of the highest pollution rates in the world, they also have probably the highest rate of emphysema per capita in the world. We as a growing community are faced with this same problem. You only need to drive along the Gardiner expressway, either east or west, any morning in the week, to see this problem that is with us.

Cancer, of course, is probably the main problem, but other diseases exist and again I only recommend the reading of the report from the select committee set up by this very House. We simply will not act on the advice of our own people. I wonder, Mr. Chairman, through you, if the Minister is going to wait until the Toronto area or the Hamilton area, or the Sarnia area has a killer smog, like those they have had in London or Los Angeles, before any serious action is really taken, because the action has

been utterly picayune in anything that this government has done.

During the estimates I am going to speak on this at much greater length, but it is a problem that is with us and unfortunately it is becoming a crisis situation, not only in the province of Ontario but in any part of an industrialized centre in Canada.

So with these opening remarks, Mr. Chairman, I want to thank you for your kind attention.

Hon. Rowntree moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to; the House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Chairman, tomorrow we will continue with the estimates of The Department of Health.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6:00 o'clock, p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, April 25, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 25, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: in the west gallery, Bramalea secondary school, Bramalea; and in both galleries, Harbord collegiate institute, Toronto. Then later this afternoon in the east gallery, students from King Edward and H. E. Bondy public school, Windsor; in the west gallery, Maidstone township school area; and also the Trinity Protestant chapel ladies' guild, Canadian forces base, Borden.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE INDUSTRIAL SAFETY ACT, 1964

**Hon. D. A. Bales** (Minister of Labour) moves first reading of bill intituled, An Act to amend The Industrial Safety Act, 1964.

Motion agreed to; first reading of the bill.

**Hon. Mr. Bales:** Mr. Speaker, by way of explanation may I say that this bill will strengthen The Industrial Safety Act and clarify several of its provisions on the basis of experience we have had with it over the last four years. The maximum fine under the bill will be raised from \$1,000 to \$5,000. While the vast majority of employers co-operate readily in the observance of the Act, this increase in the maximum fine will be a more adequate deterrent.

Another provision of the bill will simplify the procedures relating to approval of designs for new or altered factories, shops, and office buildings. It will also strengthen the safety enforcement by requiring that a set of the approved designs be maintained on the site for inspection by safety officers.

## THE POUNDS ACT

**Mr. D. M. Deacon** (York Centre) moves first reading of bill intituled, An Act to amend The Pounds Act.

Motion agreed to; first reading of the bill.

**Mr. Deacon:** Mr. Speaker, this bill is one which is intended to improve certain abuses in municipal pounds which now occur through lack of regulation. There are many cases in various municipalities which do not have their own pounds, where dogs and animals are not properly taken care of, and the provisions of this bill are to regulate these pounds.

## THE LINE FENCES ACT

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to amend The Line Fences Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** These amendments, Mr. Speaker, are by way of improvements to the Act; they have nothing to do with fences which may be mended between now and June 25.

**Mr. Speaker:** Introduction of bills.

Interjections by hon. members.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, before the orders of the day I rise on a point of privilege. I charge that the government has abused the privileges of the members of this House and the right of the Opposition to inquire into the unusual and suspicious circumstances which brought about the resignation of the majority of the members of the Niagara parks commission about a year ago.

This afternoon at 1:00 o'clock, at a meeting of the committee on commissions which was scheduled to hear the alcoholic and drug research foundation, the chairman suggested to the committee that when the Niagara parks commission came before that committee that only the present members be called.

Now, sir, in view of the order of business for that committee, no hon. member had reason to expect that such a decision would be suggested by the chairman, nor by accident be voted on by an abundance of Conservative members who happened to be there at that time. In view of all the circumstances surrounding the Opposition's desire to inquire into those unusual and suspicious circumstances, sir, I charge that the government today has deliberately taken a step which muzzled the Opposition's opportunity to inquire and get information into those circumstances. And I say it is a disgraceful thing to the people of Ontario.

**Mr. D. A. Evans** (Simcoe Centre): Mr. Speaker, the hon. member for Downsview was not here this morning and the—

**Mr. E. W. Sopha** (Sudbury): It did not meet this morning.

**Mr. Evans**: —and the members of his party who were there were in agreement with what we did this morning.

Interjections by hon. members.

**Mr. Evans**: And further to the point, the hon. member told me that the reason he was not at the committee meeting this morning was because he was not interested in alcoholism or drug addiction.

Interjections by hon. members.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, may I rise on a point of order arising out of the point of privilege brought up by the hon. member for Downsview? I would like hon. members, sir, to remember that the title of the commission mentioned is not alcoholic and drug addiction; it is alcoholism and drug addiction.

Interjections by hon. members.

**Mr. Speaker**: Order! The Attorney General has the floor at the moment. The Attorney General may be on the same point.

**Hon. A. A. Wishart** (Attorney General): No, Mr. Speaker.

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, I am a member of that committee, and I attended the committee meeting this afternoon at 1:15. I took for granted what the hon. Minister of Health just said about that commission with which we were dealing—the alcoholism research commission—and nothing else. I did not have an opportunity to express myself because I arrived 15 minutes

late, but we did not believe that this was going to be dealt with at that time. This is an unfair practice by the chairman of that particular committee.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, on the point of privilege, I wonder if the Premier would assure us that the previous group that had the responsibility for the parks commission will be called before the commission so that we can inquire into the circumstances of the resignations some months ago.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, I know nothing about these events other than what I have heard in this House in the last five minutes. I do not know what went on in the committee this morning. I do not know who was there. I do not know what motions were made nor do I know how they were voted on, so I find myself at something of a loss to make any meaningful comment at this stage of the game.

It is not the government's practice to interfere with the function of these committees. If the committee has made a decision this morning, I will find out what they did decide. But the government does not interfere with the functions of the committees, and the committee in its wisdom made a decision; I presume that is what the committee wanted. In a purely democratic function it will decide within its function what it wants to do.

**Mr. Singer**: You are just muzzling the Opposition. You did last year.

Interjections by hon. members.

**Hon. Mr. Robarts**: Mr. Speaker, I have stood in this place for eight or nine years and listened to the member for Downsview attempt time after time to create the impression that this government muzzles the Opposition—

**Mr. Singer**: That is no impression at all.

**Hon. Mr. Robarts**: Quite wrong. Quite completely and absolutely wrong.

Interjections by hon. members.

**Mr. Singer**: —could not tell us why they resigned—

**An hon. member**: Why were you not at the meeting?

**Mr. Speaker**: Order!

**Hon. Mr. Robarts**: Mr. Speaker, the question of the former members of the Niagara

parks commission has been hammered around in this House for a long time. There were certain letters of resignation sent to me by the former members of the commission.

**Mr. Nixon:** We have never seen them.

**Hon. Mr. Roberts:** They were all marked personal and confidential—

**Mr. Singer:** How do you resign from a public body confidentially?

**Hon. Mr. Roberts:** —and I treated them as such. All those men are perfectly free to make any comment they like and many of them have.

**Mr. Singer:** They are not free.

**Mr. D. C. MacDonald (York South):** They were blocked in coming to the committee.

**Hon. A. Grossman (Minister of Reform Institutions):** This is the muzzled Opposition?

**Hon. Mr. Roberts:** They have made statements to the press. Some of their comments have been printed in regard to this whole affair some time ago. I think if you want to examine the commission as it presently exists, that is what the committee is for. As I say, I do not know what the motion was this morning.

**Mr. Singer:** It was a muzzling—

**Hon. Mr. McKeough:** Why were you not there?

Interjections by hon. members.

**Hon. Mr. Roberts:** Well, we have gone through this so many times before, Mr. Speaker. How can you muzzle someone who does not bother to attend the meetings of the committee? That is what I would like to know.

**Mr. Singer:** The fact is, this was a plot.

**Mr. Speaker:** Order!

**Mr. M. Shulman (High Park):** Mr. Speaker, on this particular point, as one member of the Opposition who was present, let me state that a Conservative member got up and made a motion saying that we, as a committee, should only look into the current affairs of the commission and should not look into last year's affairs.

I want to point out to this House, that this House at this moment is going into affairs in every department referring to last year, and there is no reason in the world why this

commission should not be allowed to do the same thing.

**Mr. Speaker:** Order, order!

**Mr. E. R. Good (Waterloo North):** Mr. Speaker, speaking to the point of privilege of the member for Downsview, I would like to make it known, the hon. member for High Park, the hon. member for Essex South (Mr. Paterson) and myself spoke against the idea of bringing in only the members of the present commission.

It was agreed, we thought, by mutual consent at the last meeting of the commission that the former members would be brought in. There was no question at that time that they would not be brought in. Suddenly at the beginning of the commission meeting today, it was brought forth by the chairman that they would not be brought in at the meeting next week.

When he stated that there was no opposition by the members, I think he misled the House. There were three opposing it, and to my knowledge it was never put to a vote. A motion was taken, but I do not believe the vote was ever taken on it. It was by the consent of those members of the government side of the House that the former members would not be brought in.

**Mr. Singer:** They are afraid of the truth.

**Mr. Speaker:** It is quite apparent to me that this is a matter which falls solely at the moment within the jurisdiction of the committee, and that the committee has voted on it. It is quite in order to deal with the matter as the committee at its next meeting will decide.

We have the undertaking of the Prime Minister that he will look into the circumstances and if there has been any evidence of government interference, which he states has not been so in this House during his time—then I am sure that will be corrected.

The Prime Minister has a statement before the orders of the day.

**Hon. Mr. Roberts:** Mr. Speaker, in recent weeks, there has been a good deal of public discussion about a proposal to discontinue GO transit service at the Lorne Park station. Questions were raised in the House last week and I undertook to review the situation and to report to the House, and this I will now do.

In doing so, a brief review of the background aspects of the situation is desirable in order that we may understand all the elements that are involved.



In preparation for the possible implementation of a commuter service on the CNR lake-shore line, engineering consultants carried out intensive surveys covering possible scheduling, station locations and expected passenger levels. The type of service proposed was to provide rush hour service at 20-minute intervals, making maximum use of track availability on the line.

In order to do this it was recommended that three stations, Dixie Road, Lakeview and Lorne Park be eliminated and other stations be relocated to provide a better spacing of stations in order to maintain schedules for this type of service. These recommendations were accepted by the government in announcing the GO transit project in 1965.

Following the announcement, residents of Lorne Park approached authorities who were in charge of the project to have the service maintained at that station. The Lorne Park station is located 2.2 miles west of Port Credit and 1.7 miles east of the Clarkson station, which was one of the relocated stations.

All suburban GO transit stations between Oakville and Pickering were divided into individual catchment areas. I might say I had to find out what "catchment" means, but it is a gathering up idea, an area where you gather up people.

**Mr. Nixon:** Usually associated with storm sewers.

**Hon. Mr. Robarts:** It has much the same connotation, but instead of water people are being gathered up to ride on the train.

All these stations were divided into individual catchment areas and these areas were subdivided into three convenient zones.

The first zone involves a 10-minute walk to the station; the second, a five- to ten-minute drive to the station, and the third, a 10- to 15-minute drive to the station. Lorne Park is classified as being within the second convenient zone of the Clarkson station. It is the only stop provided within the established catchment area of any station served by GO transit.

Lorne Park residents formed a group which they designated as the Clarkson-Lorne Park commuters' association and presented a petition for a hearing to retain the Lorne Park station.

Canadian National Railways authorities informed the government that it was impossible to provide service at both Lorne Park

and Clarkson stations, because the two stops in the area between Port Credit and Oakville could not be accommodated in the scheduling of all railway traffic using this section of line.

The reason for this was that west of Port Credit, the main line reduces from three tracks to two and the railway authorities informed us that the additional four minutes required in two stops would result in a train falling back into the scheduled time reserved for the following train. In other words, to do so would, in fact, reduce the line capacity by one train.

Full freedom of scheduling could only be accomplished by providing additional trackage at a cost of several million dollars.

At a meeting of the Clarkson-Lorne Park commuters' association and civic officials in late 1966, convened by the former Minister of Highways, now Provincial Treasurer (Mr. MacNaughton), in his office, this operational picture was explained by the Canadian National Railways authorities.

The Lorne Park representatives then proposed the consideration of a skip-stop service which would involve reducing the service at the Clarkson station to provide service at Lorne Park.

Because the group, which included municipal officials, represented themselves as a delegation of the entire catchment area, it was agreed that one inbound train in the morning, and one train westbound in the evening, would stop at Lorne Park and not at Clarkson, on a trial basis.

Immediately prior to the inauguration of the service, GO transit officials received representations from a group of Clarkson residents who explained that they had not fully appreciated the implications involved and protested the 40-minute gap in service at the Clarkson station which involved prime peak period trains.

These people maintained that there had, in fact, not been any representation of Clarkson residents on the Clarkson-Lorne Park commuters' association. Subsequently, the Clarkson people formed an association of their own and presented a petition containing approximately 700 signatures requesting that all rush hour trains make regular stops at Clarkson.

Countering this move, a new commuters' group was formed at Lorne Park and a petition, containing approximately 125 signatures, was submitted with a request for increased service at Lorne Park.

Throughout the operation, complaints were received from both Lorne Park and Clarkson

commuters that the skip-stop arrangement was unsatisfactory because it did not provide flexibility.

Among the complainants were those who parked at Lorne Park in the morning and were not able to take the evening train back to the station where their car was. They had to detrain either at Port Credit or Clarkson and make their way by taxi or other means to Lorne Park to recover their cars.

Considering the inability of the Canadian National to permit stops at both stations, under the present scheduling, two alternatives remained.

First was to redesign the whole concept of the service to allow for the additional stop. This would result in longer transit times for all commuters using the service between Oakville and Pickering. Speed and frequency of service were two of the most important factors the people desired in such service. This could result in serious deterioration of passenger volumes—which is clearly most undesirable.

The second alternative was to carry out a re-evaluation of the entire Clarkson catchment area, including Lorne Park, to determine the actual effect on commuter carryings resulting from the skip-stop operation.

The survey disclosed that more than 300 commuters living east and west of the Clarkson station, the station closest to them, were being deprived of the use of these two trains. Many commuters west of the Clarkson station were forced to drive to Oakville to make use of these trains, and this placed them in the position of paying a higher fare and lengthening their travel time and the distance travelled.

In respect to Lorne Park, it disclosed that of the 100 Lorne Park station commuters, 50 were dropped off and picked up by car, 17 drove and parked cars, and one rode as a passenger in a car. The majority of those using secondary transportation lived outside the immediate Lorne Park area and within easy reach of Clarkson. The remaining 32 passengers walked to and from the station. Of that number, 20 said they had a car available for a trip to Toronto and 10 held drivers' licences.

So, from this survey, it would appear that a maximum of 12 Lorne Park commuters might be inconvenienced by eliminating the skip-stop operation, compared to the more than 300 that the survey found were being deprived of the service and inconvenienced in other parts of the Clarkson catchment area, by continuation of the operation.

With respect to passenger volumes, I might say that studies by the GO transit officials show that when GO started in May, 1967, the number of persons using the service at Lorne Park was 159 per day. During the period of phasing-in the service, with additional trains being added to the schedule, this number steadily dwindled until the introduction of full service in September. Since then, it has averaged only 96 riders per day.

On the other hand, at the start of GO transit, the number of commuters using the service at Clarkson was 142 per day. This number steadily climbed during the phase-in period to an average of 482 per day, when full service—minus the two trains stopping at Lorne Park—was provided. The average number per day over the subsequent months from Clarkson has been 642 persons.

Now, let us look at the future passenger prospects in this area. A study of the total—

**Mr. E. Sargent (Grey-Bruce):** Why do you not look at the rest of Ontario?

**Hon. Mr. Roberts:** A study of the total Clarkson catchment area shows that the major development, according to officials of the town of Mississauga, may be expected to take place in the area west of Lorne Park.

Several large housing developments are now under way and, because of the location of the Clarkson station, plans are being presented to the municipality for the erection of high-rise units adjacent to the station. These alone hold promise of several hundred additional GO passengers.

Lorne Park, on the other hand, is a predominantly low-density class area that is not expected to offer large-scale development without radical change in the zone character of the area—a move that is not immediately foreseen.

Mr. Speaker, if I may summarize: because Canadian National Railways does not have track capacity available to permit a stop at Lorne Park and Clarkson in the present scheduling of GO transit; because the additional capacity would cost the people of Ontario up to approximately \$8.6 million for track alone and a sizeable extra, unestimated amount for Port Credit river bridge, facilities and other considerations; because any adjustment of scheduling would involve a deterioration of service throughout the entire corridor from Oakville to Pickering, with a reduction in passenger volumes; because GO transit was designed to provide a fast, convenient service to the largest number of



people and the present skip-stop operation imposes a hardship on a large number of people compared to those affected at Lorne Park; and because of the rapidly increasing development in the Clarkson station area, resulting in increased passenger volumes and the necessity of full service selection to accommodate them; the government concurs with the recommendation of GO transit authorities that the service of one eastbound morning train, and one westbound evening train, stopping at Lorne Park, be discontinued and that these two stops be transferred to the Clarkson station, effective April 29, 1968.

Mr. Speaker, every effort is being made to increase the already high degree of passenger acceptance and public accommodation being provided by GO transit. Additional facilities and services are being provided as rapidly as possible. Parking facilities in the area of the Clarkson station have already been expanded and are now entirely adequate, while at Port Credit, where parking has been a problem, increased parking areas are being planned and will be provided shortly.

GO transit is an enormously successful operation and, frankly, our only concern is to provide the best possible service to the greatest number of people at a reasonable cost.

Mr. MacDonald: Mr. Speaker, may I ask the Prime Minister whether a copy of this statement is immediately available?

Hon. Mr. Roberts: Yes.

Mr. Sargent: Mr. Speaker, may I ask the Prime Minister a question?

Mr. Speaker: No. There are no questions permitted on statements before orders of the day.

Mr. Sargent: He asked—

Mr. MacDonald: I just asked if there was a copy.

Mr. Speaker: The Minister of Justice has the floor.

Mr. Sargent: Will you answer a question, Mr. Prime Minister?

Mr. Speaker: Order. No questions are allowed on statements before the orders of the day.

Mr. Sargent: He asked—

Mr. Speaker: Will the member take his seat. The Attorney General.

Hon. Mr. Wishart: Mr. Speaker, I wish to advise the hon. members of this House that the government has recommended to his honour, the Lieutenant-Governor, that April 1, 1968, be named by him in his proclamation as a day upon which The Law Enforcement Compensation Act, 1967, will come into force in Ontario.

This statute, which will provide the basis for compensation for injuries received by persons who assist police officers in the enforcement of our laws, will, I am sure, be welcomed in its application throughout Ontario.

The law enforcement compensation board, which will deal with the claims, has also been constituted, and I am very pleased to announce that his honour, Judge Colin E. Bennett, judge of the county of Grey, has accepted the appointment as chairman of this board.

Judge Bennett was, for many years, a prominent and experienced member of the bar in this province, and served as a member of the House of Commons for the constituency where he now continues to serve the public in his judicial capacity. He has, by his altruistic public service, gained the respect, not only of the legal profession, but also of the people of the province, and he will bring to his new position a vast experience that will be reflected in the dispensation of compensation under this statute.

Judge Bennett is joined on the board by Mr. R. P. Milligan, QC, chairman of the Ontario police commission. Mr. Milligan served for many years as Crown attorney for the united counties of Stormont, Dundas and Glengarry, before being appointed as chairman of the Ontario police commission in 1964. He is well known to those of our province who are engaged in our law enforcement and, at the same time, he is a respected member of the bar and with experience in that area which will be of great assistance to the administration of the board.

The third member of the board is Mr. Fred D. Deacon of Belleville, who will bring to the board the views and experience of a citizen dedicated to public administration—but without any relationship to either the bench, the bar or law enforcement. Mr. Deacon, who is a graduate in business administration from the University of Western Ontario, is president and general manager of Deacon Brothers Sportwear Limited in Belleville. Mr. Deacon is prominent in community affairs with the chamber of commerce,



the Belleville industrial commission, Belleville sales and advertising club and various other charitable clubs devoted to community service.

I know that Mr. Deacon will bring to the board, the continuing consideration which he has given to other matters related to the public in his own city. All matters relative to the administration of the Act, and to claims made pursuant to the Act, should be directed to the secretary of the board, Mr. Gordon Mullen, at 505 University Avenue, Toronto 18, Ontario.

I am very pleased, Mr. Speaker, to be able to announce both the proclamation of the Act and the appointment of the board and I am sure that, along with all the members of this House, I will look forward to this programme which will assist not only law enforcement in Ontario, but all courageous and public spirited citizens who are injured while assisting policemen in the discharge of their duties.

**Mr. Sopha:** Mr. McRuer made very serious criticisms of that statute. Why do you not amend it instead of proclaiming it?

**Mr. Speaker:** Order!

**Mr. Sopha:** I wonder if he would answer a question?

**Mr. Speaker:** No, no questions. The member for Downsview. The rule has been laid down and established that there will be no questions.

**Mr. Sopha:** Well, on a point of order.

**Mr. Speaker:** On a point of order?

**Mr. Sopha:** On a point of order. In other parliamentary institutions where I have observed the proceedings, the normal practice is, and I think it obtains at Westminster, that when Ministerial statements are made, there is an opportunity for comment on them within reason, and within an economy of time.

And I think that it is about time, as a matter of order, that when important announcements are made such as this one, where serious criticism is levelled against this statute, that the Opposition ought to be afforded a reasonable opportunity, within limits strictly enforced, to make an appropriate comment about the conduct of public business.

How can a democracy function if things are done unilaterally? Ministers of the Crown come in here, and make statements that may

affect the life and well-being of the citizens of this province, and we are put into silence because of the rules. Now, I suggest to you, as the Speaker—

**Mr. Sargent:** One man is doing it.

**Mr. Sopha:**—that you might take under advisement, whether some latitude might be given in respect of the unilateral performance that we see day after day over there.

**Mr. Speaker:** Order: I will be glad to take this point of order under advisement, and advise the House in due course as to my views with respect to the matter. For the moment I think that we will conclude that item. The member for Downsview has the floor.

**Mr. Singer:** Mr. Speaker, I rise on a point of privilege. I wish to draw to the attention of the House a certain publication that I received in the mail this morning, as did some of my colleagues. I would presume that perhaps it was mailed to all members. It is called the *Gospel Witness*.

It delivers itself of certain opinions about some legislation that is before the House which is certainly the privilege of any person in this province. But there is on page 4 of this document—if I can dignify it by that title—this sentence: “There is a contest between the Church of God, and the Synagogue of Satan.”

Now, I would say this, and I am sure that all members of this House would agree with me, that while we welcome reasonable criticism of any of the proceedings of this House, this hate implication that is inserted here is not welcomed by any member in this House nor any person in this province.

**Some hon. members:** Hear, hear.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, as requested by the member for Timiskaming, the agreement between the Ontario Northland transportation commission and the Northern Telephone Limited is hereby tabled.

**Mr. Speaker:** The leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I would like to ask the Premier when we might expect the report of the Royal commission chaired by Mr. Justice Ivan C. Rand on labour matters, and when it might be tabled in the House?

**Hon. Mr. Robarts:** Well, Mr. Speaker, the best information I have is that it will probably not be completed, that is in manuscript

form, much before autumn. After that we will have the usual process of printing and producing. So I say the fall, yes, I would not think it would be available until sometime after September.

**Mr. Nixon:** Mr. Speaker, if I might ask a supplementary question. I know that the Premier is aware that Mr. Rand has taken other responsibilities in another jurisdiction. We can presume that he will finish this before he takes those up, or are you aware of that?

**Hon. Mr. Robarts:** He is right here, working on this at this moment. I gather that all the hearings and so one are complete, and what he is doing in effect, is writing the report, but he is well aware of the necessity of getting it into our hands.

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Education. In view of the report in this morning's *Globe and Mail* that Ontario school boards could save up to \$10 million a year by cutting back on competitive newspaper advertising for teaching, will the Minister act immediately to establish a central registry office in the province for teacher employment?

**Mr. Speaker:** I would ask the member for Peterborough to place his question, which is along the same lines, and they will both be answered together. Would he place it now?

**Mr. W. G. Pitman (Peterborough):** A question for the Minister of Education. Has the Minister considered the possibility of encouraging public school boards to advertise for teachers co-operatively and thus save many millions of dollars as suggested by J. B. Sherlock of the separate schools business officials' association?

**Hon. W. G. Davis (Minister of Education and University Affairs):** Mr. Speaker, I do not want to be controversial in my answer, but I would like to point out that this is one of the fringe benefits of the bill that was debated here at some length the other day, which the gentlemen opposite in their wisdom could not see their way clear to support.

**Mr. Nixon:** Mr. Speaker, on a point of order, that is needless time-wasting. If he would answer the question—

Interjections by hon. members.

**Hon. Mr. Davis:** I think, Mr. Speaker, that the problem that relates to the amount of

advertising with respect to the placement of teachers during that period of the year, will, from a very practical standpoint, very substantially diminish in this coming year, when we have some 85 to 90 boards of education in the business of securing help. I think it is quite obvious that it is quite different from some 1,500 boards competing for the same people. I think, Mr. Speaker, that it should be pointed out that a number of the positions that will take place in the alterations through promotion in the system will take place within the county board units, where there will be no need to advertise whatsoever.

I think that it is fair to state that like the teachers' federation, and the trustees council, all of us are interested in finding any practical way of economizing with respect to educational expenditure. I am very firmly convinced that the restructuring of the administration will lead to a substantial diminution of the investment with respect to newspaper advertising in the year 1969.

I would go further to say that when we have some practical experience with this, if we find that there are other and better ways of further increasing this, we should be more than prepared to study them at that time. But we would like the opportunity to see just what is the effect—and we think that it will be substantial—of the county board structure on this aspect.

**Mr. Nixon:** Mr. Speaker, if I might ask a supplementary question, and in fact, again put the original question. Would the Minister consider a central registry under his jurisdiction for this purpose, because really all that he has commented on is the reduction in competition for the services of the teachers.

**Hon. Mr. Davis:** With great respect, Mr. Speaker, that is not all that I commented on. I think that, and I hope that I clearly pointed out that there will be a substantial reduction in the number of dollars that will be spent in 1969, which was surely the intent of the question.

Mr. Speaker, as I said, we will be prepared to study and consider after we have had some practical experience with this in 1969 whether there are better ways. Whether this includes a central registry I do not know at this point.

**Mr. Sargent:** You still have said nothing.

**Hon. Mr. Davis:** I think that I said quite a bit.



**Mr. Speaker:** Order! The member for Peterborough has the floor.

**Mr. Pitman:** Mr. Speaker, if I may be permitted, I ask whether it might be appropriate for the Minister to make it a bit more definite by suggesting that there might be a study by someone at OISE, the study to be made while these new boards are being set up?

**Mr. Speaker:** The member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Speaker, I have a question for the hon. Minister of Labour. Will the Minister intervene in the case of David Heatherington who was fired at CCN in Weston prior to the completion of his probationary period when it was discovered that he is a diabetic? Will the Minister consider legislation protecting workers from job discrimination because of physical problems of this sort?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the member for Yorkview, we are checking into this situation to determine what was the cause of the dismissal, and whether we can be of assistance. As to the second part, this is a problem that I will be glad to take under consideration.

**Mr. Speaker:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Speaker, a question for the Minister of Education. In the light of the fact that school buildings are used only 183 days of the year, does the Minister plan, or does he intend to investigate the use of our educational buildings across the province on a 12 month basis to stop the spiralling costs of education in building physical plants?

**Hon. Mr. Davis:** Mr. Speaker, this question prompts a fairly lengthy answer, and I shall not give this today. I think that once again it is something that we should discuss at some length during the estimates of the department.

I should point out that in fact in the school year 1967-1968, the schools will be utilized on a daytime basis some 198 days, not 183 as indicated in the question. I should also point out that we have been, as other jurisdictions have, constantly studying and seeing if there are ways in which we can get greater utilization out of the physical plant and this we are doing at the post-secondary level.

The University of Guelph, and Ryerson polytechnical institute are both operating on semester type operations, but I think that it should be pointed out, Mr. Speaker, so

there will be no misunderstanding, that while this gives greater utilization of capital plant it also increases the number of faculty or staff members that must be available.

When we recognize—and I am only using approximate figures here—that approximately 70 cents out of every dollar spent or invested in education goes towards maintenance which is basically salaries for the teachers who are participating in the educational programme, I think one recognizes that if you have to increase the number of teachers you then mitigate against any possible savings you might implement during the, shall we say, 12 month period of use.

The other point, Mr. Speaker, that must be made is that if we were to utilize school plants, high schools, and elementary schools 12 months of the year, it would, I think, of necessity, mean major alterations in the air conditioning available in many of the schools. And, we do come around to the point of whether or not holidays are not only necessary, but what effect this might have on the economic structure of the province.

Perhaps the member for Grey-Bruce is not that concerned in his area about the tourist industry and so on, but many other areas of the province are. If you think very carefully, if we were operating during July and August and the children were attending, what does this do to the tourist business, the holiday trade? It is a very essential part, I think, of the economic situation in this province.

I should also point out, Mr. Speaker, that when we analyze it carefully we are talking about 36 or 37 additional teaching days—that is the extent of the utilization we would get in July and August. We should also consider the fact, Mr. Speaker, that many thousands of teachers are allocating between five and six weeks—and I mean many thousands—during these two months for their own upgrading experiences. A number of school boards are presently offering classes during the summer months for those students who missed one or two subjects in the June examinations, and thus the physical plant is being used.

I would conclude this very brief answer, Mr. Speaker, by pointing out to the hon. member that any constructive suggestion as to how we effect economies in the school system are welcome from the members of the Opposition. This has been explored. It is, shall we say, under constant review. But we see many practical reasons why a utilization, say, during July and August will, in fact, not



result in any great saving in dollars to the taxpayer of the province.

**Mr. Sargent:** Mr. Speaker, do you not see the fact that you are using the tri-semester system in Guelph, that you have a pattern now for the teacher? And I would not like you to imply that I am not interested in the tourist business in Grey and Bruce—that is not true.

**Hon. Mr. Davis:** I did not say so. I am sure you must be.

**Mr. Sargent:** Well, you intimated it pretty clearly.

**Hon. Mr. Davis:** I said I did not know whether it was a factor in your area. I am sure you are very interested in it.

**Mr. Sargent:** The dollar is pretty important to the taxpayer.

**Hon. Mr. Davis:** Very important, I agree.

**Mr. Sopha:** I think you had better run federally.

Interjections by hon. members.

**Mr. Sargent:** I have a question for the Minister of Labour. In view of the statement of the Minister last week that some 60,000 people in Ontario are out of work today, will he advise if the government plans any work projects to stem the projected increase in unemployment across the province of Ontario?

**Hon. Mr. Bales:** Mr. Speaker, I must dispute the assumption upon which this question is based. Our economic advisors do not foresee a serious unemployment problem in Ontario in 1968.

At the beginning of April the rate of unemployment in this province was 4.7 per cent compared with 6.4 per cent in Canada as a whole. The Ontario figure is somewhat larger than it was at the same time during the past two or three years when the rate of growth was exceedingly high and we were faced with a serious labour shortage.

Our economic advisors are of the opinion that the economy is regaining its momentum and that special employment creating measures are not required at this time. However, this government will continue its efforts to attract new industry to Ontario to create new jobs and boost the economy of this province.

**Mr. Sargent:** A supplementary question: I would suggest that you are very much out of touch with things going on if you say

that, because layoffs are going on all over the province in the plants.

A question to the hon. Minister of Trade and Development: In view of the fact that only 12 loans were made by the Ontario development corporation last year involving \$1.8 million, and it took a staff of 49 people to administer this operation, will the Minister advise if he plans to abolish this department?

**Hon. S. J. Randall** (Minister of Trade and Development): I would be delighted to answer this question, Mr. Speaker, and the answer is "no".

**Mr. Sargent:** How much did it cost—

**Hon. Mr. Randall:** The Ontario development corporation, sir, is not only a lending institution. It is a unique organization which provides advisory, technical, and managerial services to small businesses as well as financial assistance.

**Mr. Sargent:** That is the biggest joke in the world.

**Hon. Mr. Randall:** In assessing the Ontario development corporation accomplishments, all of its activities, of which more than 90 per cent are advisory, must be taken into account. For example, over the past five years the Ontario development corporation consultants have assisted small businesses in Ontario to obtain \$11.5 million from regular lenders without any financial participation by the government of Ontario. In addition, as a result of the loans made by the Ontario development corporation in this period, which amount to \$13.5 million, other lenders have made investments amounting to \$7.2 million. That is fringe financing we provided.

In total, therefore, during the past five years the Ontario development corporation has enabled small businesses in Ontario to obtain financing for \$32,200,000, and as I noted previously—

**Mr. Speaker:** Order!

**Mr. Sargent:** On a point of order—

**Mr. Speaker:** The member has asked a question and he should be courteous enough to wait until the answer has been given and then if he has—

**Mr. Sargent:** On a point of order, Mr. Speaker—

**Mr. Speaker:** The member is attacking an answer to a question which he has already

asked and I fail to see that he could have any point of order, whatsoever, until the Minister has completed his answer.

**Mr. Sargent:** The point of order is this, Mr. Speaker: He answered a question in the House and the information he gave me was what I had in my question and now he is—

**Mr. Speaker:** Order! The member will please confine himself to questions.

**Mr. Sargent:** He is giving the wrong answer. That is not the answer I wanted.

**Mr. Speaker:** I do not wish to curtail the very numerous questions which flow from the pen or the typewriter of the member for Grey-Bruce, but if he persists in interrupting those of whom he has asked questions and not allowing them to answer, I will have to find some method of protecting the House from that type of operation.

**Mr. Sargent:** No democratic process here!

**Mr. Speaker:** Order! If the member wishes to ask questions of the Minister giving the answer, or to comment on it, he will have the courtesy to wait until the Minister has completed the answer and then he will be completely free to ask a supplementary question, but only to ask a supplementary question.

**Hon. Mr. Randall:** Mr. Speaker, to finish the question that the member does not want answered, as I noted previously loaning money is only part of the duties of the corporation. It has provided 9,500 advisory services to small businesses which has helped many of them to operate more efficiently and to increase or maintain their employment. There are at least 100 small businesses now operating profitably in Ontario which would have been out of business but for the advisory services which the Ontario development corporation provides.

I can think of no cheaper or more efficient method of assisting industry than by retaining the Ontario development corporation in its present form and this is our intention. In fact, its methods of operation are being copied by other jurisdictions in Canada, in the United States and in Europe.

Now, Mr. Speaker, I answered a question a few weeks ago and the member asked how many people were employed. I suspect that this would have been the second question. Let me say this: if we have a staff there a year from now of twice 49 and we do not loan a dime then I would say we have reached Utopia in helping small industry.

Industry, as we have found out, does not always need money. What it needs is advice and management assistance and that is what the corporation has given.

**Mr. Sargent:** Mr. Speaker, the hon. Minister answered my question that he—

**Mr. Speaker:** I have made it perfectly plain that the member may ask a supplementary question.

**Mr. Sargent:** Are the figures you gave me true, Mr. Minister?

**Hon. Mr. Randall:** Certainly they are true.

**Mr. Sargent:** You have loaned 12 loans to 49 people?

**Hon. Mr. Randall:** That is right.

**Mr. Sargent:** That is ridiculous!

A question to the hon. Prime Minister: Will the Prime Minister advise the projected opening date of the Centennial project, the cost to date, and the projected final cost of this project?

**Hon. Mr. Robarts:** Mr. Speaker, I will take this as notice.

**Mr. Sargent:** A question to the Attorney General: In light of the statement of the inspector from the city of Hamilton at the traffic conference this week, "that motorists are sitting ducks to be knocked off by policemen because policemen are given a quota of so many summonses to issue each day," will the Attorney General advise the House if this type of persecution is general throughout the province through the operation of the OPP?

**Hon. Mr. Wishart:** Mr. Speaker, I have the newspaper quoted, but it is not quoted correctly by the hon. member. It makes no reference whatsoever to the Ontario Provincial Police and I certainly know that there are no instructions of any such sort, in answer to the question, which are given to the Ontario Provincial Police.

**Mr. Sargent:** Is the inspector not telling the truth?

**Hon. Mr. Wishart:** The inspector, Mr. Speaker, says "some police departments". I am quoting the quotation in the paper—"Some police departments treated motorists like ducks in a pond," he said. "You know how it was on the last day of the month; the sergeant got on to you for the low number of

arrests." He makes no reference to the Ontario Provincial Police.

**Mr. Sargent:** Finish the quotation, will you please?

**Hon. Mr. Wishart:** Yes, I will; "Then you went out—and I have done it—and hid at an intersection and knocked off a handful of summonses in about three hours." But he makes no reference to the Ontario Provincial Police. The hon. member says, "Will the Attorney General advise the House if this type of persecution is general throughout the province through the operation of the OPP?"

Interjections by hon. members.

**Hon. Mr. Wishart:** The inspector says, "Some police departments do this".

**Mr. Sargent:** Again, sir, are you not ashamed that this is happening?

**Mr. Speaker:** Order!

**Mr. Sargent:** This is our great province of opportunity.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Sargent:** In view of the Minister of Trade and Development—I will get him yet—in view of the Ontario development corporation granting a loan of \$435,000 for the Holiday Inn near Huntsville, will the Minister advise the number of loans made to smaller motel and resort operators in Ontario; and will the Minister please furnish the names of the people involved in the Huntsville Holiday Inn loan?

**Mr. Sopha:** That is an American outfit, is it not?

**Hon. Mr. Randall:** Mr. Speaker, there were four loans made to smaller motel and resort operators in Ontario, and the corporation is now open to receive applications from anybody running a tourist resort. If they want to make application we will talk to them. The principals involved in the Huntsville Holiday Inn loan are as follows: Mr. Edward P. Seagram, president; Mr. M. H. Waterhouse, vice-president; Mr. W. A. Corbett, secretary.

**Mr. Sopha:** Where are they from?

**Hon. Mr. Randall:** I do not know; I believe they are all Canadian. I would have to find that out.

**Mr. Sopha:** If they turn out to be Americans, I am going to tell Walter Gordon.

**Hon. Mr. Randall:** Go ahead, he would be glad to hear about it.

**Mr. Speaker:** Order!

**Mr. Sargent:** Mr. Speaker, a supplementary to that—did ODC not loan money to Husky Oil last year?

**Hon. Mr. Randall:** I believe Husky Oil was tied in with the Charcoal Company, if I recall, up in Huntsville somewhere.

**Mr. Sargent:** So, in effect, we have the people of Ontario spending their money—

**Mr. Speaker:** Order! The member can ask a supplementary question.

Interjections by hon. members.

**Mr. Sargent:** They sure did, in this House, too.

**Hon. Mr. Randall:** I guess I am a little confused today; start over again tomorrow.

**Mr. Sargent:** A question for the Minister of Municipal Affairs. 1. In view of the fact that the report of the assessing officers shows that 600 municipalities in Ontario did not send assessment notices to tenants, and that many were deprived of voting in school support privileges; and 2. that 153 municipalities did not bother to assess or collect business tax, will the Minister advise if this situation will be allowed to continue this year and what steps will be taken to correct it?

**Hon. Mr. McKeough:** Mr. Speaker, I would refer the hon. member to page 245 of *Hansard*, wherein I answered exactly the same question, which is asked in part number 1. My reply to him on that date will serve equally well for an answer for number 2.

**Mr. Sargent:** This is typical of this department, Mr. Speaker.

**Hon. Mr. Simonett:** That is an old question.

**Mr. Speaker:** Order!

**Mr. Sargent:** A question to the Prime Minister. Will the Prime Minister advise why the Cabinet Ministers in Ontario are given cars with drivers, while federal Cabinet Ministers have only a \$2,000 car allowance?



**Hon. Mr. Roberts:** Mr. Speaker, I have no idea why the federal government does many of the things that it does so I would not comment on why they have a \$2,000 car allowance. We provide the Ministers of this government with cars because our Ministerial duties lie, of course, within the boundaries of this province, and these cars are used so that the Ministers may visit all parts of the province that are served by our tremendous highway system.

You will find that the mileage put on these cars is put on while the Ministers are serving the people of the province. All our departments reach into all parts of the province and we think that it is necessary, in discharging our duties to the people, to have means of getting there.

And as I say, our responsibilities do not extend outside the limits of the province and, therefore, automobiles are a proper and a very efficient means of transportation in this province. I know that this is one difference between a Cabinet Minister in Ontario and a federal Cabinet Minister whose jurisdiction covers all of Canada.

Apart from that, I do not know how the federal government arrives at the sum of \$2,000; I do not know what the rationale for that figure is; the hon. member had better inquire of some of his friends in Ottawa.

**Mr. Sargent:** No, I think the Premier should inquire, that is his job.

**Mr. Speaker:** Order!

**Mr. Sargent:** Would you be shocked to learn that it is going to cost us about \$6 million in—

**Mr. Speaker:** Order!

Interjections by hon. members.

**Mr. Sargent:** And further, Mr. Speaker, I object—

**Mr. Speaker:** Order, order!

**Mr. Sargent:** —to you changing my questions as I submit them to you. I had submitted this as “chauffeur-driven limousines”.

**Mr. Speaker:** Order! I will explain to the House, as I explained to the member, if he will sit down.

**Mr. Sargent:** I think you are going too far.

**Mr. Speaker:** Will the member take his seat because one of these sessions I am going to have to invoke the rules of the House—

**Mr. Sargent:** It might be a good idea.

**Mr. Speaker:** —and I will be pleased to do so unless the courtesy that one is to expect from a person who is elected to represent his people, is extended to members of this House.

I explained to the member that from personal experience, a Minister of the Crown in Ontario is furnished with a car and a driver, who also performs other duties, and I had the honour of being in that position at one time; my driver was also a clerk and performed duties of that order.

Now, I am sure that the other members of the member's caucus do not concur in the display which is given here, and the lack of courtesy which is given, not just to Mr. Speaker by virtue of his office, but to all members of this House, and, as I say, unless there is some way of dealing with this matter otherwise, I would propose to deal with it.

As I was saying a moment ago, I explained to the member that the driver was also normally a clerk and he performed duties in the office when he was not driving. Then I was told by the member that he had a chauffeur's licence, and I said “Sure, he had”. I had one, and the member said he had one, so we decided that “chauffeur” was not a proper nomenclature.

Then we discussed the matter of limousine and I pointed out—and if I did not, I do so now—that a limousine is not the ordinary car which he and I and other members drive, and that is the type of car which the Ministers drive. And, therefore, the member's question was sent back to him and I advised him that if he wished to place it in the form in which he placed it, it would be accepted by me and I could not accept the question and he could raise it in the House, which he has done. I have given the House my explanation and I leave it with the House.

The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, a question for the Minister of Labour. Inasmuch as the Windsor police commission has not accepted the terms of settlement which the Ontario human rights commission recommended, with respect to the Emancipation Day celebrations in Windsor in August, is the Minister considering taking action on the request of the Canadian civil liberties association for a board of inquiry under the human rights code?

**Hon. Mr. Bales:** Mr. Speaker, in reply to the question from the hon. member, I would also add that I received a letter this morning

in the same vein from the hon. member for Windsor-Walkerville (Mr. B. Newman). I would advise that the Ontario human rights commission is meeting early next week to review the Windsor situation to determine what recommendations they should make with respect to this matter, and I will receive their recommendations after that meeting.

**Mr. E. W. Martel** (Sudbury East): I have a question for the Minister of Energy and Resources Management.

Does the Minister's department intend to provide a subsidy for the treatment of algae in Lake Panache and Little Panache? And would the department consider an investigation to determine what is causing the algae?

**Hon. Mr. Simonett**: Mr. Speaker, the answer to the first part of the question is "No".

Secondly, an investigation was conducted by the Ontario water resources commission last November as a result of a report on some substance appearing on the surface of Little Panache. Samples were collected for analysis.

Due to the inconclusive results of this initial investigation, because of the lateness of the season for algae determination, a further study of the situation will be carried out early this summer.

**Mr. Martel**: I have a question for the Minister of Health:

Can the Minister advise the House: (a) How long it will take the experts in his department to assess the proposals submitted by INCO and Falconbridge? (b) When will the emission survey, planned for the Sudbury-Copper Cliff area, be started?

**Hon. Mr. Dymond**: Mr. Speaker, the emission survey was started in May of this year and it will likely take two or three months after the results of that are found before my staff can assess the proposals made to them by the companies concerned.

**Mr. J. B. Trotter** (Parkdale): Mr. Speaker, I have a question for the Minister of Municipal Affairs.

Has the Ontario municipal board considered the application for the construction of a high-rise development near Toronto international airport? And in view of the recent crash in that area, is the Minister prepared to discourage such an application which would provide residential facilities for 5,600 people?

**Hon. Mr. McKeough**: Mr. Speaker, in replying to this question, I am making the assumption that the hon. member is referring to the proposed housing development in the borough of Etobicoke lying west of Renforth Drive, south of the hydro right-of-way and east of the borough—of Centennial Park?

**Mr. Trotter**: That is right.

**Hon. Mr. McKeough**: It is my understanding that there is no zoning bylaw amendment presently before the Ontario municipal board relating to this matter. The zoning presently applicable limits, with a minor exception, the use of these lands for agricultural purposes and related activities. The official plan of the borough designates this area as rural.

In 1966, amendment 187, to change the official plan designation from rural to residential, was submitted to me by the municipality, then the township of Etobicoke. This application was circulated by The Department of Municipal Affairs to a number of provincial, federal and other agencies deemed to have an interest in the proposed change.

On the basis of the replies received and our own analysis of the situation, the municipality was advised on January 31, 1967, by the director of the community planning branch, that the amendment to change the official plan from rural to residential could not be recommended to the Minister for approval at that time, due, in part, to inadequate information on the relationship between airport operations and the area in question. The department is continuing consideration of this application, but has not yet reached a conclusion.

In determining a decision, this House may be assured that questions of aircraft noise, both present and future, safety, residential environment and all other relevant factors, will be thoroughly considered.

**Mr. Trotter**: Mr. Speaker, I wonder if the Minister could tell me if they have any expectation when an answer will be forthcoming? If it is under consideration, how long?

**Hon. Mr. McKeough**: I hope not too long.

**Mr. Trotter**: How long is not too long?

**Hon. Mr. McKeough**: I am learning never to say.

**Mr. M. Gaunt** (Huron-Bruce): Mr. Speaker, I have a question for the Minister of Agriculture and Food, notice of which has been given.



In the Minister's opinion, would damage of crops by mice in eastern Ontario, as reported in the Toronto *Daily Star* of April 23, be covered by the terms of The Crop Insurance Act?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Well, Mr. Speaker, I must confess that I have not seen the article. I only know about it from what is asked in the question here. To my knowledge, the terms of The Crop Insurance Act may not cover all crops that might be damaged by mice. The only crop I know of—that is a winter crop—would be wheat. To my knowledge, damage by mice would not be included in that.

However, in his question the member referred to eastern Ontario. I do know there is mice damage in other parts of Ontario, in fact I have heard my wife say some things about mice damage to some ornamental shrubs around our place that would not look well in print.

**Mr. Nixon:** Have you not got these covered by the programme?

**Hon. Mr. Stewart:** No, they are not, unfortunately, and I am getting some problems from the leader of the Opposition in our own household concerning these matters. I am afraid there is no such coverage on crop insurance in this regard, so I would have to say it is not covered.

**Mr. R. F. Ruston** (Essex-Kent): Mr. Speaker, I have a question for the hon. Minister of Agriculture.

Will the Minister indicate the number of appeals filed with the Ontario dairy commission resulting from decisions on milk quotas by the Ontario milk marketing board? Have any such appeals been heard? And has the commission increased quotas as the result of such appeals, if any?

**Hon. Mr. Stewart:** Mr. Speaker, I would ask the hon. member to put that question on the order paper.

**Mr. Ruston:** Mr. Speaker, I have another question for the hon. Minister of Agriculture.

Will the Minister indicate if the chairman of the Ontario milk marketing board has received a 3,000-pound milk quota since his appointment to that position?

**Hon. Mr. Stewart:** I would suggest, Mr. Speaker, the hon. member might very well ask that question of the chairman of the milk marketing board himself when he ap-

pears before the committee on agriculture tomorrow, if he feels so inclined.

**Mr. MacDonald:** It was answered last year in the committee.

**Hon. Mr. Stewart:** I do not recall what the answer was. Was it yes or no?

**Mr. MacDonald:** It was yes.

**Mr. Speaker:** I would like to point out to the members who just placed questions that the proper name is The Department of Agriculture and Food. Perhaps in future questions will be so directed.

**Mr. Shulman:** I have a question for the Minister of Reform Institutions, Mr. Speaker; two questions.

First, does the Minister intend to raise the six cents per day work rate paid to inmates by Ontario reformatories to the levels paid in other jurisdictions?

And second, does the Minister intend to grade said payments according to the work performed as is done by the federal government?

**Hon. Mr. Grossman:** Mr. Speaker, most hon. members will recall that this question regarding the \$2 per month for prisoners was discussed during the debates of the estimates of my department last year and probably in other years.

At that time I informed the House that the regulation under which inmates are paid a gratuity of \$2 per month is completely outdated and the entire regulations are being rewritten to comply with amendments to The Prisons and Reformatories Act, Canada, for which we have been pressing the federal government for about four years. Bill C195, embodying the changes which we requested, received first reading in the House of Commons on December 21, 1967. I am hopeful that this bill will soon become law in order that we may continue with the progressive changes we suggested some years ago.

I should emphasize, Mr. Speaker, that the regulation providing for the \$2 per month is simply a gratuity and has no relationship whatsoever to work performed in the institution. In fact, this amount is paid to all prisoners, whether they attend school, undergo clinical treatment, take vocational training or work in industry. As I said before, this regulation is completely outdated and dates back to the days when we did not have any rehabilitation staff to provide



assistance to people being returned to the community.

I think it is important that I correct any implication that all prisoners are released from our institutions with only the \$2 per month gratuity as provided by the regulation. Before discharge from a reformatory or industrial farm, each person is interviewed by a rehabilitation officer in order to assist him in re-establishing himself in the community.

If the person requires assistance and shows some motivation to rehabilitate himself, he is given assistance according to his need in terms of employment, board and lodging, tools, clothing, financial assistance and so on. In fact, there is a substantial figure in the estimates every year for this purpose.

In the light of the proposals incorporated in Bill C195, the policy of this government will be announced at the appropriate time.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. Grossman:** Mr. Speaker, I think it is just as well that I explain now, with your permission, why I have been refusing to accept supplementary questions from the hon. member for High Park. All members here know that since I have been a Minister for some seven-odd years, that I have never failed to answer a supplementary question if I have the information.

**Mr. MacDonald:** Well, answer it now then.

**Hon. Mr. Grossman:** But in view of the fact the hon. member for High Park has followed a policy of usually issuing a release to the press a day before he asks the question of me in the House and has not—

**Mr. Shulman:** That is the only way to get an answer from you.

**Hon. Mr. Grossman:** —and has not given me the courtesy of hearing the question first, as has been the practice in this House for generations, I do not think he can expect any more courtesy from me in this respect.

**Mr. Shulman:** I did not get the answer to my question, Mr. Speaker.

**Mr. MacDonald:** Mr. Speaker, on a point of order, I do not know what jurisdiction you have over Ministers, but when Ministers get up and petulantly and peevishly say that they are going to discriminate against certain members, I think they are violating the rules of the House.

**Hon. Mr. Grossman:** Mr. Speaker, is the hon. member suggesting that I am persecuting the hon. member for High Park?

**Mr. MacDonald:** Mr. Speaker, I do not know of anybody who feels more persecuted than the hon. Minister of Reform Institutions.

**Hon. Mr. Grossman:** I do not know anyone who gets as peevish as the hon. leader of the NDP.

**Mr. Speaker:** Order, order!

Orders of the day.

**Clerk of the House:** The 52nd order; House in committee of supply, Mr. A. E. Reuter in the chair.

### ESTIMATES, THE DEPARTMENT OF HEALTH (Continued)

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Speaker, it is a pleasure to rise to speak to the estimates of The Department of Health.

Approximately a year ago, roughly at this time—

**Mr. E. Sargent (Grey-Bruce):** Mr. Chairman, on a point of order.

**Mr. Chairman:** State the point of order, please.

**Mr. Sargent:** I am of the opinion, Mr. Chairman, that anyone doing business directly or indirectly with the province cannot sit in a seat in the House. I question the right of the member for Scarborough West (Mr. Lewis) and the member for Beaches-Woodbine, who are alleged to have extensive business with the government, to discuss The Department of Health estimates, where moneys are being spent.

**Mr. Brown:** What do you do now?

**Mr. Chairman:** You have got me. I take it that the member for Grey-Bruce is suggesting that there is some sort of conflict of interest in that the member for Scarborough West and the member for Beaches-Woodbine have no right to participate in the debates on the estimates of The Department of Health.

I am totally unaware of any provisions in this respect.

**Mr. Sargent:** Either directly or indirectly.

**Mr. Chairman:** I would say to the member that I will take it under full and careful

consideration. The member for Beaches-Woodbine.

**Mr. Brown:** Thank you, Mr. Chairman, I choose to ignore the comments from the member for Grey-Bruce at this particular time, other than to say he should put his money where his mouth is and proceed from there.

**Mr. Sargent:** What do you mean by that?

**Mr. Brown:** I mean, put up, or shut up.

**Mr. Chairman:** Order, please. Will the member for Beaches-Woodbine please proceed.

**Mr. Brown:** Yes, I will. As I began to say, I am very pleased to be here this year. Approximately a year ago, at this time, I was under a rather serious handicap of being attacked by The Department of Health outside the Legislature. It gives me some pleasure to be the lead-off speaker for the New Democratic Party in the estimates this year.

I would like to commend the member for Parkdale (Mr. Trotter) for his comments last night. I think it was an incisive, impressive evaluation of the failure of The Department of Health to provide the proper kind of leadership in health services in the province.

I would like to take a few moments to thank the Minister of Health for providing me with a copy of his speech during the Easter recess. It gave me an opportunity to evaluate the kind of accounting and—

**Hon. M. B. Dymond (Minister of Health):** Mr. Chairman, on a point of order. I must make it clear to you, sir, and to every member of this House, that I did not provide a copy of my speech during the Easter recess to anyone.

**Mr. Brown:** Mr. Chairman, I apologize to the Minister. I would like to then thank that unknown member of The Department of Health who provided me with a copy of the Minister's speech.

As I began to say, Mr. Chairman, as I looked it over and as I tried to understand the estimates in The Department of Health, I found that the speech was not particularly beneficial to me. It was not a necessary act.

I think, essentially, the remarks of the Minister of Health indicated generally the weakness of the department in this respect—that he comes before the Legislature, the elected members of the province, asking us

to consider estimates to the extent of \$400 million, and I think it behooves the Minister on that basis to present some of the reasons and some of the facts and figures behind this kind of a request, and not just the continual promises and investigations and studies and commissions that have become traditional with the Minister of Health.

To me, the remarks in the lead-off speech indicate that the health dollars are not going to be well spent. I would like to remind the House that he is not spending gift money, it is money from the taxpayers of the province. They have paid it on the assumption that it would be well managed and well spent, and I say there is waste in The Department of Health.

Now I want to make it very clear, I do not think all of the waste is intentional. I think some of the waste comes from the fact that we do not know. We are in a field of endeavour where there is a great deal yet to learn. Not knowing, it is easy to make mistakes. So it is inevitable that in a field of this type there will be waste.

I think some of the waste results from effort to set up programmes in the hope that we will learn—and I expect that to be a normal process of waste as well. I think some of the waste results from the testing of systems and procedures and that to me, makes sense too, and I do not think that is a particularly serious problem, although I do not think it needs to be as extensive as it is. But I would say, generally, that the waste comes, and it is the responsibility of the Minister of Health himself, pure and simple.

I visualize him as a small dictator, playing politics with \$400 million—\$400 million of the taxpayers' money—and at a time when his government has told us they cannot afford medicare. To me, the real resources of the province are the people of the province, the human resources. Their health and welfare is of prime concern if these resources are to be fully realized. In order to do that, there must be a universal health programme that cares for all of them to the extent that they need it.

Getting back to the question of waste, I think a large problem results from the Minister's need to control his department in all aspects of its operation and to garner unto himself, functions that are quite far removed from health and to fail to take to himself functions that should be in health.

When I speak this way, I want to remind the Legislature that I am very aware of the great many career civil servants in The Department of Health who have spent long

years in study and work, and are doing a commendable job. I want to also remind the Legislature that a great many of them are not free to do what they know should be done, and are not free to exercise their creative talents in an atmosphere that is free from coercion and control.

**Mr. E. W. Sopha (Sudbury):** All this can be supported, I suppose.

**Mr. Brown:** Yes, that is right.

**Mr. Sopha:** It would be interesting to hear the evidence.

**Mr. Brown:** I expect that as we go into the estimates we will begin to see that, if you would be interested.

**Mr. Sopha:** You see I suffer from being a lawyer.

**Mr. D. C. MacDonald (York South):** You just suffer.

**Mr. Sopha:** Well, a whole series of charges are made without any evidence to support them.

**Mr. M. Shulman (High Park):** Why do you not move across? You would be so much more comfortable on the Conservative side.

**Mr. Brown:** Let him sit where he is. Now it is not my intention to take time today to go into the estimates in any kind of detail. We have time set aside for that and I know there are many members in the House who are anxious to get to that.

I would like to talk about some principles and concepts around health services that I think are important to keep in mind as we view the various areas of expenditure proposed by The Department of Health. I think as a society, and certainly as a Legislature, we need to begin to think more seriously about the organization and administration of our health services. What kind of services do we want? How should they be operated? Who should operate them? We must begin to re-think our medical models—our medical service models.

One of the areas that has certainly been developing very strongly in all parts of the western world, is a review of concepts of health and disease and the relative emphasis that is placed on these by organizations such as the department.

We know, if we think about it, that the department is primarily a department oriented

to disease. Its functions are primarily geared to the physical aspects of medicine that fail to keep in tune with the many developments in other areas of human problems.

Another area that we need another look at very carefully in re-thinking our models, is the hospital model itself—the kind of buildings that we want to develop to provide the medical services to the province. We need to remember that the original hospitals were developed at a different time and a different age and for different purposes than are present in our modern society.

The hospitals originally were an effort to isolate people from the community to cut down contamination and to control infection—and they were very useful structures to provide that purpose. Today we recognize that at least half of our hospital beds are filled with people who are psychosomatically ill.

Contagion is not the problem that it was, contamination is not the problem that it was and we need to re-think the kind of hospital buildings that we provide—particularly when we realize that it costs some \$30,000 a bed to build them. We can no longer assume that the models of yesterday are adequate models for hospitals. We know that the programme and the plan—the development—the developing plans in hospitals is to turn to very specialized services and intensive care units and to try to avoid, as much as possible, the duplication of services, especially in a large metropolitan area.

We need to re-think the doctor-patient relationship model. It is no longer possible to meet, certainly under the present conditions, all of the medical needs of the population by the old doctor-patient relationship model. There are now 25-30 paramedical groups that provide relative services and they need to be included in the concept; in the model structure that we provide in our services.

We know that we have to begin to concentrate more on prevention; preventive actions to keep people in a state of health rather than wait until they have reached a deterioration or a diseased condition that makes it difficult and costly to deal with them. We know also, that you cannot keep people in a state of health unless they are properly housed and properly clothed and properly fed. So that basically, a sound health service rests on the assurance that all the people in the province are properly housed, properly clothed and properly fed.



A preventive service attempts to maintain people in a state of health. It is not necessarily operated by a doctor who is a medical officer of health or a local hospital. This is not the way the preventive action is taken. If we await for the doctors to emerge to do this particular function, it will never be done.

Perhaps, one of the most important areas that we need to re-think is who sponsors the hospitals that we do, the hospitals and services that we do establish. Far too long an established group in the community, the establishment group in the community represented by a board which is virtually without control because of department regulations, has operated the hospitals. Sir, they are doctor-controlled and medicine-controlled.

We need to have consumer control of hospitals, and we have two good examples of this type of service being developed. I do not mean just to imply that the hospital is an in-hospital, it is a hospital that meets the total needs of the community.

In the Soo and at St. Catharines the trade union movement has established a group practice community-based hospital in which the control of the functions of the hospital—the organization of the medical services—is primarily on the policy level under the control of the consumer and I commend this as a proper way for all of our services to people to be organized.

The day has long passed, when we could use the charity concept, that a certain select group in society will determine the policies under which people will receive services. We certainly have passed the stage when a select establishment group in the community will do this.

We need to evaluate our present service under this Ministry. We need to have a non-political look at the state of health services and the direction they are taking in the province of Ontario. We know that no area of the department's activities is without serious complaint.

We must take very careful scrutiny then of the various areas of work covered by the department in the estimates. First of all, are these expenditures in the right direction and in the right amounts at this particular time? Are they organized in a fashion that provides the service they are intended to provide, to the best of the ability of our technical and professional and the various other related groups that provide that service?

I think the hon. Minister put his finger on it, when he said, basically the department is

too large for him to touch on in his remarks. It certainly is true. The department obviously, is too large, and it is too large to be operated by a politician.

I would suggest, with all respect to the recent reorganization, that the political head of the department turn over to the deputy and other administrators of this department the actual working of the department; that he takes the hands of politics out of medical services. It is possible to do this.

We have laws that are laid down by the Legislature. We have regulations which control the manner in which these laws will be carried out. It would be possible, for any man, in any group, of whatever political hue, of whatever opinion about the department and its services, to get, under the law, that which is due him as a citizen. I suggest to you that there is serious question whether that is possible at the present time.

It is common knowledge that if you are in the department, you do not speak out of turn. You do not criticize openly the department. This has been one of the great weaknesses of the department. There needs to be a dialogue. We are at a state in the development of our scientific knowledge where we cannot afford to be without question, argument, dialogue. This is how we learn and this is how we exchange concepts and ideas.

Unfortunately, there is a certain oppression within the department that makes people fearful of speaking, of moving out and taking a courageous stand.

Some of the problems, as I said earlier, relate to the fact that the Minister garners to himself areas, or is handed and does not refuse them—it just does not matter either way—that are really not appropriate in health.

I fail to see why the lighting in swimming pools should come under this department. Maybe there is a reason for it, I would be pleased to hear about it. But the services range from the lighting in swimming pools to the Clarke institute; from the ridiculous to the sublime in a sense.

At the same time, programmes for the deaf and the blind are in education, while The Department of Health claims to itself services for emotionally disturbed children.

I submit to you that emotionally disturbed children would be better placed in The Department of Education for the re-education that they need, and that the blind and the deaf would be better off in The Department of Health where there would be specialized services available to them.

I know the kind of interdepartmental harmony that is emerging out of the special committee that was formed and out of the various pressures from outside that have forced the various departments to co-operate and to find ways of relating to each other. But a great deal of time and money is spent in scratching one another's backs and finding ways of contributing to the programmes of one and another's department.

I think that this is an unnecessary waste. We need wiser reorganization of the department and allocation of those functions that are proper in health and those functions that are proper elsewhere to elsewhere. We have at the present time, as has been pointed out many times in the last several months, a large number of emotionally disturbed children going to reform institutions, a totally inappropriate place for them. We have evidence that local clinics are recommending that children who are emotionally disturbed go to reform institutions because there are not services available to them. I say that this is an abuse.

If The Department of Health does not have the services that it needs for the emotionally disturbed child, then I do not think that it is appropriate to send that child to a reform institution.

When I spoke earlier, as the Minister noted yesterday, one of the great faults of this department was that it had never had problems. I was speaking particularly about this area. We need to begin by admitting that there is a crisis in services to emotionally disturbed children, and we need to begin to admit, for instance, that if possible, with existing resources, we do something about the lack of services. The leader of the Opposition (Mr. Nixon) makes a very good point there.

There are only seven or eight Tories in the House. Of course, they are only going to come in and clap their hands and vote \$400 million, so it is of little importance for them to be here and consider it. The plan has already been laid down, and they have no opportunity to express their individual wish, and this, Mr. Chairman, is something I would like to comment on. I come to the Legislature representing the people of Beaches-Woodbine, not just the New Democratic Party, and they expect me to account for the expenditures of the government.

In the estimate presented to date, I find that I am not in a position to do that, at any point, whether the members on the Opposition

benches agree with it or not. It is shoved and crammed through, the estimates asked for and there is nothing that the Opposition members can do about it. As long as we vote politically on the expenditure of funds and the service areas, we will have a serious problem.

It is not a political tool, and it should not be dealt with that way. I would like to take a little time to talk about mental health services, because that has been my life work before I turned to politics. I would like to talk a little bit about the history of it.

It has been said that the longest revolution in history has been fought for specialized services to the mentally ill, and like all movements that are based on radical or revolutionary changes, the changes that result in new ways of working, new concepts of working, often remain to haunt the people who initiate them. And so it has been in the area of mental health.

We know that the mentally ill originally were not distinguished from the criminal, and were not seen as people who had a serious problem which could be remedied. They were seen as someone who was deviant, and who needed to be locked away or abused in some other kind of fashion.

Out of this awareness, and out of the concern of people for the plight of these individuals, the concept of the large mental hospitals began to emerge. These people were separated from other people who were deviant, and segregated into special facilities. There were a great deal of problems that resulted when this was done in trying to serve these individuals.

Unfortunately, many of the practices of prisons carried on into the mental hospital programmes, and it is not so many years ago that, even in our own country, these practices were still rampant. But at the time, the asylum was a forward movement in the field of mental health.

At the present time, it is certainly not a forward movement. It has become a millstone around the neck of service. In the present estimate, \$80 million are being requested on this particular area. I say that we need to take a good look to see whether this money is being appropriately spent.

At the time that the asylums were established, it was the proper thing. In this day and age, it is no longer the proper thing to do. These people will not recover—and we know that—by being segregated into large, inhuman, dehumanised types of institutions.



Now we can spend a great deal of money trying to live with these monstrosities. It is not going to be possible, no matter how much we dress them up, how much we find specialized staffs, how much we struggle with the architecture of these buildings, for us to efficiently provide services for the mentally ill in this kind of a facility.

I would feel infinitely more encouraged if people in The Department of Health would say something on this and make some kind of a public issue out of it. I can assure you that the public is not wedded to the concept of the asylum. Popular opinion does not support the asylum. With leadership from the professional groups, and people in this area, it would be possible to get support for, and modify the programme without having to deal with these archaic buildings.

To do that, we would have to disregard some political considerations in certain areas of the province, but I would like to think that the \$80 million that are going into this area of work, are not a political handout, but ear-marked to serve the people in the way that we know best at this time in the history of our country.

And still, you know and I know that hospitals are being maintained at high cost because of political considerations for the geography in which they are located, the local economy and because of the type of problems that come when you have to go before the public and say that this building is no longer suitable and we need a different type of structure.

**Mr. J. H. White** (London South): That is a shabby untruth.

**Mr. Brown:** If the hon. member would like to take whatever limited amount of time that he would select, I would go with him to the Ontario hospitals, and we will discuss it on site.

And if he could assure the staff of those hospitals that there would be no retaliation, he will have an earful. One of the second great revolutionary movements in the field of mental health evolved out of the doctor-patient relationship, the one-to-one relationship, that grew out of the work of Pavlov, Freud and others who introduced psychological concepts into the practice of medicine—and, through their methodology, demonstrated the value of the one-to-one relationship. There was an effort in the large hospitals to provide this kind of service, and we know how difficult, and how frustrating it has been for the staff who, with deep dedication and

great sacrifice, take their professional practice into the mental hospitals of the province, and try to do a high quality, professional job.

There is not enough staff, and there are too many patients, there is too much size. So this model has haunted us. Many of the standards that we set down for accrediting the hospital, for judging the value of the hospital, relates to this doctor-patient, one-to-one relationship. This is not a proper measure of medical services to a patient in a mental hospital.

We need to include in the concept the entire team. I am not saying anything new to those of you in the professions, you know this—but when you go out and look at the practice, then you understand the nature of the problem. We, in the Legislature, must take some action to give the professional groups the tools with which to work, and one of the things that we need to do, is to break down the myth that we have to have a one-to-one, doctor-patient relationship, to help people in this condition.

A large number of paramedical groups are playing an increasingly more important role in the treatment and rehabilitation of the mentally ill. In the president's committee on mental health in the United States, one of the experts there estimated that if each professional person could multiply himself by six through supervision and teaching, the staffing problems for mental health in the United States would be solved. I would suggest that before we are able to do that, we must realize that there is no great sanctity around the doctor-patient relationship. This is not a sacred area that must not be questioned or changed—we must indeed change it.

At the present time, we are entering into one of the large, important, revolutionary periods in services to the mentally ill. It is that area that can be best characterized by saying it is non-medically directed and it exists in the community.

We see a great many programmes that are developing in this direction just recently, and I commend the department and the particular hospital involved in providing this service—the people who were responsible for it—in setting up a 24-hour-a-day community clinic in Scarborough. The mental hospitals have been moving in this direction for a long time.

The open-door policy—the programmes where patients can come in from work at night, or can come from home for the day—have all been in service or providing services in the community. We see its most



extreme form in this particular community in the Brown Camps that are operating in various residential areas throughout the province.

The idea of providing those who are mentally ill and emotionally disturbed, an opportunity to experience normal living conditions with all of the paucitive influences that are available in a community, is something that will become increasingly more a part of our mental health services. In order to do this we must stop pouring money into our large, archaic mental hospital programmes.

In the area of mental health there are several groups that are particularly suffering more than others. There are three that I am going to talk about:

The aged—there is a great lack of services to the aged in the field of mental health. Somehow we assume that if we give them an adequate pension, so that they do not fall starving at our feet in the streets, that we have done our duty. We know that with the present increase in rates in the various policies for health care and hospital care in the province, a great many of the old who have been improperly served will be even more improperly served.

Another large group in the province are the poor—those who cannot, for economic reasons and for social organization and development reasons, utilize the services that are provided but who do not have the means by which to do it.

And, of course, the area that I am most concerned with myself is the emotionally disturbed children. This is a group of our citizens who have been sorely neglected for a great many years. We can promise them with eloquence all kinds of programmes for tomorrow, but we must do something about services to them today.

In talking about these children I would like to take a moment or two to discuss some of the aspects of these children—the nature of the problem—so that when we come to these sections in the estimates we can see whether or not these concepts provide a framework against which we can measure the intentions of the department. The child is born without knowledge and is uncivilized. He gets his primary knowledge for living and he becomes civilized within the family unit and this has been a model that has come down through the ages and has served society well.

Being a part of a loving family that cares and teaches and extends the human being beyond himself and beyond the family and the community, has been a model that has existed through war, pestilence, and famine, through all the crises of the history of man. Mr. Chairman, in the last 30 or 40 years as science has turned the focus on to the study of man and on to the development of children, we have come in our expertise to think that we were able to improve on that. And one of the great failings in services to children, both in physical medicine and our children's hospitals, and in the emotional and mental areas in our psychiatric units, is the fact that we forget that the child is first a child, with all the needs and all the attributes of a normal child.

In addition to that he has a special need—that of his malady. But to focus on the malady without first catering to the needs of the child is to fail to lay the groundwork that makes rehabilitation possible. If we think for a while what it means to be a normal child in a normal family and the kind of special communications that occur between parents and child, and then measure whether or not these are in any wise duplicated and how they are duplicated when we set up our specialized services, I think we begin to see the problem.

For many years it was the purpose of the professional to train himself to be objectively removed from the feeling surrounding the child's or the patient's problem. This served us well for a period of time in the development of our services when we ourselves were unsure how to control our own counter responses. But we have learned enough about human behaviour at this point to do what any ordinary parent, what any ordinary unschooled human being can do with his own child—we can relate to the child, or we can relate to the human being.

So we must begin to question the validity of its professional objectivity and say that we trade that for professional subjectivity. The person who comes with special learning, with special skills to the child and asks the child to relate to him, or the adult to relate to him, must himself be involved in the human condition which that individual is suffering. So we need involvement, and one of the areas where we have been very lax in taking proper action has been in the medical services to children in the children's hospitals and hospital wards around the province.

The doctors would like us to provide the children in a nice, efficient, assembly line

structure as though they were not human at all, but mechanical gadgets that could then be dealt with by their specialization without interference or without fuss and bother. But the fact of the matter is, when a child is ill it is necessary to have fuss and bother. You cannot treat that child like a machine; you cannot produce services to that child on an assembly line.

What that child needs more than ever is human contact, warm human contact, and preferably with the child's family. We know the difficulties this would present to the medical profession, the kind of problems that it would present to the neat, orderly structuring of our large hospitals. But the fact of the matter is we lose something vitally important at a critical time in the child's life if we separate that child from those who are close to him, that are meaningful to him and that reassure him of his safety and security.

In fact, there is growing evidence that the psychological comfort and security of the patient makes a great deal of difference in his response to the special medical attention that the doctors give him in hospital. We need to consider whether or not the forms that we use in the treatment of adults and children respect their dignity as human beings. Allow them to have self-respect. Allow them to make mistakes and learn by doing it. Allow them to enter into the life of the community again without the stigma of having been classified as an unfit human being.

I would like to turn briefly to consideration of the doctor's role in society, because here is where we should be looking for leadership. Unfortunately the medical profession, and particularly the medical association, have failed to give the proper leadership to the lay community. Their interests have first been the interests of doctors in securing medical practice for themselves. It is obvious that by far the largest number of doctors in Canada, and certainly in Ontario, are captive of the medical association. They are not free to act as human beings in their own right without fear of serious retaliation of a vested interest group that is organized to promote the control of medicine.

**Mr. R. T. Potter (Quinte):** Mr. Chairman, on a point of order, I object to this suggestion that the doctors in this province are not free to act without fear of retaliation. This is utter nonsense. We have been sitting here all afternoon putting up with these accusations.

**Mr. MacDonald:** The member just came in.

**An hon. member:** Oh, he has been here all afternoon. Get a new pair of glasses.

**Mr. Potter:** I must admit that I cannot take too much of it and I have to go out every once in a while for a little fresh air. But I do object to one who has absolutely no authority at all speaking for the medical profession; getting up in his House and saying that any doctor in this province is afraid of acting because of disciplinary action which may be taken against him by the Ontario medical association.

If, in fact, he did know what he was talking about, he would know that the Ontario medical association cannot police the doctors. They are strictly an association and the college of physicians and surgeons of Ontario is the policing body of this province.

**Mr. MacDonald:** We know that.

**Mr. Potter:** If he knows it, why does he not say so, instead of misleading this House?

**Mr. Brown:** We will leave those comments for the debate later. I am pleased to have the representation from the Ontario medical association. I would like to have this kind of issue discussed publicly. I would like those doctors who are of a similar mind to be assured that they could speak about the role of a doctor in modern society without fear of retaliation.

**Mr. White:** The hon. member's paranoia is showing.

**Mr. Brown:** Why is this not a topic of great concern right now? The medical profession is undergoing tremendous changes. Health services are undergoing tremendous changes and we have a wall of silence from the medical profession because they are afraid to speak and they are afraid to act. And if that were not true, they would be out in a leadership role. They would be saying, we need to examine the models under which we have been giving service. There would be a large number of them in the province of Ontario who now would be saying, "We must have medicare because people are going without proper medical services".

**An hon. member:** Oh, do not be stupid! Do not be ridiculous!

**Mr. Brown:** And why are they not doing that? It is out of fear, that is what it is. And I would say to the hon. doctor across the House, he might take a leadership position in it, if he is not afraid to.



**Mr. Chairman:** I would ask the member to address himself to the chair—

**Mr. Brown:** I am sorry, Mr. Chairman.

**Mr. Chairman:** —and return to the estimates.

**Mr. Brown:** The doctor is failing to give leadership to the community in the review of the medical model under which medical services are given, and it does not take a doctor to know that part of the reason for this is the fear that some of the healing arts will fall out of his hands, out of his control and out of his pocketbook.

The reluctance with which this department of government has taken a stand on the various services provided by non medical or paramedical groups speaks for itself. A great many people in Ontario use services of psychiatrists, social workers, chiropractors and a number of others. Either they are *bona fide* services in the province and should receive the support of insurance schemes for funding, or they should not exist in the province—we cannot have it both ways.

To have it both ways casts suspicion that the medical profession has a vested interest in keeping them out. Even more seriously—and I am not talking about individual doctors. I am talking about doctors as a group—I know, within every professional group, there is a group of people who are prepared to change, review, evaluate and modify themselves as conditions change—but in the medical profession this is long overdue.

One of the reasons that the doctor is failing to move is because he wants to be boss. In any medical services, or any health related services, or any of the healing arts, the doctor presumes to himself the right to be boss, whether he knows how to be, whether he is the right person, or whether he is not.

In order to get this authority, he is prepared to make deals with the establishments. And one of the establishments with which he is prepared to make deals right now is the Ontario medical association and The Department of Health. I say it is about time that the rank and file doctor revolts, against this structure and stands up and says, for public review, "We have nothing to hide, we will talk about the nature of our role, the nature of our service, our relationship to other professions, and we will do it in the public forum because there is nothing to hide from the public forum."

**Mr. Chairman,** my various remarks this afternoon lead me to the conclusion that one

of the questions that might well be publicly discussed is whether it is ever right to have a doctor as the Minister of Health. When I say this, I want it clearly understood that I am not questioning this particular man who holds that position at this time—I am questioning the principle of whether or not a medical person, a doctor, who has deep ties and affiliations to his profession and a political axe to grind—

**Hon. A. Grossman** (Minister of Reform Institutions): There goes your job, Morty.

**Mr. Brown:** —should be in charge of The Department of Health.

**Mr. Sopha:** He is going to be Minister of Reform Institutions.

**Mr. Shulman:** I will be chief coroner.

**Mr. Brown:** It may well be, Mr. Chairman, that if we do have a frank and open evaluation of whether this is so, we may come to the conclusion that it is proper, fitting and desirable to have a medical doctor as the Minister of Health.

On the other hand, I think we may also find that there are problems of public confidence that begin to creep in, because we have seen an ever-widening credibility gap grow around the present Minister's activities in The Department of Health.

**Mr. Chairman:** I wonder if the Minister before we get into the estimates, will permit me to make a ruling. The question was the point of order raised by the member for Grey-Bruce in which he suggested that the members for Beaches-Woodbine and Scarborough West should be excluded from participating in these debates due to conflict of interest. If the members for Beaches-Woodbine and/or Scarborough West are in a position in which they receive any of the funds voted by these estimates they are barred by provisions of rule 21 from voting on the estimates. Rule 21 clearly says it must be shown as a direct pecuniary interest and they must not vote thereon.

I am in no position whatever to know whether or not any of these moneys in the estimates do, in fact, find their way into the pockets of either of the members, and if the member for Grey-Bruce knows that any such moneys do find their way into the pockets, if he has any other evidence, he should outline the circumstances to the House.

In my opinion, the members mentioned by the member for Grey-Bruce should be the best judge of the facts in the case. If they



do, in fact, have any direct pecuniary interest they should so declare. If they have, then they will be barred from voting on the estimates.

**Mr. Sargent:** Mr. Chairman, may I speak to this? I respectfully want to say that I have nothing but the highest regard for both of these members. But you will recall, sir, when you were mayor of your city, that any time an area for conflict came into council meetings, the member would declare himself and remove himself from the discussion and from voting. I think, where there is an area of conflict—such as I believe there is here, that either one of these members should not be in their seats in the House or vote on the matter, because anything these members may say may directly influence public opinion on more spending of funds—public funds—in the interest in which they are concerned, and I say that I feel your ruling is right and fair.

**Mr. White:** Mr. Chairman, I have been reading the appropriate sections in May's Parliamentary Practices. I think these two members have every right to enter into these debates and discussions, to ask questions of the Minister, and so on. I think that the rule here and the rules at Westminster do not preclude their participation in this sense.

I do suggest to you, sir, that they should not vote on these votes, even if they might feel themselves qualified from a highly technical or legalistic sense. I do not know the exact figure but I am given to understand that these two members and their associates in an enterprise called "Brown Camps" receive more than \$1 million a year in provincial moneys paid through the agency of the children's aid societies.

It does seem to me that the technicality of the routing of these funds should not blind us to the fact that there are enormous amounts of provincial public moneys being paid to these men and to their associates, and so I suggest to you that they should be able to participate in the debates, their self-interest having been made clear, but that the rules preclude them from voting on the votes that touch their activities.

**Mr. Chairman:** I want to thank the member for London South for his contribution and, as nearly as I can determine, it is exactly in accordance with my ruling.

**Mr. Sopha:** I want to speak to the point of order.

**Mr. Chairman:** The member for Sudbury.

**Mr. Sopha:** As is the case in so many things around here, the matter at hand is approached

in the most oblique fashion that human ingenuity can possibly provide.

I for one, as one member of this House, would like to know just precisely what it is that is being talked about. To that end, I say to you, Mr. Chairman, that throughout the corridors and the dining rooms of this House for the last several weeks—indeed, ever since the opening of this Legislature, one has the privilege of conversational gambits with members of the governing party—the members who support the governing party in which allegations have been made by them about these two members. As recently as noon today a member of this House who supports the governing party and who has sat in this Legislature for a good number of years, raised the matter with me in an off-handed way, referring to amounts of public moneys that find their way into the personal possession of the member for Scarborough West and the member for Beaches-Woodbine. At the time, I said to that member, "you support the government, why do you not raise it in the Legislature; why does a Minister of the Crown not raise it?"

So, on the point of order, I would like to hear from the Minister of Health just what it is we are talking about. I would like to know, as the member for Sudbury, the mechanics of the payment of money directly or indirectly from the public treasury of this province to the organization that apparently is known as Brown Camps Limited; apparently this bears the name of the member for Beaches-Woodbine.

Further, I would like to know whether that money is paid on a periodic basis in specific amounts, what it is paid for, what services are performed in the public domain for it, and the amount that has been paid. I would like to know the amount that has been paid of public moneys to this organization since the member for Beaches-Woodbine has been a member of this House.

In fact, I would like to know just everything surrounding every characteristic of the payment. But I think it is a poor kettle of fish when these insinuations and allegations are made about hon. members and the trafficking of the allegations is in the corridors of the House rather than where they should be, right in this forum.

If the Minister of Health is the responsible Minister and he is privy to knowledge, as he should surely be, these members of the governing party that seek me out in the corridors and say these things to me—and I am

glad to see that one or two of them are here at present and listening to my words—surely if they seek me out and want to make me privy to it, they have also made the Ministers of the Crown privy and perhaps the Minister of Health.

Now if this surrounds a health matter in our province then we have got the right individual. We have the Minister of Health right here, and I invite him, before it goes any further, to get up and bring it out in the open and inform us all precisely just what the relationship of the consolidated revenue fund of the province of Ontario is to the organization of Brown Camps.

And inform us what part is played in the operation of those camps by the member for Beaches-Woodbine and the member for Scarborough West. Maybe, when we get the whole thing out in the open, then all of us will have an opportunity to peruse it and determine in the light of the known circumstances just what appropriate course of action may be called for, if any.

**Mr. Chairman:** May I say to the members that a point of order was raised by the member for Grey-Bruce. I took the point under consideration. I made a ruling in accordance with rule 21. I suggested that the members concerned should declare to the House, if in fact they do have any pecuniary interest, and I might say rule 21 says there is—

**Mr. Sopha:** Well, do they have any interest in it?

**Mr. Chairman:** There is no provision in the rules which says that they must or must not state that they have. But, I would think that it would be up to them to state that they have.

**Mr. Sopha:** Let us hear from the Minister of Health.

**Mr. Chairman:** Order, please. Order, please. Now I have made a ruling and I have reason to believe that the member who raised the point of order was quite satisfied with that ruling. I do not think there is any point in prolonging this discussion and getting into a great debate about it. However, I will ask the Minister of Health if he at this time wishes to make any comments before we proceed with the estimates.

**Hon. Mr. Dymond:** Mr. Chairman, I have in the past followed the practice of commenting on the comments of the critics from the

Opposition parties—the official Opposition and the socialist group, but this year I would ask if I might be permitted to leave any comments I might make on the remarks until we get to the votes, then I would have one or two matters to raise, particularly in respect to the remarks made by the hon. member for Beaches-Woodbine.

**Mr. S. Lewis (Scarborough West):** On a point of order, Mr. Chairman, with respect to the Minister, I believe he is now joining the estimates and I think the Chairman was asking him about some other matter. I for one, and for my colleague from Beaches-Woodbine, would like to respond to the Chairman's request since he has put it at this point in time.

I might first say for the member for Sudbury, Mr. Chairman, that Brown Camps Limited has had absolutely nothing whatsoever to do with The Department of Health in any sense up until the last very few days when an accreditation committee got in touch with us. There are no public moneys from The Department of Health related to the treatment of emotionally disturbed children in Brown Camps at all.

The member from Beaches-Woodbine and I under rule 21 receive no direct pecuniary gain at all from the government or from any government source. Sir, the member for Beaches-Woodbine and I occupy a position no different than a doctor in this House who would be compensated under OMSIP, or a teacher in this House who would receive funding from a school board, which receives money from government.

Children's aid societies are autonomous bodies under The Child Welfare Act and disperse their moneys independent of direction from government. That, it seems to me, is simply the position, so it is not simply a matter of participating in debates. I think in the application of rule 21, the right to vote and every other privilege can also be exercised.

**Mr. Chairman:** May I say to the member for Scarborough West and to all members that the member for Scarborough West has accepted the Chairman's invitation to declare whether or not he had any interest. He has declared that he has none. I do not know whether or not the Minister wishes to add anything. I think the Minister was suggesting that any further discussion regarding Brown Camps could take place at the appropriate time in the estimates.



**Hon. Mr. Dymond:** With reference particularly to the remarks made by both critics, rather than running over the gamut again, I reserve any comments I might make on the things they stated to the time of the particular vote about which they spoke when it is brought up.

There was, however, one statement made by the hon. member for Beaches-Woodbine at the outset of his remarks which causes me a very great deal of concern.

I say to you, sir, I believe the reputation of a very large number of staff members in The Department of Health was put under suspicion when the hon. member thanked me for sending him a copy of my speech during the Easter recess. I would like you to know, sir, and every hon. member in the House to know, that had I been disposed to send anyone a copy of my speech I most certainly would have sent it first to the official critic of the official Opposition party because I would believe that would be a courtesy to which he might have a right. He would be the first to get it.

I disclaim that I sent this to anyone. No member of my staff, to my knowledge, sent this. This was a high-security document, in the keeping of myself and my department. I think, sir, it behooves you, as Chairman, to demand of this hon. member that he reveal the source of this document.

His failure to do this leaves every member of my staff who might have had access to this document under suspicion. And I can assure you, sir, that tomorrow morning there will be a great many questions asked in my department.

Interjections by hon. members.

**Mr. Chairman:** Order please, order! We have enough points before us for the moment. There was a point of order raised. I commented upon it. I permitted various members to speak to it; I had made a ruling on it. The member for Scarborough West has declared he has no interest of any kind, directly or indirectly, and he should be allowed to participate in the debate.

Interjection by an hon. member.

**Mr. Chairman:** All right, I will withdraw the word "indirectly". The member for Scarborough West has accepted the invitation to make his statement as to his position. I would now invite the member for Beaches-Woodbine to do the same or otherwise.

**Mr. White:** Mr. Chairman, on the point of order—

**Mr. Chairman:** I would like to follow it through and dispose of the first point of order, and then I will deal with the member's.

**Mr. Brown:** Mr. Chairman, the organization known as Brown Camps Limited does not receive funds directly or indirectly from The Department of Health.

**Hon. Mr. Dymond:** I think someone—the hon. member for Sudbury—spoke of the consolidated revenue of Ontario.

**Mr. Chairman:** In view of these discussions, my ruling stands that since there are no interests evident, no evidence submitted, and as the members have declared no interest, they should be both permitted full participation and voting privileges on the estimates of the House.

**Mr. White:** Mr. Chairman, I think the member for Sudbury—

**Mr. Chairman:** May I point out, I have made a ruling. If the member wishes to challenge the ruling of the chair on that particular motion, we will entertain the challenge.

**Mr. White:** I am not challenging your ruling, nor am I debating your ruling. I am simply rising to say that the member for Sudbury has said that the obliqueness of this discussion and the informality of accusation, in the corridors, of which I must say I have had no knowledge and took no part, I think do make it incumbent upon the two members to tell us: (a) How much money Brown Camps receives from the—

**Mr. MacDonald:** Out of order.

**Mr. White:** —consolidated revenue fund, via the children's aid societies; and (b) How much money they themselves receive from Brown Camps. Now that information should be made—

**Mr. Chairman:** Order!

**Mr. White:** —public and then everybody can make his own assessment of their position in this matter.

**Mr. Chairman:** Order, please! The Minister made comments in regard to the opening statements of the member for Beaches-Woodbine; these statements related to the member for Beaches-Woodbine having obtained, in



his words, a copy of the Minister's introductory remarks to his estimates.

The Minister has denied that he, in fact, provided the member for Beaches-Woodbine with such a copy; the Minister further states that no member of his staff, to his knowledge, referred or provided such a statement to the member for Beaches-Woodbine; and the Minister has suggested that the member for Beaches-Woodbine retract his statements or clarify where he, in fact, received the statement.

**Mr. MacDonald:** The Minister has no right to demand that.

**Mr. Chairman:** It is a request.

**Mr. Brown:** I have no objection to commenting in reply to the hon. Minister's request. I must admit, quite frankly, that I did not think it came from him; at the same time, I have no definite knowledge of from whom it came. I was being a little facetious, I will admit quite frankly, in attributing it to him.

**Mr. Chairman:** Then the member for Beaches-Woodbine does not intimate to the House that either the Minister, or any of his staff, provided him with a copy of the Minister's statement?

**Mr. V. M. Singer (Downsview):** Mr. Chairman, may I speak on this point of order?

**Mr. Chairman:** I am not sure it was a point of order, but you may speak.

**Mr. Singer:** Mr. Chairman, I am a little puzzled as to whether or not rule 21, which is the pertinent rule of this House, is the sole criterion.

**Mr. Chairman:** We are off rule 21.

**Mr. Singer:** No, I think there is a very important point here, and I make reference to section 9—

**Mr. Chairman:** I would say to the member that I am not dealing with any ruling pertaining to rule 21; this is an entirely different matter.

**Mr. Singer:** Yes, but section 9 of The Legislative Assembly Act, I think, is most cogent to this matter which is under discussion.

**Mr. Chairman:** All right.

**Mr. Singer:** And section 9 says this:

No person holding, or enjoying, or undertaking, or executing directly or indirectly, alone or with another, by himself or by

the interposition of a trustee or third person, any contract or agreement with Her Majesty, or any public office or department with respect to the public service of Ontario or under which any public money of Ontario is to be paid for any service, work matter or things is eligible to sit as a member of the assembly or to vote therein.

And I would like your ruling, sir, as to the effect of this section on this particular—

**Mr. Sopha:** May I speak to the point of order?

**Mr. Chairman:** Is there any evidence of any contract in this particular case?

**Mr. Sopha:** Now may I speak to the point of order?

**Mr. Chairman:** No, I recognize the member for York South.

**Mr. MacDonald:** Mr. Chairman, on the point that the hon. member for Downsview has just raised, I feel that it is well to remind you and members of the House of the last time that the House had to deal with this kind of a situation. The details were briefly these:

There was introduced in this House a bill to pay for so-called oversize watermains in Scarborough. This bill was introduced because action had been taken before getting the approval of the Ontario municipal board and therefore the only way that the persons legally could be paid was to have a bill passed in the House. The bill was introduced by a member of the House on the government side.

It was voted on by a man who was the head of a subdivision which was going to get some payment from this bill. Indeed, the man who introduced it was the man who had sold some 300 acres to another benefitting subdivider, receiving a first mortgage for \$275,000 and \$25,000 in cash. I raised the question of these people voting and being involved.

Interjection by hon. member.

**Mr. MacDonald:** It did not involve Holly Beckett at all. The hon. member as usual is not correct in the facts.

**Mr. White:** Who was it?

**Mr. MacDonald:** It was Mr. Sutton and Mr. Fishleigh.

**Hon. Mr. Crossman:** And you are misinforming the House as to what happened.

**Mr. MacDonald:** Mr. Chairman, I suggested that these people were directly involved and were going to benefit from it, or indirectly involved and going to benefit from it. The issue was taken to the committee on elections and privileges and the committee said I was all wrong, that they had the right to do this.

**Mr. White:** Are you saying your members are in the same position?

**Mr. MacDonald:** No, I am just drawing your attention to it.

Interjections by hon. members.

**Mr. Chairman:** Order! May I have order! The member for Sudbury.

**Mr. Sopha:** I want to put the issue four-square. My friend from Downsview has read that section of The Legislative Assembly Act. I have listened to the explanation made by the member for Scarborough West and I submit to you, Mr. Chairman, that in these circumstances nothing short of an opinion from the law officers of the Crown is going to give a satisfactory answer to the question of whether these two members are in conflict of interest.

And I would think that the Ministry over there, if not the Minister of Health, then the Attorney General himself, who is present, ought to intervene in this debate in order to satisfy this House that no question of principle or legality is being violated by these transactions involving public money.

Now I am not making any allegations at all. I have merely reported. Allegations have all been made in the corridors and this matter is the subject of gossip and rumours. But enough has been said here this afternoon to reveal to us as legislators and as elected members that a serious matter of principle is at stake. It is not sufficient, when a question of the use of public moneys and their ultimate resting place is determined, that the member for Scarborough West gets up in his place and says, "I assure you that I am innocent." He may well be, but such a voluntary, gratuitous explanation on his part falls far short of satisfaction.

I am saying to the Attorney General, through you, that the time has come for the opinion of the law officers of the Crown, and we are entitled to no less than that.

**Mr. J. Renwick (Riverdale):** Mr. Chairman, I am rather concerned that the member for Downsview would stand up and casually read sections of The Legislative Assembly Act, just as I was concerned that the member for Grey-Bruce would toss into the hopper this afternoon, without any prior consideration, without any attempt to ascertain the facts, the question which was raised in this House. And now, for the member for Sudbury to stand up and disclaim that he is making any charges or allegations and is asking for an opinion of the law officers of the Crown, is a disgrace to this House.

I happen to have been consulted some time ago by the member for Scarborough West and I had divulged to me the facts relating to the relationship of the member for Beaches-Woodbine and the member for Scarborough West, Brown Camps Limited, the children's aid societies of the province of Ontario and The Department of Health. On the basis of the facts as I was informed of them, there is no legal or other question under section 9 of The Legislative Assembly Act as to the eligibility of the member for Scarborough West and the member for Beaches-Woodbine, to sit in this House.

What this was, Mr. Chairman, was an improper, indirect, casual way of bringing before this House something which the members of the Liberal Party who are involved and certain members of the Conservative Party want to have blown up in order to divert—

**Mr. H. J. Price (St. David):** They learned that from members of your party.

**Mr. J. Renwick:**—attention from the attack which the Opposition—this party—is going to make on the government. The member for Sudbury knows full well that the Attorney General and the law officers of the Crown cannot give any opinion whatsoever until the law officers of the Crown know what the facts are. What the member for Sudbury wants to do is to attack the member for Beaches-Woodbine and the member for Scarborough West and disown any connection with those attacks.

**Mr. Sopha:** No, sir.

**Mr. J. Renwick:** Now I am saying to the member for Sudbury, sir, I am saying to the member for Grey-Bruce, I am saying to the member for Downsview, and I am saying to the leader of the Opposition, that they consult together, that the leader of the Opposition associate himself, or dissociate himself and the members of his party from these charges.

**Mr. Sopha:** What charges?

**Mr. J. Renwick:** The charges made this afternoon.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. J. Renwick:** It is quite all right for the disunity of the Liberal Party to exist within the party, but not to disrupt the business of the House! If the leader of the Opposition, after having consulted with his colleagues, with the member for Scarborough West, with the member for Beaches-Woodbine, with myself, who happens to have been consulted on the matter, then wishes and believes honestly and fairly that there is a basis for this matter being referred to the committee of this Legislature, then we will welcome it. I offer that to the members of the Liberal Party and to the member for London South who in his own—to use the Attorney General's favourite word—mischievous way, is attempting to blow this matter up, to associate himself with such a discussion. On that basis and in good faith, if the member for London South wants to lay any charges we are quite happy to have them laid.

**Mr. White:** Let us take it to the committee on privileges and elections.

**Mr. J. Renwick:** I simply reaffirm, Mr. Chairman, that on the basis of the facts as I know them, and on the basis of the opinion which I gave, there is no breach whatsoever by the member for Beaches-Woodbine or the member for Scarborough West of section 9 of The Legislative Assembly Act.

I am going to ask the leader of the Opposition and the member for London South and any other member of that government, or of the back benchers to consult with me with the member for Scarborough West, and the member for Beaches-Woodbine, and decide in fairness, and in good faith, whether or not this is a matter which should be brought before that committee. We will abide by our recognition of their innate good sense once it is dissociated from the mischievous atmosphere which has been created here this afternoon.

**Mr. Chairman:** The leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, I have listened with great care to the remarks by the hon. member for Riverdale. I feel that in his mind, for some reason, this matter has expanded beyond all proportion. It has been brought to the atten-

tion of the chairman of the committee by the member for Grey-Bruce.

But in his mind there was some question as to whether the hon. members that had been referred to—the critic of The Department of Health from the NDP, and the member for Scarborough West—should vote, and should discuss these matters. They have, at your own invitation, Mr. Chairman, stood in their places and dissociated themselves from direct financial involvement with the consolidated revenue fund.

Your ruling was quite clear. We have no objection to the ruling, and we are glad that you were able to put it some time ago as clearly as you did, and I would surely expect that we could proceed with the discussion of these estimates.

**Mr. White:** Mr. Chairman, speaking to several comments on the point of order, it is perfectly obvious to everyone here that these two hon. members do not receive any money directly, nor do they receive money indirectly from The Department of Health.

But, in point of fact, while it is not The Department of Health's grant, it is The Department of Health's area of responsibility which is to say, mental health.

**Mr. Lewis:** No, it is not at all.

**Mr. White:** That is point number one. Point number two: I think that it would be highly inappropriate for members of the official Opposition and myself to meet with the senior member of the NDP to make submissions, and to have conversation, and to permit him, at some subsequent time, to decide whether or not our request for hearings of the committee on privileges and elections is appropriate.

**Mr. J. Renwick:** You misunderstood me entirely.

**Mr. White:** Yes, your invitation was well qualified.

**Mr. Shulman:** He deliberately misunderstood!

**Mr. White:** The member for Sudbury will have noticed that the offer was very well qualified. I think, sir, that our minds would be put at rest here if we were to learn exactly how much money Brown Camps did receive from the province of Ontario through the children's aid societies, and what portion of that money was paid in turn to the two hon. members.



**Mr. J. Renwick:** That would not solve the problem.

**Mr. White:** Oh, we know the legalistic security behind which they are hiding—

**Mr. Chairman:** Order! It is my opinion that section 9 of The Legislative Assembly Act refers to a contract on agreement. There has been no submission, or no evidence of, or no suggestion of any contract or agreement existing. I see no point in prolonging this entire discussion at this time. I have made a ruling, the two members concerned have risen in their seats, and declared their position, and at this time I say that my ruling shall stand.

**Mr. Sopha:** Not one Minister of the Crown has guts enough to intervene.

Interjections by hon. members.

**Mr. White:** Listen, if you have got nothing to hide put the matter to the committee on privileges and elections.

**Mr. Sopha:** They are gutless wonders!

**Mr. Chairman:** Order! All members except the Minister are out of order.

**Hon. Mr. Dymond:** Mr. Chairman, I have been trying to exhibit the fact that I did not think it was necessary to exhibit the fact that one has "guts," to quote the hon. member. I have been awaiting the opportunity to stand up and tell you that there is no money in my estimates, under the present circumstances, that could possibly go to Brown Camps Limited. No money has ever gone from my department to Brown Camps Limited.

**Mr. Chairman:** I would thank the Minister for his contribution. Order! We are going to deal with the estimates of The Department of Health, I hope. Before we proceed I would like to say—

**Mr. Shulman:** On a point of order—

**Mr. Lewis:** What about the University of Western Ontario?

**Mr. Chairman:** On the same issue?

**Mr. Shulman:** Not exactly.

**Mr. Chairman:** Is it on the same issue?

**Mr. Shulman:** Sir, I would just like to point out to this House, and it will take only one second, that it is fantastic for any member of this House to think that this government would give financial or other favours to anyone on this side of the House.

**Mr. Chairman:** Order!

Some hon. members: Sit down!

**Mr. White:** They have got their hand in the till.

**Mr. Chairman:** Just as soon as the members are ready to proceed, the Chairman is ready.

**Mr. Sopha:** Mr. Chairman, on a point of order, what was the meaning of that intervention by the member for London South? He said: "You have got your hands in the till." Perhaps he would tell us what that means?

**Mr. White:** I am saying, sir, that these men are benefiting from enormous expenditures of public money—

**Mr. Chairman:** Order! The matter has been disposed of.

**Mr. White:** —through the children's aid societies.

**Mr. Chairman:** May I say to the members that there has been full and complete discussion on this matter.

**Mr. MacDonald:** Mr. Chairman, on a point of order. Please, I can quite understand you wanting to bring this to an end, but I do not think this House is going to be able to proceed with people getting up and accusing others of having their "hands in the till." This is the kind of innuendo that we have had from the member from Owen Sound, the other day—that he did not think that "any money changed hands." But I submit, Mr. Chairman, that it is your responsibility as the Chairman of the committee, and the Chairman's responsibility, when that kind of slimy innuendo is made that it must be documented or withdrawn.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. White:** Mr. Chairman, I withdraw the phrase. Now I invite the hon. members to have their case investigated by the committee on privileges and elections.

Interjections by hon. members.

**Mr. Chairman:** The Department of Health—

**Mr. Lewis:** Mr. Chairman, on a point of order, because of what has been said. I want to point out the irrelevancy of the point that we have reached. The member for London

South has for some time been an hon. member of the staff of the University of Western Ontario. I assume that he has been compensated for that position and the analogy is similar. No one on this side would rise and use such outrageous language.

**Mr. Chairman:** Order!

**Mr. White:** Mr. Chairman, I have withdrawn the phrase. I am not at Western, and have not been for years. I repeat the invitation, if you are in the clear, let us have the committee on privileges and elections have some meetings on the subject.

Interjections by hon. members.

**Mr. Chairman:** Is vote 801 carried?

Some hon. members: No, No!

**Mr. Chairman:** Order, please! Before we discuss vote 801, I would like to say to the members that votes 801 and 802 have a certain similarity, and perhaps some overlapping. I think that it would be in order to discuss the both votes together if this is concurred in by the Minister, and the members.

On vote 801.

**Mr. Shulman:** I would like some guidance at this point. I have two or three questions to ask, and they are not direct questions. What I want to know is when to bring these matters up—under what vote—so that we will not pass by it under these estimates. First, under what vote should grants to hospitals for construction be debated?

**Hon. Mr. Dymond:** Vote 809, Mr. Chairman.

**Mr. Chairman:** Vote 809, grants to hospital construction.

**Mr. Shulman:** Under what vote should the policies of the college of physicians and surgeons with regard to foreign doctors be debated?

**Hon. Mr. Dymond:** This, Mr. Chairman, should have been debated in the opening remarks, and there is nothing in my estimates that has anything to do with the college of physicians and surgeons at all. Failing its debate during the opening remarks, it can be debated in the Budget debate.

**Mr. Shulman:** Under what debate should the question of provincial aid to suicide prevention centres be debated?

**Hon. Mr. Dymond:** Under mental health, Mr. Chairman, vote 805, I believe.

**Mr. Shulman:** And under what vote should the question of the standards of nursing homes be debated?

**Hon. Mr. Dymond:** Vote 803.

**Mr. Shulman:** Thank you, Mr. Chairman.

**Mr. Chairman:** Vote 801, the member for—

**Mr. F. Young (Yorkview):** Mr. Chairman, I wonder if this is a vote under which the labelling of medicine or dangerous bottles containing dangerous materials should be brought up?

**Mr. Chairman:** I apologize to the member, but I could not hear what he said the first time.

**Hon. Mr. Dymond:** Mr. Chairman, I heard him, and since I have a very limited responsibility in this area, I think vote 801 or 802 would be the only appropriate place to discuss it.

**Mr. Young:** Well, Mr. Chairman, I bring before the attention of the House an instance which happened last June within my riding where a youngster by the name of Bruce Rowantree, two years old, went out on a short trip with his father. The father had rubbed some citronella oil on his face to keep mosquitoes away and on their return, the little chap picked up the bottle to take into his house. In reaching up to unlatch the door the contents of the bottle spilled over him and he swallowed some of it.

This, of course, was extremely dangerous. He was taken to the hospital because his eyes were affected, the parents not realizing how dangerous this was when taken internally. When finally the nature of the danger was known in the hospital, the boy's stomach was pumped and his life was saved.

But investigating this locally, I find that citronella oil is not marked poison on the bottle. I bring this before the Minister because I think this was brought to the attention of the department and asked whether steps have been taken to label such a bottle containing citronella oil and other similar kinds of medicines—if there are such—as poison. Such a bottle should have some warning on it.

**Hon. Mr. Dymond:** Mr. Chairman, there is a notice on the order paper intended to produce an amendment to The Pharmacy Act

which will embrace this. I cannot tell the hon. member presently if oil of citronella is on it or not, but I will certainly note this. It has been very thoroughly gone into.

Again I repeat, I have rather limited powers of authority in labelling, but it has been very thoroughly discussed with the food and drug director as well, and I would expect and hope that the amendment which we will produce before the House this session will take care of these things, insofar as, provincially, we are able to do so.

**Mr. MacDonald:** Mr. Chairman, I wonder if I might raise a related matter, particularly if the Minister is planning to bring in a bill. By strange coincidence, twice within the past year, I happened to have received letters from people who raise the question as to whether it should not be obligatory to put the name of the drug on the bottom of the label of a prescription so that people would know what the drug was in that particular bottle.

I think in most family homes there will be an accumulation of bottles over the years, and it has been drawn to my attention that rather serious consequences flow from the fact that the wrong bottle has sometimes been taken because there is absolutely nothing on the bottle to indicate what drug is in it.

I wonder if I might draw that to the attention of the Minister, and perhaps if this bill is encompassing this general area ask whether he would consider some action in this field.

**Hon. Mr. Dymond:** I will take it under advisement. According to my present understanding though, we have not got the authority to do this. I have never known, and I do not believe, that this authority exists even at the federal level, that the name of the drug must be put on the label.

However, it is a matter which I know frequently happens because people have a tendency to carry over what is left after treating an illness. I think that what we want to try to do is to educate doctors to try to gauge the amount of drug that is necessary. Of course, in spite of that, the patient does not always take it. They suddenly miraculously get better and they stop taking the medicine. We will give thought to this, but I cannot really promise action.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, may I suggest to the Minister that he consider the use of the palm and turn bottle that has been developed in the

city of Windsor, and also that he consider colour coding bottles. Bottles containing poison could be all one colour, and likewise on the bottom of the bottle possibly require a label containing the antidote in case the poison had been taken accidentally.

**Hon. Mr. Dymond:** Mr. Chairman, I am in a position to tell the hon. member that while no government can advocate or support the use of any particular product, we have already taken steps to advise. I have personally written to every pharmacist, every doctor, every pharmaceutical manufacturer and all those involved in the business of dispensing in any way, shape or form that The Department of Health strongly supports the use of safety containers, and invites them to adopt this practice as quickly as possible.

I have seen the Windsor bottle and I have seen some others. All of them have merits and all of them have much to commend them to the use of those concerned.

**Mr. B. Newman:** Mr. Chairman, the reason I bring up the Windsor bottle is that I am more familiar with it than any others. I know it is a very practical type of bottle. I know there are others on the market. As long as we can protect the public from themselves, by putting certain types of medicines in this safety container, regardless of the make of the container, I think we are doing them a real service.

**Mr. Shulman:** On this particular subject, last year I had the opportunity to study a number of safety bottles and they are definitely factors in preventing these fatal accidents. I would suggest to the Minister that in addition to making his recommendation to pharmacies that he consider bringing in legislation making it mandatory for potentially lethal drugs to have a safety cap or other safety methods on the bottles.

**Hon. Mr. Dymond:** Mr. Chairman, we considered that too. I have been advised that at least up to the present I do not have the authority to bring in such legislation. We have discussed this with the federal authorities and it is a matter for discussion, I believe, at the present sitting of the Dominion council of health.

**Mr. Chairman:** The leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, I wanted to raise another subject, if that one is exhausted. It concerns the proposal for the heating plant for the hospital complex on University Avenue. Actually, it involves pollution, hospitals



and other areas of these estimates. Essentially however, it would be Ministerial policy, and if you would permit me I would just make a comment or two about it at this time because the Minister has involved himself in the decision with his communication to the Toronto council drawing to their attention the necessity for action that would result in proper heating facilities for the hospital complex in time for the deadline sometime in 1969.

I do not intend to pursue this, other than to offer to the Minister an alternative that he and his colleagues, I believe, should consider. I emphasize the fact that this is not a recommendation as far as I am concerned. The citizens of this city are very much excited about the fact that a great unsightly stack—700 ft. tall—would be used to ventilate this heating facility that simply must be erected.

Various council members in the city of Toronto suggested that the stack be concealed in another building, and other alternatives. We are assured by government authorities that it might very well be possible that this source of energy could be atomic and that the government of Ontario is in a position to lead the way in this. In fact, a small reactor could be located in such a place whereby its energy, very efficiently and conveniently and cheaply, would be made available for this heating job in time for 1969. There are even spaces on University Avenue and nearby where a small reactor could be located for this purpose.

It appears to me that since the council of Toronto and Toronto Hydro is having such difficulty with this decision, the Minister of Health is obviously going to have to impose his authority at some point if it appears that the facility will not be ready in time.

I would suggest to him seriously and urgently that he take up with his colleague, the Minister of Energy and Resources Management (Mr. Simonett) the possibility of using the facilities that Ontario Hydro might very well be able to provide so that atomic energy could be the source completely without pollution, at least of that type and, we are assured, without a factor of danger any greater than that associated with any other boiler situated in the downtown area.

This is a matter in which Ontario has been providing leadership in the past. We have had some unfortunate difficulties in converting atomic energy into electrical energy, but there has never been any question about the safety, of the procedures that atomic energy of

Canada and Ontario Hydro jointly have undertaken.

I wonder if the Minister would comment first on the possibilities and the importance of the decision that rests with the Toronto council at the present time. What his role has been in the decisions that have been taken and will be taken in the next few days, and if, in fact, there is any possibility that rather than installing the ordinary air polluting equipment that is under consideration now, the government of Ontario might take a rather important step forward in the technology that I suggested.

**Hon. Mr. Dymond:** Mr. Chairman, these matters come up actually under two votes—803 and 809. But with your indulgence, and because I know that the hon. leader of the Opposition, and all of us, particularly those concerned with Metro representation, are very much concerned about this matter, I have no objection to commenting on it now.

I may say that this is not a new matter for us. We have had it under discussion and consideration now for over two years, I believe. We believe that we had agreement from Hydro but of course it hinged on our conditions we laid down which we believe were necessary to control air pollution.

**Mr. Nixon:** An agreement with Toronto Hydro and the Ministry of Health?

**Hon. Mr. Dymond:** No, the hospitals. The agreement, Mr. Chairman, was between Hydro and the hospitals, but The Department of Health came in because the hospitals services commission had to approve of the agreement since they would be paying or approving the budget necessary to pay for the steam and the heat. It is really a rather involved cyclic matter but we are involved in it. We were all very much concerned about it and therefore involved ourselves to the limit in order that we could do what was possible to expedite matters.

To meet our conditions with respect to the control of air pollution, we laid down that a 700-foot stack would be necessary if they were going to triple the capacity of the Pearl Street plant, as the Toronto Hydro advised would be necessary to provide enough steam, enough product. We also stated that for nine months of the year they would have to use gas and for three months of the year low sulphur coal, or oil.

**Mr. Nixon:** What season of the year did they use the oil?

**Hon. Mr. Dymond:** The winter time, I believe—yes, the three months in the winter time. For the first nine months of the year or the nine months apart from winter, gas was to be used and the rest, low sulphur coal, or oil. This was accepted by Hydro as a condition, and then you know the subsequent experience—they went to council and it was turned down. At the time this was rejected by council we understood the hospitals had been given a go-ahead signal to produce their plan for their own plant near the Toronto General and Sick Children's hospitals.

This would supply the institutions there only, and for its capacity, in order that adequate air pollution control could be effected, we stated that they were advised to use 450-foot stack and there were also certain conditions concerning types of fuel used. I am sorry I have not got them in mind at the present time but I can get that when we come to vote 803.

Now this was put before the planning committee of the Toronto council and they rejected it. We are again in discussion, but all through this piece we have looked for any possible alternative operations or any possible substitutes. Atomic energy has been considered, I believe, but we were told that it would take at least ten years to develop any kind of a plant that would do this.

I have to be guided by the advice of those expert in the field and have to take their word. I can tell you this, however, that in a new look at the whole situation this, too, is coming under consideration. I believe another meeting is staged for tomorrow—but what will come out of the meetings I cannot tell at this point.

**Mr. Nixon:** The Minister raises a very important point. He says that atomic energy was considered and that he was informed that it would take ten years to develop such a plan. This, of course, would mean that it would have to be developed from first principles by Ontario Hydro. I am under the impression that other jurisdictions have developed low-power atomic sources for heat that are not related to the principle of development that atomic energy of Canada and Ontario Hydro have undertaken for the production of electrical power.

Whatever we use, we are in many cases going to import fuel from the United States anyway, and it would occur to me that one procedure that we should not rule out would be simply to set specifications for a heat

source using atomic energy and to invite bids on an international basis. I believe in the United Kingdom and in the United States there would be sources of energy that would meet these requirements.

As a matter of fact, I am told that the size of the building and even the appearance of the building would be very similar to the McLaughlin planetarium that is going up across the way at the university. It would be a small domed building and it could be accommodated where the old Hydro theatre was burned just a few months ago. I am not suggesting that would be a reasonable place but it would be close to the hospital complex.

The idea that Ontario Hydro or even atomic energy of Canada would be the only supplier is probably the reason why you were told it would take ten years to develop it. For this purpose we are certainly going to have to be prepared to take legitimate bids from any bona fide company that is prepared to meet the specifications. I would suggest, Mr. Chairman, that the Minister and his advisers might do well to look into that possibility.

**Hon. Mr. Dymond:** Mr. Chairman, I can assure the hon. leader of the Opposition that we will be glad to look at any proposition. With the battery of high-priced engineers that have been devoting their time and energies to this I would have hoped, thought, and expected that they would have looked at every possibility. But I will check definitely and definitively with them in respect to this one and find out if they have considered it.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, I would say to the Minister I must agree with you that you could not possibly have built an atomic plant in time to produce the energy that is necessary but I have done considerable study on this particular problem and I believe that we have a very simple answer available from the United States public health service which shows just how rapidly this particular problem can be solved through the use of scrubbers.

Scrubbers are machines which remove the sulphur and the other poisonous gases from the air. This is a schedule that has been set up by the United States public health service for the increased power. You have exactly the same problem in their Dickerson and Chalk Point plan and this is the schedule that they have set up. It was set up just—

**Hon. Mr. Dymond:** Mr. Chairman, with great respect to the hon. member may I ask now that we revert to the orderly prosecution of consideration of these estimates. Air pollution is vote 803 and—

**Mr. Shulman:** I am not talking about air pollution, I am talking about this specific problem here in Toronto. Since you have started this I would like to finish it.

**Hon. Mr. Dymond:** Yes, but Mr. Chairman, unless it is something that we can start immediately—and I am quite certain my people have thought of the scrubbers too because they are quite well acquainted with all of these things. May I suggest, sir, that we follow the orderly programme now.

**Mr. Chairman:** This particular subject does come under vote 803?

**Hon. Mr. Dymond:** It comes under votes 803 and 809. Air pollution control, 803; hospital construction, 809.

**Mr. Chairman:** With all respect to the member for High Park, I believe that the leader of the Opposition wanted to make a certain statement and the hon. Minister did permit it and he did say at the time that it should come under 803. I wonder if it would be—

**Mr. Shulman:** Mr. Chairman, I just want to complete this particular point in relation to this one Toronto problem. I do not want to go off on the air pollution system. This is one paragraph about a system that is worked out exactly in relation to this problem. It is exactly the same situation.

**Mr. Chairman:** In other words the member wishes to read one paragraph into the record at this point?

**Mr. Shulman:** Yes, that is correct.

**Mr. Chairman:** I think if this would not take too long perhaps we could entertain this.

**Mr. Shulman:** The schedule that they set up, and it was set up only two months ago, says that before March 31 of this year; that is this has already been completed. The public health service had to select for large scale trial the most promising process that would reduce sulphur oxide emission below that resulting from burning of coal with 1 per cent sulphur without creating any secondary problems of solid or liquid waste disposal.

Before June 1 of this year they must submit final plans for construction of a desul-

phurizing unit large enough to treat at least half the gases emitted from one of the power generating units. Before January 1 of next year, the unit must be in operation. The final part is before July 1 of 1970—they must have a plan of desulphurizing all stack gases. Before July 1, 1973, this must be installed and operated so that all stack gases have absolutely no sulphur. We could do the same thing in Toronto.

**Mr. Chairman:** I would say to the member for High Park that perhaps the comments will be considered later and no doubt will be on vote 803. Now we revert to votes 801 and 802. Vote 801—the member for Grey-Bruce.

**Mr. Sargent:** I note, Mr. Chairman, that we have in the alcoholism and drug addiction research foundation an increase of \$1 million under "statutory" grants on the first vote. Does this cover the detoxification programme that we have been talking about?

**Hon. Mr. Dymond:** Yes this covers the entire programme and it is in keeping with it. Perhaps it is not actually in keeping, we have to cut back a little bit because of budgetary difficulties. But this is following a programme which was laid down by a committee of the government some three or four years ago when it was proposed at that time that the budget for the foundation would go up in regular progression.

**Mr. Sargent:** Mr. Chairman, may I submit to you, very respectfully, that the Minister is under the gun as it were. I think he should have a microphone in front of him. I have trouble hearing him and if it—

**Hon. Mr. Dymond:** Would you allow me to move my seat Mr. Chairman?

**Mr. Chairman:** By all means, the Minister—

**Hon. Mr. Dymond:** This one is all right. I do not want to crowd my luck yet.

**Mr. Chairman:** —in case the members wish to bring the matter forward, I might refer them to the rules which provide that no member may speak unless he is occupying the seat to which he is entitled. With the concurrence of the House may the Minister occupy another seat. Agreed.

**Mr. Sargent:** A couple of points to ask the doctor, Mr. Chairman. When can we expect to have the detoxification programme in actual operation, and second where and how many? Another point in that same regard,



sir, is the liaison in this forthcoming programme with The Attorney General's Department?

**Hon. Mr. Dymond:** The liaison with The Attorney General's Department is going all the time, as it is with other departments of government. When these come into operation, I am told that this will give a full year for the Toronto detoxification centre and the estimate this year of \$857,662.00 presents the cost of a full year's operation.

The farm unit at Elora is requiring further moneys because of the increase in the size of the unit. A new 25-bed unit at Hamilton, the Chedoke hospital, will go into operation and all existing regions are developing broader community programmes. Niagara region, the mid-western region with headquarters at Kitchener, will achieve functional programme status this year and there will be an establishment of a further Metropolitan Toronto region.

**Mr. Sargent:** Thank you, Mr. Chairman, for that. It is about the only time we have a chance to find this out. At what point will we get to, and how soon, that when they pick up the drunk instead of taking him to jail, you will have enough scope to handle the magnitude of the current Toronto crop every night?

**Hon. Mr. Dymond:** This is a very good question and it is one that has worried my people for a long time. It is a very difficult question to answer.

I think it should be pointed out that every hospital not only has the right, but has a duty and a responsibility to admit a seriously drunk person because a seriously drunk person is, at least for that period of time, a very seriously ill person and requires the treatment that can only be given in a well equipped hospital.

There have been difficulties in this regard, and we are launching out this year on a programme to encourage and to educate hospitals to assume this new responsibility. It may very well be that it will require rearrangement of their emergency sections because it sets difficulties if part of a floor is set aside to receive those who are pretty badly sloshed.

**Mr. Sargent:** Will they be charged?

**Hon. Mr. Dymond:** This of course would be up to the law. I may say that in this regard, the medico-legal society for a quite a long time has been considering an Act.

Some years ago you may recall, I said they had proposed an Act to me. But even at that time, and that was long before the hon. Mr. Justice McRuer's consideration of these things, I felt that it invaded too much the individual's rights.

**An hon. member:** Kelso Roberts promised—

**Hon. Mr. Dymond:** Yes, he did, but he agreed with me at that time that what was proposed then by the medico-legal society did go a little too far in invading the rights of the individual.

It is amazing over the last few years to find the different temper in society. It is most interesting for me when I meet large groups from the AA for instance, to find how many of them believe that this would be in their own best interests. So the foundation has continued to work on this and continued to work with the medico-legal society and all other law enforcement and agencies interested in such matters are taking a completely new look.

I hope within the next year they will be able to develop draft legislation which I hope to have the privilege of presenting to this House. I would hope at the next session. I have asked them particularly not to try to rush the legislation.

This would be very attractive and I would very much like to bring it into this House, but I realize it is a very difficult field. I realize, too, that these people may have ideas when they are drunk completely different to those they would have when they are sober, and they may resent very much society doing something to them when they are drunk even though they may have expressed the will to agree to it at that time.

They may very well change their minds when they are sober, and for this reason I have asked the foundation to give very careful consideration to this and to be sure that they have consulted everybody who could help them in this matter—and this I know they are doing.

**Mr. Sargent:** Thank you very much, Mr. Chairman. One final point is the \$500,000 in item 17 of vote 801—federal help grants operating fund. There was a similar vote last year of the same amount. Is that carried forward, or what happens to that money?

**Hon. Mr. Dymond:** Mr. Chairman, this is one that causes us a bit of trouble every year. This is a revolving fund; we draw on it for certain projects on federal funds, but

we pay the bills as they come in and then when we pay them, we turn them over to Ottawa. Ottawa gives us the money back so we always have \$500,000 or less in our funds. It is a revolving fund and it will appear the same every year.

**Mr. Sopha:** Could I say something on that alcoholism topic before—

**Mr. Chairman:** I would say to the member for Sudbury that there are other speakers—

**Mr. Sopha:** Oh I see, well before—

**Mr. Chairman:** I have you on my list, sir. The member for Scarborough East.

**Mr. Sopha:** As long as we do not run into the same old problem.

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** I give way to my colleague.

**Mr. Chairman:** Will the member for Sudbury please proceed?

**Mr. Sopha:** Can we deal with one subject at a time and then leave it?

**Mr. Chairman:** I wish the members would.

**Mr. Sopha:** I want to remind the Minister of Health that persons—

Interjections by hon. members.

**Mr. Shulman:** There are others ahead.

**Mr. Sopha:** Look, we will be here till July. You will have plenty of time. Are we ready?

**Mr. Chairman:** Proceed.

**Mr. Sopha:** I want to remind the Minister of Health that presently in the Supreme Court of the United States—I think it has not been argued yet—there is a case that has been taken, to that highest court. The allegation is made on behalf of the accused, the convicted person, that on a charge of being drunk in a public place, he cannot be guilty of the offence on the grounds that he has not committed a criminal offence because he is sick, he suffers from a disease, and that if he were incarcerated for having a disease then he would be thereby subjected to inhuman punishment.

That is a nice logical argument that has been developed and I wonder if the Minister of Health shares the logic of that argument and whether, perhaps, in our society

we are not making a mistake incarcerating these people? Monday morning is the best time to see them if you go to a magistrate's court because, in the words of my friend from Grey-Bruce, on Monday morning they have the weekend "crop", and the magistrate proceeds to deal with them and invariably the police officer, to the court officer, when the finding of guilt has been registered, this court officer reads their record.

In many cases, the fellow might be there a dozen times during a calendar year and be subjected to the varying degrees of punishment for repeated offences. Anyone, from any point of view that is reasonably objective, can tell that that type of treatment of these unfortunates, by further incarceration, usually winds up on the third offence to become three months.

I think the way the formula goes, a least in the Sudbury courts, is \$10 and costs, or five days for the first offence; probably \$10 and costs or five days for the second, and then \$25 or 30 days for the third; and three months imprisonment for the fourth offence. I think after the fourth, they start back, they give the fellow a clean slate and they start all over again. And, miraculously, what they do very humanely is that these inebriated people get a clean slate on New Year's day of every year, and they can feel free that in the ensuing year from New Year's day, they can get as drunk as they want without the record being used against them.

I think that is very fair, equitable and just that a fellow can look forward to a year's inebriation—

**Mr. Sargent:** Revolving credit—

**Mr. Sopha:** Yes, it is sort of a revolving credit plan. But apart from the levity that one might attach to it, we are dealing with a group of individuals who are very unfortunate. The other thing that imposes itself upon my mind is this, that if the inebriate were left alone to drink without the intervention of the state, it is highly likely that he would so damage his physique that he would depart at an early age from the toxic effect of that dreadful C.H.H., the only one of the alcohol series that is potable.

But, by the state taking him in charge, during his inebriated condition and hauling him before the justices, and thereafter incarcerating him, what the state, in effect, is doing is withdrawing him from alcohol and giving him food—good food—and thereby restoring his body during the period of enforced withdrawal from alcohol.

So, the state gives him a respite. It is a government appropriated respite to the drunk and he comes out of jail after the three months, restored in body and health, and starts all over again. Well I have seen some of them in the magistrate's court in Sudbury at incredible ages—up in the 80's and still functioning. They look better than a lot of people around here I must say. The ravages of alcohol have not—

**Hon. Mr. Dymond:** They just take it for medicinal purposes.

**Mr. Sopha:** Yes, I suppose. But it is a dreadful substance that providence provided for human use and in that light, I would like to ask the Minister of Health—supposing the Supreme Court were to decide in favour of the appellant in that case, and say that you cannot prosecute them under the law because they are sick people, would the Minister of Health think that that would advance the human cause involved here?

**Hon. Mr. Dymond:** Mr. Chairman, actually we do agree with this and we are watching the outcome of this case in the Supreme Court in the United States, simply because it is a most important and most interesting principle at issue.

We have stated, as a government, that it is our policy to look upon this as a public health problem and the energies and efforts of the addiction foundation are being directed to that end.

Now it is moving slowly, I will grant you. Much research has been done, much research is still going on. I may point out to the hon. member for Grey-Bruce that the \$5,566,000 is only the operating costs; there is an additional \$634,000 allocated from other funds for research for the foundation—research which it does on its own, research which it farms out to other agencies, universities, so on and so forth.

The views of the hon. member for Sudbury are rather interesting and I suppose we could argue that the inebriate, if left to himself, I think the hon. member said, is going to shorten his life. But then, on the other hand, he said he sees some aged 80 and over who look pretty good.

However, the fact does remain, that by and large his first statement is correct. There

is no doubt about it that the persistent and uncontrolled addiction to this chemical substance does harm the average person's physical well being. No doubt about it.

**Mr. Sargent:** You can say that again.

**Hon. Mr. Dymond:** The state has intervened—you only take it for medicinal purposes—and, of course, this is from where some of our difficulty has stemmed. We had hoped that our programme would be much farther progressed than it is.

For instance, we envision a system whereby all of those picked up as being drunk and ordinarily thrown in the lock-up, or the jail, or "tank" or what have you, would go to intoxication centres and that a member of that staff would be given the authority of a magistrate to determine the kind of treatment—a sort of trial kind of treatment—that should be given the person.

We have not progressed that far yet, but these ideas are still with us. They are still being worked on and as you, being involved in legal matters, will fully understand, they are not matters that can be resolved overnight as I suggested a little earlier.

We believe this more firmly now after association with, and talking very freely to, many alcoholics, who have impressed me greatly with their deep and sincere desire to be helped even if it is forced upon them. I think this does justify the state's intervention but always, in the back of my mind, there is the nagging worry that the state is putting itself in the position of "father knows best" sort of thing. And, if an adult wants to play havoc with his own life, what right has the state to intervene?

However, recognizing, as I said before, that many of those so afflicted do really want to be helped, I think it justifies the state intervention to a great extent and I still believe that it should be a public health problem and treated on that basis. This is the direction in which we are steadily moving forward, not as rapidly as we would like, not because I am an impatient person, but I think as rapidly as is feasible and as rapidly as society is prepared to take it.

It being 6 of the clock, the House took recess.













# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, April 25, 1968  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, APRIL 25, 1968

The House resumed at 8:00 o'clock, p.m.

# ESTIMATES, THE DEPARTMENT OF HEALTH

(Continued)

**Mr. L. M. Reilly (Eglinton):** Mr. Chairman, before commencing this vote, I know you would like to say a word of welcome to some visitors here this evening. In the west gallery there are several officers from the Eglinton Progressive Conservative association.

**An hon. member:** That is a big executive if they are all officers.

**Hon. T. L. Wells (Minister without Portfolio):** Mr. Chairman, I also, in like manner to my colleague from Eglinton, would draw your attention to the fact that there are also in the west gallery 30 members of the Scarborough North Young Progressive Conservatives.

**Mr. J. H. White (London South):** Mr. Chairman, with your indulgence sir, I would like to draw your attention to the absence of the directors of Brown Camps, the leader of the NDP and the president of the Ontario NDP.

**Mr. M. Shulman (High Park):** They are here in the building at work, Mr. Chairman.

Interjections by hon. members.

**Mr. Chairman:** Order please. May I point out to all the members that we have spectators in the gallery who are observing the proceedings.

Vote 801.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, on vote 801, before the supper recess some remarks were being made about the alcoholism and drug addiction research foundation with the emphasis on the alcoholism aspects of the problem. The foundation appeared before the committee on commissions this afternoon and gave a report to the members of that committee on their activities and the justification for the requirement for \$5.5 million here, plus an

additional \$600,000 that the Minister has said would be used for research purposes.

I am a very careful reader of the foundation's publication *Addictions* which I suppose is one of the finest of its type available. I would like the Minister to tell us how extensively this is circulated. But when it comes to the problems of drug addiction, particularly the great and growing use of marijuana, I have the impression that the foundation has very extensive libraries of reports on this matter and that their reports that come to us through the publication *Addictions* are largely extracts and reworkings of the findings of other research centres.

We of course in this province are very well aware of the fact that the use of marijuana in this jurisdiction is as extensive as anywhere else. The former solicitor general and present justice of the Supreme Court of Ontario was speaking to the John Howard society on Monday evening and saw fit to raise this as a continuing and growing problem.

In reading the results of research as they have been compiled and put in the publication to which I have referred to, I get the impression that there is a body of opinion, that is supported by senior members of our drug addiction foundation, which would indicate that the use of marijuana is somewhat less dangerous and injurious than the popular opinion would indicate. Surely it is essential that a substantial amount of the \$6 million that will be available for this commission would be used in the kind of research that would have application to the use of marijuana in our own community, not only in Metropolitan Toronto but elsewhere.

I have had occasion to meet with a good many students of our universities and high schools, and without having taken what in any way would amount to a professional poll on this particularly important matter, I come away from many informal discussions with these people, many of whom are my former students, with the impression that a large and growing percentage of our young people, particularly at the universities, are either using the drug or seriously contemplating it, and perhaps dangerously attracted to the experimentation.



No doubt there is considerable research being carried out in many areas of North America and the world. I would like a report from the Minister as to what type of research is being carried out in Ontario and what specific findings we might expect in the future.

The Minister of Education (Mr. Davis) has indicated that he is in close touch with the alcoholism and drug addiction research people in the establishment of a curriculum, or at least a part of a curriculum, for the health courses in our high schools and the senior grades of the elementary schools. The Minister of Health himself must, of course, be deeply involved in the direction of this, and I would like his comments on the work of the council in this regard.

**Hon. M. B. Dymond (Minister of Health):** Mr. Chairman, first the hon. leader's first question concerning the distribution of *Addictions*. A total of 15,000 copies are distributed quarterly, mostly to professional persons likely to be involved in areas of service where this would be of some use to them.

With respect to the matter of marijuana; first of all the research activities. Here is an outline of six: 1. Epidemiological study of drug use in the school system of Metropolitan Toronto. This is a large scale study designed to obtain an accurate picture of problems and patterns of use of the various drugs among high school students. 2. Clinical study of marijuana users by a medical-social team within the foundation's out-patients' services of Toronto. 3. A series of psychological interviews with volunteers from users of marijuana and other hallucinogens. 4. An ethnographic study of the drug-using culture in Toronto. 5. An extensive critical review of the scientific literature in the field of marijuana. 6. A series of animal studies to measure the effects of pure THC, the active ingredient in marijuana. A quantity of THC has been provided for us by the United Nations laboratory in Geneva.

Now, Mr. Chairman, I would be very happy to read this report to you and to the hon. members on marijuana and its effects, but frankly I hesitate to do it because unless those outside of this House read the whole report then it is apt to be very garbled, with all due respect to the members of the press. However, if it is the wish of the House, I will read it.

I remember on one occasion answering a question on glue sniffing and I happened to make mention that if we were able to control

this there were so many other substances, and I named a few inadvertently, and this was taken completely out of context. It has to be understood that even in this fairly considerable paper, one cannot begin to cover the whole story, or even actually put it in proper context. However, copies of this paper can be made available to every member, as can any of the papers that are produced by the staff of the foundation.

I would like to refer to a statement from the office of the executive director of the alcoholism and drug addiction research foundation of Ontario, entitled "Marijuana and its effects: an assessment of current knowledge." It is misleading, says the statement, to discuss the use of individual drugs such as marijuana outside of the context of our society's prevalent view and practices with respect to all substances that affect a person's mood and behaviour. The choice of any particular drug by any one segment of the population at any given time is generally less significant than the underlying personal and social reasons for the use and misuse of drugs. Marijuana is currently the object of much concern in our society, even though the misuse of alcohol and certain other drugs, especially the barbiturates, constitutes a much greater problem in terms of both the known number of people who habitually misuse these drugs and the known possibilities of serious functional or organic damage to the excessive user.

The statement goes on: The fundamental problem arises from the fact that many people habitually use one drug or another for inappropriate purposes, thereby running some risk of doing harm to themselves, to others around them, or to the society in which they live. The acute effects of marijuana, like those of any other drug, depend on the dose administered and the person to whom it is administered. There are now available a good number of good observations of the effects of marijuana on reasonably large groups of subjects. With the usual dose, the effects on most subjects are mild and are characterized principally by euphoria, heightened intensity of visual and auditory sensation and a tendency toward passive pacificity and relaxation.

However, a few individuals in any large group do appear to show an adverse reaction characterized by anxiety or panic, says the statement. Several observers concluded that the difference in effect depends essentially on the mental state of the user and the setting in which the drug is taken. There is no

evidence that the use of the drug in itself causes crimes of violence or anti-social behaviour, although it is known that any drug that disturbs inhibitions may have such consequences in some persons depending on their repressed drives and conflicts.

Comparisons between marijuana and alcohol are meaningless unless dose and circumstances are considered, says the statement. It seems clear that the amount of marijuana normally used is not followed by any hang-over or other physical impairment. One must point out however, that under the usual conditions of social use, alcohol also is not followed by any ill effects. The duration of the effect of a single marijuana cigarette is highly variable, depending on the quality of the preparation and the individual manner of use. It may range anywhere from half an hour to eight hours. The risk to the user is very small if the drug is taken in a situation in which others are on hand to protect the individual from ill effects.

However, the distorted perception of time and space that results from mild doses could constitute a hazard in driving, essentially no different from the hazard produced by a sufficient amount of alcohol, says the statement. Since the use of marijuana is currently illegal in this country, while that of alcohol is permitted except for persons under some specific age, differences between the segments of the population that use these different drugs may complicate any comparison of the behavioural effects. Most supported studies suggest that marijuana is used mainly by the lower strata of society and more recently by youthful protesters against authority. However, this selection factor may be changing. There have lately been press reports of increasing use of marijuana by adult members of conventional middle class groups.

The information currently available about the chronic effects of marijuana use is not nearly as complete or conclusive as the information about the acute effects. It is generally agreed that chronic marijuana users may discontinue the drug without any risk of physical withdrawal symptoms. Despite the frequent statement that the drug creates no craving or severe psychic dependence, there are good case descriptions of persons who need to maintain a state of marijuana intoxication for most or all of their waking periods and whose social functioning is impaired without it. This constitutes drug dependence as defined by the world health organization.

It should be recognized, however, that the dependence is not necessarily bad in itself, either for the individual or for society, says the statement. The question to be evaluated, therefore, is not whether dependence can occur, but whether dependence in a given case results in physical, psychological or social harmful effects to the individual. The information about the effects of marijuana on chronic users is also insufficient to permit a reasonable conclusion.

Studies in India and in North Africa, as well as the collection of case reports by others in Brazil, are among the most thorough available to date but they all suffer from the lack of suitable matched control populations of non-users for comparison. This does not invalidate all the conclusions. The studies include groups of subjects using different doses, different preparations of hemp, and when differences in effects can be correlated with differences in doses, preparations, or methods of administration, certain reasonable inferences can be made by the action of the drug. On this basis it seems clear that chronic smoking of hemp preparations may give rise to chronic lung damage but this may be due to non-specific irritants in the smoke, rather than to cannabis principles themselves.

Some governments, especially those of Egypt, Morocco and Brazil, are deeply concerned about the association between widespread use of cannabis preparations and deterioration, both physical and social in large segments of their population. Some observers suggest that the habitual use of large doses of potent cannabis preparations, such as hashish, result in a state of inactivity. It impairs the user's ability to attend to his physical and social requirements and leads to defective nutrition, diminished resistance to infection and social ineffectiveness.

However, the report goes on, other observers dispute this interpretation and suggest that it is the low social and economic status of many chronic users that leads both to their physical and social deterioration and to their heavy use of cannabis. No valid conclusion about the harmfulness or harmlessness of chronic marijuana use can be drawn at present, particularly with respect to the pattern of use in North America. Extensive studies are required, taking into full account the doses, preparations and modes of use and the individual characteristics and histories of the users.

Relation to the use of other drugs. Again there is not enough well documented evidence about the relation in the use of marijuana

and that of other drugs. Those who strongly oppose its use point to the high proportion of narcotic addicts who have previously taken marijuana. This is not a logical association to make, since narcotic addicts have usually experimented in many other drugs. The important question is not what proportion of narcotic addicts have used marijuana, but what proportion of marijuana users go on to use narcotics. Sound information on this question is not available, but the possibility of a significant connection cannot be rejected.

Studies performed in other countries, or 30 years ago on this continent, suggesting that relatively few marijuana users progress to the use of narcotics are not necessarily valid at the present time, the report continues.

The change in popular attitude towards marijuana may have altered the interest of professional drug vendors because of a change in the economic significance of the market. Current press reports indicating that marijuana users now constitute a sufficiently large market to be of interest to narcotic vendors cannot be dismissed without investigation.

The claim advanced by some advocates of marijuana that its use abolishes the desire for alcohol and other drugs is invalid. There are many descriptions available of people who use both marijuana and alcohol as well as other drugs and there is no doubt that some of the other drugs that appear to be used with increasing frequency by marijuana users, such as the amphetamines, LSD, can be very dangerous indeed. Still to be evaluated is a more moderate claim also made that the use of marijuana can prevent harmful dependence on alcohol and other drugs.

In conclusion, the consequences of the use of marijuana by a fairly broad segment of the population are not intrinsically different from the consequences of the use of other drugs capable of modifying the mental and emotional state of the user, for example beverage alcohol. Some subjects will be adversely affected, others will not.

Adequate knowledge about the importance of individual differences in users, the effect of different doses, circumstances and duration of chronic heavy users is essential to any scientifically valid conclusion about the effects of the drug on society as a whole. Most of this information is not yet available. Most of the problems associated with the occasional moderate use of marijuana arise not from its pharmacological action but from the fact that possession of the drug is illegal.

It is probably undesirable to subject users of marijuana to severe penalties that are provided in the present narcotic control legislation; however it would also be undesirable to legalize the sale and use of marijuana unless the questions raised above can be satisfactorily answered. Finally, problems that may arise from the chronic heavy use of marijuana should be seen and dealt with as part of the problem of drug abuse in general.

**Mr. Nixon:** Mr. Chairman, I am sorry to involve the Minister in reading such a lengthy document, although the facts within it were very interesting, particularly that one that says that the after effects of beverage alcohol were negligible. I thought, really, that the discussions before the supper hour had indicated they were something other than negligible.

**Hon. Mr. Dymond:** When used in moderation.

**Mr. Nixon:** Oh, moderation in all things; there is the Scotch speaking through.

Well, it occurs to me, sir, without asking a similar question about LSD, that I can assume the foundation is doing what research it can. I would like to ask specifically if this research is all in the field—that is, measuring the effects as they meet it in the community where these hallucinogens and other drugs are being used—or whether in fact research takes place in a clinical atmosphere within the confines of the organization. Do you administer LSD to guinea pigs, human and otherwise?

**Hon. Mr. Dymond:** Yes, Mr. Chairman, both basic and scientific research is going on. This has been carried on for some time and I believe there was quite an extensive project carried on with its use in regard to the treatment of alcoholics on a clinically oriented basis. It is also being studied from the clinical aspect at the present time.

**Mr. Nixon:** I get the impression from reading the publication that there is a strong body of opinion that is expressing the view that marijuana is considerably less dangerous than, let us say, an unprofessional view would indicate. But my feeling really is that the role to be played by the council—once it has achieved the knowledge that the Minister has indicated in that paper is available—is in the realm of education, and this is with LSD, marijuana, alcohol and tobacco. His colleague, the Minister of Education, has a heavy responsibility here, and we know that



certain private organizations such as the temperance federation—which has a new name, I cannot think of it offhand—does work extensively with The Department of Education in putting their information on these matters toward the school children of the province.

But my feeling is that with the attitudes of our young people today, not only in the senior grades, facts are what are most impressive. And if we want to combat the growing use of addictive or non-addictive drugs, it is certainly in the best interests of these young people that they are in possession of facts and not just somebody's particular view of what proper moral involvement would be. There has always been the suspicion that these facts are not available, at least in their latest form, to the health teachers and the students over the province, and I think we can depend on their good sense rather than over-restrictive legislation in the long run to see that our society in its moral aspects retains a reasonable balance.

I do not know whether the Minister is the appropriate member of the administration to comment on this, but I want to be assured that the facilities of the council are made available through the education system. I should say, before I sit down, that I feel that their advertising programme is excellent, but perhaps not as extensive as it should be. Frankly I would like to see public funds spent on putting across the facts associated with the research that these people are doing, rather than so much money spent on the construction safety association. But believe me, as members of this House, we worry too about construction safety.

This is one of the biggest things, I believe, which can be controlled by factual knowledge and modern advertising techniques, as long as they are based on the development of facts and putting the facts before the young people, and it is something that would relieve our worries concerning this growing problem in our society.

**Hon. Mr. Dymond:** Yes, Mr. Chairman, I feel quite certain we can. I assure the hon. leader of the Opposition that this is so; the foundation is very closely associated with The Department of Education and educated authorities throughout the province in this whole matter. They never subscribed to the idea that you teach our young people by trying to scare them or by retailing the old wives' tales that have been handed down from generation to generation, because—

**Mr. Nixon:** The worm in the glass of alcohol.

**Hon. Mr. Dymond:** —because it is nuts. The worm only got drunk, that was all. The foundation has insisted that the facts, insofar as it is possible for them to produce them, shall be made known to the young people and in a way that they can understand them. Actually, in the matter of alcoholism, I think they accomplished more real educational value from the so-called comic book, although it was not actually that, but it was in comic book format. I do not know how many hundreds of thousands of copies were distributed, but we found that that was a very useful—

**Mr. E. Sargent (Grey-Bruce):** Nobody likes propaganda!

**Hon. Mr. Dymond:** That was real proper propaganda, a really valuable document. This is the kind of thing that they are trying to do; present the facts as concisely and yet as clearly as possible in a format that the young people will—I was going to say understand, they can understand far more than we think they can—but in a way that they will appreciate.

There is no use giving them a long paper like this, because they have not the time to read it. They have too many things to do. But we can put the story across to them in a way that they can get enough of it that they understand it. Just as an idea of what the foundation is doing with education authorities on curriculum, physical and health education—and here The Ontario Department of Education is in close liaison with them all the time.

This was introduced in the fall of 1967 for grades 11 and 12, and is to be published this year, 1968, for grades 9 and 10. Special material is provided by the foundation for Ontario high school students. There is one about alcohol—"It is Best to Know about Alcohol"—and one about drugs and people; about unhealthy dependence. And then for teachers there are alcohol study guides: "Drugs in Perspective", "Clues for Parents", "Alcoholism a Social Dilemma" and "Understanding Alcohol".

For libraries there are two reference books: "Drinking and Intoxication" by Raymond McCarthy, and "Alcohol, Its History, Folklore, Effects on the Human Body" by Bertram Roueche.

"Understanding Alcohol", a film strip, is available to schools on loan basis and other films are available, such as: "Best To Know", "To Your Health", "What Time Is It Now",

"Point Zero Eight", "Drugs and Nervous System".

Instruction is given to teachers in training in the colleges of education. Seminars for practicing teachers are held in principal centres of population across the province and the time allowance recommended for teaching about alcohol and drugs in grades 9 to 12 averages four periods in each school year.

So that they are very much involved in the educational programme at the high school level.

**Mr. Nixon:** Just one more point and I will leave this Mr. Chairman, as I feel it is extremely important—publications, film strips, the newspaper advertisements, television advertisement, are all very important. The impact of someone from outside the school community coming in with acknowledged qualifications and an expert background in these fields has a great importance to the young people. Do the staff of the council have time to accept invitations to appear before fairly large student groups?

**Hon. Mr. Dymond:** They do when they can, but they prefer not to do it. Now that coming from a high school teacher I am tempted—I am not tempted, I am moved—to pay a good deal of attention to what you say to me. My own view as a layman insofar as education is concerned is that I do not think anybody from outside should go into the school except for some social activity or extra-curricular activity. In a matter so important as this I believe the rapport that is established from day to day between teacher and student is of very great value in education of this kind; but again I repeat, coming from a high school teacher I am moved to pay more attention than I otherwise might. I will ask the foundation to review their thinking in this matter, although no doubt they have.

At the present time they prefer that the teachers do this. They will provide the material in collaboration with the curriculum people and The Department of Education. They will provide seminars, they will provide workshops and refresher courses for the teachers, but the matter of teaching, they believe, should be left to the teachers. That is the feeling at the present time.

**Mr. Nixon:** The Minister's comments moved me to say just a bit more.

I would say to him, since he is impressed with my meagre qualification in this where many would not be, that it is true a rapport between a good teacher and a group of

students would be excellent, and yet if it is going to be continually just a classroom atmosphere there will be a tendency to take down the routine notes about decimal zero eight alcohol content and so on and the absorption factor and all the rest of it—it will just be something else to memorize. I think that anything we can do with public funds and public effort to reinforce the factual knowledge upon which individual decisions are then made is worthwhile. We should be prepared to vote the moneys that would permit this council to have the staff that would go out on an organized basis, in my view, in order to bolster the teachings that are given in the regular classroom period and to give the importance of an outside expert coming in on a single occasion perhaps during the year.

Now we know that other organizations are invited into the school in this regard and the Ontario temperance federation—and it has a new name, I wish you could tell me what it is.

**Hon. Mr. Dymond:** I am not sure.

**Mr. Nixon:** Well anyway, I know that organization has done good work in this in the past. Nevertheless there is something less than objectivity, perhaps, about their approach in the minds of the students and some other people. So I would recommend the Minister consider finding in his budget the funds so the representatives of the council can go and reinforce the teaching materials that they make available.

**Mr. Chairman:** Vote 801—the member for High Park.

**Mr. Shulman:** Thank you, Mr. Chairman. Through you to the hon. Minister—and I thank my gallery here—I would first like to question you slightly on this matter of alcoholics.

Did I hear correctly this afternoon that you were going to encourage the hospitals to take as many as possible of these severely ill alcoholics in during this coming year? Is that correct?

**Hon. Mr. Dymond:** Yes.

**Mr. Shulman:** And is this going to be a major part of this coming year's programme?

**Hon. Mr. Dymond:** Mr. Chairman, about 5 per cent of the admissions to Toronto general hospitals—not Toronto General hospital but all general hospitals in Toronto—are for alcoholism.

**Mr. Shulman:** And does the Minister intend to try to increase that percentage?

**Hon. Mr. Dymond:** I wonder if we could have all the hon. member's questions at once, Mr. Chairman, in the interest of saving my own voice if nothing else.

**Mr. Shulman:** Well the point I am making, to make it simple for the Minister, is that the hospitals are tremendously overcrowded and the policy which you have just suggested is impracticable, impossible and will not be carried out. Patients now wait weeks to get in with a heart attack. We have waiting lists in every hospital in this city of hundreds of people and for you to suggest—

Interjection by an hon. member.

**Mr. Shulman:** —the hon. Minister was just referring to Toronto hospitals; he just referred to Toronto general hospitals.

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, I specifically repeated that I was not referring to the Toronto General hospital, but to all of the general hospitals in Metropolitan Toronto.

**Mr. Shulman:** Exactly Mr. Minister, but your backbenchers did not hear you.

The Toronto general hospitals—plural—all have a long waiting list for severely ill patients. Doctors in this city cannot get people with heart attacks, with broken legs, with emergencies into hospital. We have emergency wards full and are turning people away. For the Minister to suggest that a portion of this problem—this is what he said this afternoon—is going to be solved by getting the hospitals to take in these drug problems, these alcoholic problems, is a complete dream world and I would like to bring the Minister back to earth so that we can get some practical solutions, because the hospitals are not the solutions. If they are going to take in the alcoholics they are going to have to keep out other severely ill people. They do not have the beds. This is no solution.

**Mr. M. Makarchuk (Brantford):** He never had a solution.

**Mr. Shulman:** Of course he did not have a solution, but let us get the words down where they belong.

**Mr. W. Newman (Ontario South):** What are we waiting for; prohibition?

**Mr. Shulman:** Well, some of you people over there might be a great deal better off if we had prohibition.

Now, let us come to marijuana. I listened with some interest to the Minister read that very excellent paper prepared by the alcoholism and drug addiction research foundation on marijuana, and I would like to ask the Minister, in the light of his final comments from the paper—and I believe I got them right—that he does not feel that marijuana should be legalized as yet because of the unanswered questions which have been posed so well by the foundation. But, am I correct, in the second-last line, was it, that the penalties appeared out of line with the severity of the offence? And to underline that just let me say that last week I visited the Mercer reformatory; I visited a young girl there who is serving a two-year sentence, not for selling marijuana but for smoking it. The severity of this is just literally shocking. This is a young girl with two children, who has been torn away from her children and put in this place for two years because the police crashed in and found her smoking this. Now surely—

**Hon. Mr. Dymond:** I would have to point out to you, sir, that the enforcement of the law has absolutely nothing to do with The Department of Health. I would further point out that as I understand it, it comes under the criminal code, a piece of federal legislation.

**Mr. Shulman:** Let me once again point out the Minister's responsibilities to him, as he is so very vague on this particular subject. The Minister, of course, does not enforce the law. The Minister is the Minister of Health, and if I may compare his position to that of the head of the federal FDA, the federal drug administration in the United States. That gentleman, who apparently has a better knowledge of his duties than our present Minister, got up a few weeks ago and made the position very clear that the penalties for smoking this weed are way out of line with the moral sin if that is what it is.

**Mr. G. A. Kerr (Halton West):** Whose responsibility is that?

**Mr. Shulman:** It was his responsibility in the United States and he recognized the responsibility. He has a responsibility, or should have a responsibility as representative, as our Minister of Health, to read these research reports. He should become aware of it, and inquire of the Attorney General (Mr.



Wishart) who sits not too far from him, if he has views on this, to pass them on to the federal government who I am sure would be glad to hear them. But he has not done these things. If he has I would like to hear about it but he has not.

Interjections by hon. members.

**Mr. Shulman:** I have another question.

Let us go on from marijuana to LSD. Does the Minister have any intention through his department or through the alcoholism and drug addiction research foundation of setting up a—hospital is not the word—setting up a portion of the foundation such as Dr. Hopper did in Saskatchewan where those young people who wish to take LSD and are taking it now, in dangerous circumstances, some of them dying as a result, may try it once without risk to themselves or their futures. It was done in Saskatchewan, it was done very effectively with careful supervision. There have been no deaths there; we have had deaths in Toronto. I am asking the Minister if he has any such plans of following Dr. Hopper's ideas here in Toronto.

**Hon. Mr. Dymond:** Mr. Chairman, I would point out to the hon. member that the agency charged with these responsibilities in Ontario is the alcoholism and drug addiction research foundation; they are a body which has power and authority under their own Act to institute the programmes, the research projects, the educational projects which they in their wisdom believe are right; they do not have any intention to do this at the present time. How much thought they have given to it I have not inquired. But if they believe that this is the right thing to do, they have the power and the authority to do it.

**Mr. Shulman:** Well, inasmuch as the Minister is reporting for them to this House, do they think this is the right thing to do?

**Hon. Mr. Dymond:** Not at the present time, Mr. Chairman.

**Mr. S. Lewis (Scarborough West):** Why do you not release your confidential report on that foundation—tell the House about it?

**Mr. Chairman:** Order! The member for High Park.

**Mr. Shulman:** Is there a confidential report on the alcoholism and drug addiction research foundation, Mr. Chairman? Is there a report which you have not released on the alcoholism and drug addiction research foundation?

**Hon. Mr. Dymond:** Mr. Chairman, I think these hon. members are obsessed with secret reports; I know of no secret report.

**Mr. Lewis:** On a point of order, Mr. Chairman. Under the aegis of the Ontario institute of studies in education, the adult education branch, a confidential report on the entire foundation was prepared at the request of the Minister and was handed to the Minister in January, 1968. I can name the people who were involved in the drafting of the report if that information is available. I want to know whether the Minister is prepared to tell the House what was in the report.

**Hon. Mr. Dymond:** Mr. Chairman, I categorically deny ever having commissioned the institute of—what?

**Mr. Lewis:** Do you deny that the Ontario institute of—

**Hon. Mr. Dymond:** I am coming to the point, Mr. Chairman; I categorically deny that I retained any institute to prepare a confidential report on the operations of the alcoholism and drug addiction research foundation.

**Mr. Lewis:** May I ask the Minister, Mr. Chairman, whether in fact he received such a report from OISE?

**Hon. Mr. Dymond:** From whom?

**Mr. Lewis:** From the Ontario institute for studies in education.

**Hon. Mr. Dymond:** I did not, Mr. Chairman; I did not receive such a report.

**Mr. Sargent:** Mr. Chairman, on a point of order—

**Mr. Chairman:** The member will state his point of order.

**Mr. Sargent:** Mr. Chairman, it seems to me that the official Opposition does not have access to the secret spy system that the NDP has in the government here.

Interjections by hon. members.

**Mr. Sargent:** I am wondering if there should not be—

**Mr. Chairman:** I can see no point of order in the—

**Mr. Sargent:** Well, I am concerned about it; you should be, sir.

**Mr. Chairman:** I can see no point of order in connection with the matter which we are discussing.

**Mr. Sargent:** If these things are so, they know the inside—

**Mr. Chairman:** The Minister has stated that there is no confidential report.

**Mr. Sargent:** There should be an investigation into what leaks there are in this—

**Mr. Chairman:** There are no confidential reports according to the Minister. The member for High Park.

**Hon. Mr. Dymond:** If it would help the hon. member, I do not have access to them myself.

**Mr. Chairman:** The member for High Park had the floor.

**Mr. Shulman:** I would like to ask the Minister, has research done by his department indicated that there is a danger to the unborn fetus if pregnant women smoke?

**Hon. Mr. Dymond:** We ourselves do not do any of the clinical research and I cannot tell the hon. member, sir, if we have approved a research project along these lines at all.

**Mr. Shulman:** I had better inform the Minister, then, since he does not read his own publications, that one week ago we received—or perhaps it is two weeks ago, I will send upstairs and get a copy of it sent down. But the Minister's department released a study showing the tremendous dangers to the unborn fetus if the pregnant mother smokes.

**Hon. Mr. Dymond:** If the hon. member has read the publication, why waste the time of this House?

**Mr. Shulman:** I am asking—

**Hon. Mr. Dymond:** If he wants to embarrass me—I do not read all of the paper that comes across my desk, it is humanly impossible.

**Mr. Shulman:** Well Mr. Minister, may I suggest to you, through the Chairman, that you should read the important ones. And the reason this is an important one is that this particular work has not been publicized. Here you have a dangerous situation where I am certain the people in Ontario do not realize that if a woman is pregnant and smokes she is likely to have a stillborn fetus. You did not even read the paper produced by our own department—

Interjections by hon. members.

**Mr. Shulman:** This is a typical situation in this particular department. The Minister does not even know what is going on in his own department. It is useless to question him; he does not know what the situation is.

**Mr. Chairman:** Vote 801. The member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, just to dwell a bit on this matter of drug addiction—

Interjections by hon. members.

**Mr. Chairman:** Order please, order!

**Mr. Trotter:** It is just one of the problems that I think our research foundation may have in Ontario, and possibly throughout Canada, and admittedly it has to do with the criminal code. Before I am ruled out of order, I am discussing the criminal code; I would just like to make a few remarks and ask the Minister a question. It involves this: There are 12 times the number of drug addicts in Canada that there are in the United Kingdom despite the fact they have a larger population. I think that in 1965 we in Canada had about 3,300 drug addicts; and in Great Britain there were about 250. A goodly portion of that 3,300 are in the province of Ontario. Now, in the intervening three years, drug addiction has increased. Just how much is hard to say, but drug addiction is on the increase. I am wondering, Mr. Chairman, if one of the reasons that the drug addiction is greater in Canada than it is in the United Kingdom, is our method of treatment.

In Great Britain, the doctor has a much greater say in how the drug addict should be treated. Here in Canada, if a drug addict goes to a doctor to seek help, and admits that he is a drug addict, the doctor must keep very careful reports on the amount of drugs that he gives to a single person. As a result, a drug addict is always afraid of giving himself away. I was wondering if the Minister of Health's advisors have suggested to him, or he is of the opinion that if the criminal code was changed, giving the medical profession greater scope in dealing with drug addiction, it could be treated with greater success than it has been in Canada, and particularly in the province of Ontario?

**Hon. Mr. Dymond:** I would hesitate to give an opinion on that because there is such

division and controversy in the minds of practitioners as to which system is the better. I remember a few years ago, there was a lady doctor, Lady Frankau, in Great Britain who established a very great reputation for herself and treatment of drug addicts. I had the privilege of meeting Lady Frankau here when she visited our foundation. In fact, she was so intrigued by reports that she heard in Europe concerning the work that was being done by our foundation here in Ontario that she came here to visit it and spent some time with it. She herself had even then some questions in her mind despite the fact that she had a fairly long and successful experience in this field. But she had some very grave questions in her own mind as to the generalizing value of her treatment. If it is well controlled and followed up by a very rigid programme of rehabilitation of the individual, she was of the opinion that it worked. But it was a time-consuming and demanding type of treatment, and she always wondered if there came a time in the experience of the patients when they could be left to their own resources.

That is as I interpreted her feelings from the meeting. I was rather surprised to find that some of my colleagues did not get the same opinion or belief from her discussions. The British people have appeared to have a more enlightened attitude than the minds of some of our practitioners, but then there are those who are just as vigorously opposed to that kind of method. I still believe that if one addicted to drugs presents himself to a physician for treatment, the method of treatment should be left to the physician.

Again, if this is an illness and I believe that it is an illness, I have to question the invasion of the criminal code or the involvement of the criminal code. However, those who make the laws, in their wisdom and in their judgment, believe that this is necessary, and in my view the person who pushes or sells the drug is the criminal. This is my opinion. The person who is induced or seduced or any other way agrees to take it is more to be pitied and is in very grave need of care and treatment. Whether we will come to that point in our revisions of the criminal code, I do not know, and whether it would help us or not, I am not in a position to know. I do not believe that the foundation has formed any real opinion on this, have you? It may apply in special areas of addiction and treatment, but it is such a complicated field that it is impossible to generalize.

**Mr. Trotter:** Mr. Chairman, I just would like to emphasize that we have to bear in mind that the rate of addiction in Canada is 12 times that in the United Kingdom. I realize that we have a 3,000-mile border with the United States, and the United Kingdom is an island and this helps the law enforcement authorities and the treatment authorities in the United Kingdom, but I think that we should bear in mind that they seem to be having some considerable success, and in our turn, insofar as the numbers of addicts is concerned, they seem to be increasing and we seem to have little control over those people who do consume drugs. The situation is getting worse, and my belief is that there is too much control on doctors in the matter of medication.

Yesterday I was talking about there not being enough control when it came to the economics of health, but in this situation our laws are so stringent that many doctors are afraid of being prosecuted by the federal government. You may say, "Well, this is a federal law." But what is important for you as a Minister of Health in this province and for our drug addiction research centre is to have a firm opinion of what laws should be changed, and to see to it that the necessary changes are publicized so that we in public life, and the general public, demand that Ottawa change the laws in order to assist your drug addiction research centre in furthering the changes that it wants to bring. As long as you are hampered by outmoded laws you are never going to have a proper research, and you are simply not going to succeed.

I can remember a few years ago when discussing this estimate, the former Premier showed how proud he was that we were spending on alcoholism and drug research the great sum of \$700,000. Now it is over \$5 million, and no doubt most of this money is necessary. We are deeply concerned at the results. In looking at the picture throughout Ontario, it is becoming extremely serious and we are going to have to take far more stringent action than we have in the past. Part of it is certainly going to come through research. Again I emphasize that we are hampered by outmoded laws, whether they come from the federal government or the province.

One final remark on drug addiction and alcoholism, and it has to do with alcoholism. The Minister suggested earlier this evening, or before we adjourned for supper time, that he wanted to go slow in the way that we were treating the people who were drunks.



Of course if you went down to the courts in the old city hall you would see how serious the situation is. And what is so infuriating, Mr. Chairman, is that we have been promised by this government—true, it was an Attorney General and not a Minister of Health—that we would stop treating alcoholics as criminals and start treating them as sick people.

I can remember the headlines a few years ago as a result of a speech of the former Attorney General Kelso Roberts that we were going to have what he called a drunk farm. In other words, instead of putting the people in jail, we were going to use a farm that at that time was in the control of the province of Ontario and treat these people as sick people. That was a number of years ago, and still no firm determined action has been taken. The Minister just does not impress me at all, Mr. Chairman, when he says that he cannot rush into it, that he has to study this thing. The studies on this thing alcoholism, not only being done in Ontario but in major centres in the United States, emphasize that these people are sick, they are not criminals. Yet we continue to be bound by the outmoded attitudes and it is up to this department and particularly through this particular vote of our alcoholism and drug research foundation to come forward with the definite committed ideas.

I do not expect them to know all the answers 100 per cent, but certainly in this day and age they know the major trends. They have a reasonable idea of what first steps should be taken and you do not need to be a very great expert to know it after all the reading that is available in this day and age. I regret, Mr. Chairman, that the government has not introduced the policies with the vigour and at least the interest that is needed. It is simply not enough to go slow. The trouble is this government has been going far, far too slow for far, far too long a time.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Thank you, Mr. Chairman. I was going to make some comments concerning glue sniffing and the glue sniffing problem but I brought it up several years ago and I will allow one of my other colleagues to speak on that.

I would like, at this time, simply to refer to the vote—it would be a cross-section of the alcoholism and drug addiction research foundation and the Ontario cancer treatment and research foundation—in relation to smoking and ask the Minister if consideration would not be given by his department to an acceler-

ated programme of education not on the high school level but pre-high school and the elementary school level. If you follow the findings of the public health service review—the second surgeon general's report in the United States—and translate its findings into the province of Ontario, you would find that eight million work days were lost each year in Canada or approximately three and a quarter million work days in Ontario as a result of sicknesses and illnesses that can be directly attributed to the use of tobacco.

This amount of work days translated into dollars and cents would be more than the total budget of The Department of Agriculture and Food or The Department Reform Institutions or The Department of Public Welfare. So more money is lost by the individual working than is spent by the province of Ontario in its welfare programme. In fact, the comments from the surgeon general's report indicate that one-fifth of the annual work loss is directly attributed to the use of tobacco and cigarettes.

The recommendations made by the surgeon general, sir, may not apply to Ontario or to Canada. However, in my estimation an accelerated programme of education on the elementary school level could point out to the youth at a very critical time in his life, the hazards of the overabuse of cigarette smoking.

At this time I would like to ask the hon. Minister if he would consider going into the elementary schools just as my leader has mentioned with alcoholism and the addictive drugs on the high school level, convincing the youngsters or pointing out to the youngsters the hazards of cigarette smoking.

**Hon. Mr. Dymond:** Mr. Chairman, as I have already said in the House on previous occasions, it was an agreement between the provinces and provincial Departments of Health and the Department of National Health and Welfare that the federal department would co-ordinate the programme and that we would all participate in it.

Now this, therefore, is an all Canada plan and this was decided after long and very thorough discussion; far better to run a programme of this kind, to cover the whole of Canada since every part was comparably affected, than for each province to go off on its own and try to run its own programme. As part of this, specialists in the public health education department, are very deeply involved in the federal-provincial programme and the work is promoted through an inter-departmental committee with education and the voluntary health associations.

We have spoken on each occasion and at health Minister's conferences held about the programme in this field and have done everything possible to keep it current. I do not think that any part of the country is delaying or obstructing in this programme. Here again there is difficulty in determining what is the best way of approaching it. It is rather worrying to think that we have got to start it in grade 3 or 4 of the public school, but if one can believe the reports one reads then this appears to be coming if it is not already upon us.

The Dominion council of health will close its meetings tomorrow noon and although I have not yet seen the agenda, I have no doubt that this again is a topic of conversation because it has been brought up at every Dominion council of health meeting. This is the senior advisory body in health matters to the federal government. It has been brought up at every one of their meetings since this programme was instituted by the former Minister of National Health and Welfare, Miss LaMarsh.

**Mr. B. Newman:** Mr. Chairman, I would not, under any circumstances, think that we in the province of Ontario should have a different programme from the rest of Canada. However, I do not find the programme getting into the elementary school level at an age where an individual may be taught the hazards of the over-use of smoking or the over-use of tobacco. May I ask the Minister if his department has considered maybe even banning smoking in hospitals? I notice in some of the United States hospitals they forbid smoking.

**Hon. Mr. Dymond:** Mr. Chairman, the department has no authority to ban smoking in hospitals as every hospital is run by its own board. I do know that many hospitals are discouraging the use and establishing signs, certainly not before it was time, for the sake of patients. Many doctors forbid smoking. As a physician, I frown very heartily on smoking and particularly by visitors when they are in hospital. And certainly patients who are ill enough to be in hospital are too ill to be smoking.

**Mr. B. Newman:** Thank you, Mr. Chairman.

**Mr. Chairman:** The member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Chairman, I wonder if I could ask just one

or two very short questions. I was wondering in view of the emphasis that we placed on the education aspect of the alcoholism and drug addiction research foundation, whether the foundation is preparing to make use of educational television? It is the most persuasive media that we have and we have mentioned practically every other media. It would seem to me that with education television coming so quickly that this is something that should be in preparation even now.

Second, it is my understanding that you are regionalizing the work of the foundation to various sections of the province. I was wondering whether the educational emphasis was being regionalized too with the boards of education in a particular area tying in with a regional office rather than being dependant upon the central office here in Toronto?

**Hon. Mr. Dymond:** Mr. Chairman, the answer to the first is that the foundation is now using the facilities of Meta in television education and will look forward to involving themselves more, I presume, in the new proposed educational television.

The educational facilities are also regionalized and each regional board has the right to establish its own educational programmes either *per se* or in concert with other neighbouring regions or through the head office.

**Mr. Pitman:** Mr. Chairman, I wonder if I could ask a question: Under vote 16 there is a \$4,321,000 vote for clinical applied operation and other health research. I would assume that the \$175,000 medical research that is being carried on in St. Catharines, the UAW community project, is a part of that vote. Could the Minister break that vote down at all into any of the major research being done on it?

**Hon. Mr. Dymond:** Mr. Chairman, I am very glad that a member of this group brought this up, because I was feeling rather badly that I was being berated by both critics for the wonderful work that these people were doing and we were not participating in it at all.

On the other hand, I have been subjected and berated by some other groups because we had helped them, and it was announced in the newspapers about a week or ten days ago, I think, that they had applied for a research project grant and had been given such a grant in the total amount of \$175,000; \$43,000 is the first, for the new medical



services unit that is being set up as a group practice.

This was submitted as a research project to the research committee of the council of health. This is headed by one of the leading research physicians in the province of Ontario, who is a director of pathology at McMaster University, Dr. Mustard. We were very fortunate when we enlisted his support on our council. They were very thoroughly screened, very thoroughly discussed and considered, and it was recommended that they be given this grant. We have been very much interested in the methods of delivery of health care services for some time and when a research project was submitted to the council of health and considered, it was recommended that this be given.

The objective of this study, the St. Catharines study of medical care in a group practice plan, is to investigate from its inception a group medical practice for comparative measurement of utilization of health services. Basically the study is to determine the effectiveness of group practice in providing personal health services by comparative measurements of demand, quantity, cost and quality of medical care. Aspects of the proposed research include consumer attitude studies, household sickness surveys, utilization of services studies, quality of medical care measurements, analysis of patterns of drug usage together with demonstration studies of the roles of ancillary medical personnel. Full documentation of the establishing of the health centre will provide the province with a record of the problems likely to be encountered in the establishment in Ontario of future similarly structured group practices.

A proposed study similar to that presently being undertaken on the Cleveland community health foundation and a United States public health service project, promises to identify group practice problems peculiar to the Ontario setting. Since in other settings group practice plans attain both high-quality comprehensive medical care and reduced hospital utilization, the study will provide an opportunity to evaluate these claims by measurement of indices of economy and efficiency.

That is the gist of the report. We think it is a worthwhile project.

**Mr. Pitman:** Mr. Chairman, I wonder, I do not want to strain his patience—but I wonder if the Minister could tell us any of the other major projects that are included in that vote, that \$4 million vote?

**Mr. E. W. Sopha (Sudbury):** I would not be reticent about straining his patience, that is what he is paid for, to have his patience strained.

**Mr. Chairman:** Order!

**Hon. Mr. Dymond:** Mr. Chairman, there are 22 projects: Orthotec, research for the Ontario crippled children's centre; that is the sponsor:

Selected rehabilitation personnel, sponsored by the University of Ottawa; polio-virus survey, by the University of Toronto; deafness in children, by the University of Western Ontario; medical education, by the University of Toronto; pre-operative hysterectomy patients, the University of Western Ontario; Wang electronic calculator, University of Toronto; renal and hypertensive disease, University of Western Ontario; the study of patterns of medical practice, Queen's University; pulmonary function lab, University of Western Ontario; diagnostic virology, Toronto University; medical manpower study, Western; study of pathogenic adenoviruses, Toronto; repetitive collection and tabulation of data, University of Ottawa; training programme nutrition, Toronto; diapulse therapy, health sciences centre, Toronto; computer technique in a faculty of medicine, Toronto; bio-medical electronics, Toronto; prepaid group practice plan in Ontario, St. Catharines; ischaemic heart disease, University of Toronto; school of nursing, St. Joseph's hospital, Toronto.

Those are 22 projects, indicative of the kind of work we are supporting.

**Mr. Pitman:** Could I ask, Mr. Chairman, whether The Department of Health supports the entire project or is it partly some of the resources of the university, supported by The Department of Health?

**Hon. Mr. Dymond:** I believe some of them are supported in part by both the federal government and ourselves. Others, which would not qualify under the terms of reference for federal support, are supported by these funds and it was for this reason that this item was set up in my budget two years ago, because very worthwhile projects are often presented to us, which are worthy of support, but which cannot come within the frame of reference set up by the medical research council at the federal level.

**Mr. Pitman:** Could the Minister indicate when the report of the commission on the healing arts will be coming down? What is



the latest word on the date when this might be presented to the Legislature?

**Hon. Mr. Dymond:** The latest word I have on it is that it can be expected this fall.

**Mr. Chairman:** The member for Scarborough East.

**Mr. Makarchuk:** Mr. Chairman, on a point of order.

**Mr. Chairman:** State your point of order.

**Mr. Makarchuk:** The gentleman resigned his place in the line in favour of the member for Sudbury earlier this afternoon.

**Mr. Chairman:** Order, please. The Chairman is recognizing the members from the Opposition parties at his discretion, having in mind full fairness to both parties. I assure the member they will receive fair treatment. The member for Scarborough East will proceed.

**Mr. T. Reid (Scarborough):** Thank you, Mr. Chairman. I would like to note for the record that the Liberals from the Scarborough East provincial riding and the Scarborough Centre provincial riding were in the east gallery this evening. The reason I did not recognize them earlier, was that I was sitting with them.

**Mr. Chairman,** I would like to bring up—I believe it would be appropriate under item number 7 of vote 801—the question of solvent sniffing and whether the Minister has allocated funds towards research in this area. The problem was first brought to my attention by a resident of my own riding, a Mrs. Claire MacKay, who is very concerned with glue sniffing among young teenage children and pre-teenage children in Scarborough, and she, with a number of other ladies from the West Hill study group circulated a petition expressing their concern with this problem of glue sniffing and circulated it to me, to Scarborough council and to the federal government, and I believe, sir, to The Department of Health of this province.

I would like to state that her concern was based on the fears of parents of young children, concerning their own children and the friends of their children, who they felt were indulging in this sniffing.

The evidence for Scarborough may be indicative of the extent to which glue sniffing and other forms of solvent sniffing is prevalent in the province of Ontario. Dr. Alan Bull, the Scarborough health officer, has also

expressed concern with this, as has the Scarborough board of control.

The particular point I would like to draw to the Minister's attention relates to the question of whether solvent sniffing, including this glue sniffing which we hear so much about, leads to a dependency on other types of drugs later on in life. I would like to quote to the Minister a very pertinent section of a report entitled, "Solvent Sniffing" in *Pediatrics*, volume 39, numbers 3 and 4, March and April, 1967. The article is subtitled "The Physiologic Effects and Community Control Measures for Intoxication from the Intentional Inhalation of Organic Solvents". It is written by two medical doctors, Edward Press, MD, MPH and Alan K. Done, MD, from the Illinois Department of Public Health and the department of pediatrics, University of Utah college of medicine respectively. The section I refer to is on page 458 and is entitled "Sniffing as a Precursor to Criminality and Drug Dependency" and I would like to read this one section to the Minister. It is a very long article, but this section is one small part of it. The good doctors say this, and these are direct quotations:

Of great concern is the fact that the sniffer, like the alcoholic or drug addict, but at an earlier age, has adopted a means of avoiding reality rather than adapting to it. Thus at a period of life when he should be developing adult behaviour patterns and planning and preparing for his place in society, he is instead retreating into a transient chemically induced euphoric world of escape and narcissistic gratification. The relation, if any, of this practice to subsequent criminality narcotic addiction and/or alcoholism is as yet unclear. Making such an assessment is complicated by the difficulty of distinguishing between cause and effect.

I skip a section here. The doctors continue:

There is insufficient data to support or refute the possibility that sniffing is casually related to the later adoption of more serious deviant behaviour. It does seem probable that there would be some such relationship as the increased time spent in the frequent recurrences of befuddled semi-consciousness would interfere with school work and more constructive and gregarious social activities. Thus the sniffing habit of itself may decrease what little chance the individual might otherwise have of developing healthier behaviour patterns.

There is also the possibility that legal action against the sniffer may leave an indelible psychic imprint and social label.

With specific regard to the question of sniffing *per se* leading to—that is, causing—later use of narcotic drugs, alcohol or LSD, we and others have not yet observed this transition to any appreciable extent. Perhaps this is because the sniffer finds his present activities to be completely satisfactory in answering his needs. On the other hand, the similarity of the physio-social factors in sniffers and in narcotic addicts or alcoholics leads to the expectation that one may follow the other. Of particular importance, it seems to us, is the fact that because of the ready availability of the necessary chemicals and the greater likelihood that they will be introduced to susceptible individuals—

And here, Mr. Chairman, they come to their conclusion:

Sniffing may provide the basis for the adoption of addictive behaviour at a much earlier age than that associated with narcotic addiction. In other words, sniffing might be the counterpart in the very young child, of alcoholism, narcotic addiction or use of LSD in the older individual.

Mr. Chairman, I would like to make that statement because I think it is pretty much related to the specific item 7 in vote 801. If these doctors are correct in their analysis, and I am sure the hon. Minister is aware of their study, then this problem of solvent sniffing and particularly its most popular form, glue sniffing, is of major importance to us, particularly if its occurrence is increasing.

One can make many other comments about solvent sniffing. I might raise them later. But I would like to leave that quotation firmly in the Minister's mind and then direct two other shorter statements to him.

Mr. Chairman, Robert Stanbury, the MP for York-Scarborough, who is also involved in receiving this quite heartfelt petition from these good ladies, wrote to me and informed me as follows concerning the jurisdictional question between the federal and provincial governments. And in his letter to me dated January 9, 1968, Robert Stanbury says this:

As jurisdiction over health is shared between federal and provincial governments, research and education on this subject could be undertaken by either or both. Except insofar as criminal penalties might be imposed, control of advertising or sale

is within the jurisdiction of the provincial government.

I realize this not a direct responsibility of the Minister of Health, but of one of his colleagues. However, it is certainly a question which relates to his department. So I would like to ask the Minister if he might comment on the jurisdiction of the problem as my first question.

The final statement which I would like to make on this problem at the moment is this. In report 57 of the board of control of the borough of Scarborough adopted by council on December 18, 1967, and attached to that report as item 9, entitled "petition to federal and provincial governments regarding control of harmful glue," the board notes that they had received the petition from Mrs. Claire MacKay, representing the West Hill study group, and her petition, which was a very strong petition. Then the board made recommendations in their petition to the federal government, and also to this government, Mr. Chairman. I would like to ask secondly, then, of the Minister if he would tell me what action he has taken, if any, on the petition which he has received, according to the minutes of the board of control of Scarborough, concerning harmful glue and the control of it.

**Hon. Mr. Dymond:** Mr. Chairman, this matter was undertaken in very vigorous fashion by the addiction foundation staff when it was drawn to our attention, and when it became obvious from reports from various and far reaching or widely separated areas of the province that this was becoming a problem, particularly among younger people. It is the opinion of the foundation that our interrelated approaches to the problem of solvent sniffing—and there are four outlined by them—include education, treatment of the pathological user, research and legislation.

It is the opinion of the alcoholism and drug addiction research foundation that legislation by itself is not an effective answer to the problem, nor is education alone an effective answer. Treatment is appropriate only in certain cases where an underlying emotional disorder, for instance, is the basis for the chronic abuse of various solvents. Research is clearly indicated and the foundation has some under way and more is planned. They emphasize, of course, that none of these approaches by themselves will suffice but that taken together they might be fruitful or productive of useful information.



The matter of legislation was very carefully considered by the foundation, by my own staff and in correspondence and discussion with my counterpart, the federal Minister of National Health and Welfare. We were advised that there was a new Hazardous Substances Act before the federal Parliament. We were advised it was possible the federal food and drug director could devise appropriate regulations under this new Act which would give promise of being effective control of this habit. In the light of this legislation being put before the House of Commons, we did not prosecute our studies any further along this line. We will have to wait now until June 25 to see what happens if this legislation is brought back before the House of Commons. If not, then we will have to look at it again.

It was the first opinion, however, of my legal advisors that we did not have a jurisdictional right to introduce legislation in this matter. However, there was some question even among the legal people that would have to be resolved and certainly it is not a closed book by any means.

In the matter of research in this area, in which the foundation is most keenly interested at the present time, the many doubtful areas concerning solvent sniffing present opportunities for research by the foundation and by others. The foundation is presently engaged in an extensive study of students in the Metropolitan Toronto school system from grade 7 up, to determine the extent of use of many chemical substances including glue, and as I said earlier, marijuana. It is expected the project will be completed this year, and when completed the foundation should have a considerable amount of information about the chemical substances which are used by the younger population of Toronto, and the extent to which such substances are used, and the characteristics of the users.

Through clinical services the foundation is prepared to examine solvent sniffers in an effort to determine any damage that has occurred to them or appears to be likely to occur as a consequence of the toxic effects of the substances inhaled. The foundation is interested in doing some long-range studies of the careers of juvenile solvent sniffers to determine the extent to which glue sniffers shift to the use of other substances such as heroin, marijuana and LSD.

The possibility of making solvents offensive for sniffing is being pursued further. To this end they are carrying on discussions with the industry and with legitimate customers of

the industry to see if there is any possible way that an effective irritant or nauseant can be added. One has to remember, of course, that many people are making their living in industries where this is an essential part of their day-by-day operation. It seems to me rather ironic that we should make them sick to keep a few children suffering from deviant behaviour away from it. I would hope that more effective methods can be found than by interfering with the well-being at least of those who must use those substances.

I have some familiarity with the work from which the hon. member read extracts and this, of course, is an area in which one may launch forth in a philosophic discussion that might be very interesting. I think, in my view, it is the case of the chicken and the egg—which came first? Is the solvent sniffing an evidence or an indicator of deviant behaviour, or does the person indulge in solvent sniffing, or any of the other things, because there was a predilection to deviant behaviour? I think we are all agreed that it is an indicator of deviant behaviour, but which came first is hard to tell; and I suppose it really does not matter if we can tackle the problem and remove the deviant behaviour or do something to counteract the tendency to deviant behaviour if it has not already become full blown.

Nonetheless I am assured by those who are skilled enough to know, that this is an excellent work and is widely used as a reference work. What, therefore, we are doing about the petition which the ladies from Scarborough sent me—and they were among many because this is a matter that is causing parents a very great deal of difficulty. I think it is causing parents more worry and concern than some of the other problems faced by parents of young people, because it seems to be attracting much younger children than those who indulge in experiments with LSD, STP, marijuana, and so on. We are very concerned about it too but I think I have shown by detailing what the foundation is involved in, what they have already started, to show that we are concerned about it, we are trying as vigorously as possible to find out more about it because there is much about it we do not know ourselves.

It is rather alarming when you find that the very progressive-thinking young people are warning their friends at school, "Do not have anything to do with these villains, they are only trying to get you behind the eight-ball", as was reported in the newspapers not so very long ago. How much ill effect has



that had on studies? We are glad to report that this has had very little effect on the studies, they are still getting the co-operation of the students whom they have contacted previously. I hope that before too long we will be able to produce something worthwhile that will help us or help others to try to control this problem.

**Mr. T. Reid:** Sir, if I might comment briefly, I found the answer of the hon. Minister most informative. I am, of course, concerned that this is a problem we have known to exist for some time. It is only now that it has almost reached epidemic proportions in the last year or so, I believe. Again the standard feeling we have on this side of the House, or 90 per cent of us on this side of the House, is that this government waits until it is a crisis, before starting to do something. I am also concerned with the relationship between the Minister of Health's department and the Minister of Education's department. And without being ruled out of order, I hope, I would just say this: You cannot legislate against sin. Mr. Trudeau has taught us that. But you can make some harmful goods less accessible to the ten-year-olds and the 12-year-olds. I think this is a real problem with, say, glue in particular. The other side of the coin is what happens in the home, what happens in the school, and I will be bringing this up again as I am sure the hon. member for Peterborough will, when we get to the education estimates. What are our teachers being taught in teachers' college? Can they cope with this problem of glue sniffing and other forms of sniffing in their classroom in grades 6, 7 and 8?

**Mr. P. J. Yakubuski (Renfrew South):** Where is the red tie? You know. You know.

**Mr. T. Reid:** Thank you very much. Thank you. I speak, therefore, Mr. Chairman, with some authority given to me by the other side of the House.

In Scarborough, for example, as the Minister knows, what has happened on several occasions is that these young pre-teenagers have taken this glue, squeezed it out across in front of the window in the classroom when the teacher has been out of the class, have sat there busily sniffing and lit it and sniffed some more. It had two effects, it knocked a couple of them out and broke the windows, so it becomes a major problem in this type of case. So the question is this: I hope the Minister is pursuing this problem with his colleague, the Minister of Education, and is doing something to revitalize the curriculum

of the teachers' colleges in this area of social teaching if you like.

**Mr. Chairman,** a final question on a separate matter. Would the Minister tell me whether a grant to the big brother association would fall in his department, and if it would fall in his department, where would we look for such a grant?

**Hon. Mr. Dymond:** Mr. Chairman, no, this grant does not—I have never been approached because I do not believe the big brother movement is involved in any matter related to the activities of my department. I have never been asked for a grant from them.

The first matter that the hon. member brought up this last time—the association between the department and education—I think the association is very much the same as it was in the report I gave to the House concerning marijuana and alcoholism. There is a very close working relationship between the foundation and The Department of Education and The Department of Health in the preparation of curriculum material. The foundation has taken responsibility to provide seminars, workshops and conferences, and so on, and that sort of thing, training for teachers both at the undergraduate level—teachers' colleges—and also for teachers who want to further their knowledge in this field by continuing education.

This is going on all the time but I am told that none of these educational materials are going into the elementary schools and this new problem of solvent sniffing, I think, makes it more mandatory that we take another look at this. I am not sure who should initiate the change, but I will ask the foundation to propose this at the next conference with The Department of Education that they start at a younger age as education regarding smoking should, of course, and I would hope that there will be the introduction of the inclusion of this in the health curriculum at the elementary school level.

**Mr. Chairman:** The member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** Mr. Chairman, I am concerned with the increase in alcoholism in the province of Ontario and I recognize that Canadian industries are losing something like \$130 million a year as a result of alcoholism. But even more important, in my opinion, there is a considerable number of employees in this province who are losing their employment because of alcoholism. I recognize that the addiction research foundation here in the province of Ontario are

working very closely with the management groups to adopt policies on alcoholism as it pertains to their plants or their establishments here in the province.

I recognize also that the foundation are advocating a policy of rehabilitation for these employees and I might point out that it is estimated that there are something like 100,000 alcoholics in the province of Ontario and that this number will continue to increase. I might also point out, Mr. Chairman, that with this number of alcoholics last year it was predicted or projected that the foundation treated something like 5,000 alcoholics, which is about 5 per cent of the numbers here in the province of Ontario, or the projected numbers here in the province of Ontario.

I think that up to that point it is a good job and that it is necessary, if we are going to protect the employment of these employees, and if we accept the proposition that alcoholism is considered as an illness—and this seems to be the accepted practice that alcoholism is an illness—then we ought to be able to provide more treatment than we are up to now.

I want to say also that the Minister pointed out in reply to the hon. leader of the Opposition, that there was a programme of education in the high schools here in the province of Ontario. I might point out that the statistics that I have available to me show that 62 per cent of the alcoholics in the province of Ontario have less than grade 8 education. So it would seem to me that we ought to be getting into the elementary schools with this type of education, because the greater portion of alcoholics have less than grade 9 here in the province of Ontario. We have to do the job in the elementary schools as well as the high schools.

Mr. Chairman, the questions that I would like to ask the Minister are:

1. Will there be an increase in the adoption, or an attempt to have management adopt policies on alcoholism? As I said at the outset, I understand the alcoholism and drug addiction research foundation of Ontario have been making an attempt to establish such policies with management. In the Minister's opinion, will they be striving harder to get management to accept policies that give the employees protection?

2. If my figures were correct, will there be more than 5,000 treated in the various centres in the province of Ontario in relation-

ship to the 100,000 alcoholics that I pointed out here in the province?

3. Is there a programme to educate the children in the elementary schools in regard to this question of alcoholism?

Mr. Chairman, through you to the Minister, those are three of the questions that I would like answered. But my frank concern, is this question of employees losing their employment and ending up on skid row. I recognize that you are attempting a rehabilitation programme, but if we are going to salvage these people and put them into their proper places in society, then we ought to be stepping up this job to the best of our ability.

I do not think that this needs to be a political programme. I think we, as people elected from every centre, ought to take this into consideration, so that it has no political connotation whatsoever and we should do the job to rehabilitate these people and keep them off skid row so that they have an opportunity to a full life and full employment.

Hon. Mr. Dymond: Mr. Chairman, I wonder if the hon. member would mind repeating his third question. I did not get it all. The third question, please.

Mr. Pilkey: The third question is: Is there any programme through the addiction research foundation to bring the problems of alcoholism to the children in the elementary schools?

Hon. Mr. Dymond: Mr. Chairman, the statistics the hon. member gave are quite right. We are sorry to say that we do believe now, and I think we have fairly substantial statistics to prove it, that this large percentage of confirmed alcoholics today who only confess to grade 8 education or less, are in the older age group.

Our changing educational system is altering this, but of course this may only be cold comfort at this stage of the game. The point is a very valid one and gives us a good deal of concern.

Are we doing anything to increase the industrial programme? I can answer the question very simply by saying, yes. That is the complete answer and the factual answer. Industrial programmes sponsored by the foundation have been and are most successful in those places where they are carried on. Industry itself is doing a great deal to promote this among themselves. I think industries recognized quite some time ago that it costs them a very great deal in these days of highly sophisticated operations to train



people. Not only do they lose men and not only do the men suffer, but industry itself suffers probably in a more indirect way by the loss of its own investment in training these people. The industries who have undertaken this are all quite lavish in their praise of the programmes and, as I stated, not only stimulate the foundation to promote the programme in other industries, but themselves spread the good word abroad among their fellow industrialists.

There are 24 commercial enterprises with which the foundation has established programmes in ten departments of the federal government. Twenty-two departments of this government have established programmes under the aegis of the foundation; the LCBO has one programme and the CBC of all places has one programme sponsored by this foundation. So there are 58 programmes.

There are 12 industrial programmes established: BA, Bell, Algoma Steel, Canadian Kodak, American Cyanamid, Dominion Foundries, Hydro Electric Power Commission of Ontario, Imperial Oil, International Business Machines, Union Carbide, T. Eaton Company, John Labatt Company.

Informal policies are established in ten industries: Aluminum Company of Canada, Canadian National Railways, Courtalds, Howard Smith Paper, International Harvester, Spruce Falls Power and Paper Company, Manufacturers Life, Ontario Paper, St. Lawrence seaway, Cornwall street railway light and power.

This has grown quite extensively. I could not begin to give you any idea how many are involved in this, but at least it has the potential of reaching a very large number of people. I am a little disappointed, though, to see that your own company's name is not here. And since I am your neighbour and I am very much involved and interested in the operations of those various companies, I hope that our foundation will go after them. Perhaps it is not needed there; I would hope not, but they are all human.

We are in discussions with some other industries. Seriously, this is a programme in which there is great promise, because we believe very definitely that the most effective way to deal with this problem is to get it before it becomes a problem. And more and more foremen and bosses, even down the line from that, and fellow workmen are prepared to encourage an afflicted workman to go and seek treatment. I think in this lies more hope for the successful future of such programmes than in anything else that we can do.

We know that there are still industries who will fire their people because of this and it is not for me to criticize, but we do not think that it is the right approach. We think that much more good can flow from them establishing a programme from within their industry or commercial establishment, if it is large enough, to contain it, and if not get in touch with the programme that is being operated.

While the foundation with its facilities treated only 5,000, there are many other facilities providing treatment. Unfortunately I cannot give you the number there but we treat them in our own mental hospital system. We have a substantial number and I aim to cover that when I come to the mental health division, but we treat a very substantial number of alcoholics. We will try to get the numbers if it is possible to collect them in time before my estimates are finished. And is there any programme in the educational system at the elementary school level? I am told not yet.

Now, whether that fault lies with us or with the educational authorities I do not know. But as I undertook to the hon. member for Scarborough East, the foundation director has heard your views. I am quite certain that he will be doing everything possible to have all concerned consider the possibility of starting this at a lower level in the elementary school system than heretofore has been obtained.

**Mr. Pilkey:** I just wanted to make one other comment. It appears from the list of employers that you mentioned, sir, that this does not cover some of the major industries here in Ontario. I do not want to fault the industries, either because some of them do walk most of a mile with these people who are addicted to alcoholism, and do give them an opportunity. But then on the other hand, we have some supervisors who threaten the employees with discharge because of their being prone to drink and the addiction to alcoholism. This is one of the things for which I would respectfully suggest that they step up the programme in that area, to bring all of the major industries here in Ontario under such a programme, and to assist the employees that are addicted to this alcoholism. I respectfully suggest again that this is an illness that is recognized in our society, and we should be doing the best job possible to preserve these people. I know what happens to them after they lose their employment because of alcoholism, and they do end up on that place that we know as skid row, many of them.



It is not only the employee that is involved, I submit; it is the children and their families as well that suffer under this addiction to alcoholism. I just think that we as a government—and when I say we, I am talking about all of us—should be charged with this responsibility to try and find a sense of relief for those that are subject to this addiction. I feel pretty strongly about this because I have seen some families that have been degraded because of this addiction. It is a pitiful sight when you see a mother and her children losing their home, with no food coming in and no sense of security in the very rich province in which we live today.

And so, as we derive a considerable amount of revenue in the government from this source—alcohol—I just think that we ought to be putting a lot more back in, as it is necessary to rehabilitate these people, Mr. Chairman. I hope that the Minister would make every effort through the foundation to step up the programme, and let us see what we can do in terms of salvaging these lives so that they can, as I said, have a better future and a measure of full employment.

**Mr. Chairman:** The member for Scarborough West on the same point?

**Mr. Lewis:** Well, on the foundation, Mr. Chairman. I was on your list. I think you have it. I would urge you to place the member for Sudbury on the list, Mr. Chairman.

I want to go back to raise what I had discussed earlier, briefly, with the Minister, which he so vigorously disclaimed. One hopes that the work of the foundation can improve, and therefore, if there have been studies of the foundation's activities, it is surely worth revealing their content to the House. Now, I will go back and rephrase it. Perhaps I did not phrase it properly, Mr. Chairman. Would the Minister tell the House the findings of the committee which he constituted to take a look at all the activities of the alcoholism and drug addiction research foundation? Would he give us the results of those findings and the confidential report that was tabled with them?

**Hon. Mr. Dymond:** Mr. Chairman, this was an interdepartmental study—

**Mr. Shulman:** You denied that it existed a few minutes ago.

**Hon. Mr. Dymond:** Mr. Chairman, I did not deny that it existed. The hon. member asked whether I could have a confidential study by the institute or something or other.

I did not. I repeat. I asked Dr. Ian Urquhart, the former chairman of the Ontario services commission, along with two other members, to tell us what, in their view, after objective consideration, would be a plan of action from that time onward. We do this quite frequently with branches of our department. We have commissions coming within the jurisdiction. I have not yet had time to thoroughly consider the study—

**Mr. Shulman:** You said you never received it.

**Hon. Mr. Dymond:** Unfortunately, Dr. Urquhart had a bereavement in the family while they were in the south, and I have not presumed upon him to come in to discuss his findings with me. When I have that opportunity, and I believe that there is something of value to be presented to this House, sir, then I will take the opportunity to present it. I repeat, it was not a study commissioned, or a confidential study commissioned by me from this institute or whatever it is.

**Mr. Yakubski:** Do not get restless now.

**Mr. Lewis:** Mr. Chairman, let me assure the friendly fossil from Renfrew South that I am not restless in any way whatsoever.

I would like to say that the Minister simply toyed with language, and I for one, do not appreciate it. I have before me a list of projects undertaken by the Ontario institute of studies in education, commissioned in this instance by government. And this project was the study of the organization and work of the alcoholism and drug addiction research foundation, under Dr. J. R. Kidd, the department of adult education, the Ontario institute of studies in education. I quote:

The review committee was constituted by the Hon. Matthew B. Dymond, Minister of Health, the province of Ontario, on Friday, January 13, 1967. The terms of reference are:

1. To review and assess the current operation of the alcoholism and drug addiction research foundation, having in mind the nature and extent of the problem of alcohol and drug dependency in Ontario.

2. To study the effective integration of arrangement with other health and social services, and,

3. To make such recommendations as will enable the foundation to improve its operation in the province.

The review committee, on the work of the alcoholism and drug addiction research foundation, reported, and I quote:

—in a confidential report to the Minister of Health, province of Ontario, January, 1968.

Mr. Chairman, with great respect to the Minister, there could be no mistaking the thrust of my earlier query. If the Minister did not know the Ontario institute for studies in education was involved—and I find that rather surprising, since it apparently was a research study within their purview, it is on their list of research projects which has considerable circulation—then I for one am surprised that he was not privy to the information.

Be that as it may, Mr. Chairman, we are given to understand, in ways mysterious, that the report makes some very radical alterations in the programme of the foundation, and suggests that in all the areas the members have raised this evening, from both Opposition parties, the foundation in some measure is redirected, I think, Mr. Chairman, that it has considerable relevance to the House because the members on this side have mentioned everything from the question of LSD to glue sniffing to marijuana to the effects of alcohol generally.

When one has this kind of study commissioned by government handed to him confidentially, then the House should be privileged to the information. I do not see why, in any way, it has to be contained. I cannot understand why the Minister would not wish to share it. We are collectively interested in this field.

Now I do not think I need to elaborate further Mr. Chairman, except to say that I think the question was a valid one and I would still like to know, when the Minister condescends to reveal it to the House—at whatever point in time, what the report in fact did suggest his department do.

**Hon. Mr. Dymond:** Mr. Chairman, I want to emphasize again sir, that the Ontario institute for studies in education was not commissioned to conduct such a study and I say without equivocation, in this House, that it has placed on its list of research projects, a project that was not officially or unofficially given to them.

It was purely coincidental that Dr. Kidd is employed by this Ontario institution for studies in education. He was not asked as a member of that body to do the job. He was asked for his own ability and for his own special skills and experience in education.

We did not ask the Ontario institute for studies in education to do this job. We asked Dr. Kidd, and I say again, sir, that this institute had no right to put this upon its list of projects. It was not given to it. Dr. Urquhart was asked to chair this committee. Dr. Kidd was the second member; and Professor Bishop of Trent University might just as well put it on its research projects.

I emphasize, sir, that this was not a study asked for at all and, of course, it was a confidential study—a confidential report, because as in the reports we ask people to do, we invite specialists from many fields of activity to look at various phases of The Department of Health's responsibilities. This was one of them and, I repeat sir, that when I have had an opportunity to discuss the report with Dr. Urquhart—and I can assure you I have read it myself, but I want to discuss it with Dr. Urquhart before I am certain I have put the right interpretation on certain of the recommendations—but there is nothing sinister in it. I can assure the hon. member, sir, he can go home and sleep comfortably tonight and not worry about anything sinister hanging over his head. There is no sword of Damocles going to fall upon him tonight insofar as that report is concerned.

**Mr. Shulman:** It may fall on you tonight.

**Hon. Mr. Dymond:** Well, I hope it falls on you.

**Mr. Nixon:** Mr. Chairman, the only reason I might not be able to sleep comfortably is thinking that the hon. Minister could not respond to the question that was put previously, to indicate what the nature of that report was. He may very well, and with candour and honesty, be able to deny specifically what the hon. member questioned him—in the sense of his question—but surely, having read the report himself he must have known what was being referred to and could have given some of the information to the House or at least, acknowledge that the report in some form, did exist and that the foundation was undergoing some changes of direction. I am amazed that the Minister would get up in his place and say what he has said in the last few minutes.

**Hon. Mr. Dymond:** Now Mr. Chairman, the member for Scarborough West leaves me thinking he is privy to so much confidential information within my department from time to time that, for the moment, and, indeed, until I was advised by some of my people, I could not remember how the Ontario institute for studies in education came into it at all.

I did not remember that Dr. Kidd was an employee of that group and it was only, when this was drawn to my attention here tonight, that I linked the two together.

**Mr. Sopha:** May I say a word?

**Mr. Chairman:** The member for Sudbury.

**Mr. Sopha:** I well remember, as if it was last night—it could have been last night but it is probably seven or eight years ago—when Leslie Frost, the old grey fox from Lindsay, stood right over there and he held those hands up in that inimitable way that he used to. At that time, we were voting \$700,000 for alcohol research in this province, and, he said this was the leading jurisdiction in North America. No jurisdiction, I say to my friend from Dufferin-Simcoe (Mr. Downer), through you, sir, spends as much. But tonight it is \$5.5 million. That is about eight times as much in the space of seven or eight years and I think I am correct on that interval of time.

Well, the simple question then becomes, what are we getting for our money? What do we get; or have we created an empire? Is this a case of empire building?

I looked at the report the other day. I did not go to the meeting of government commissions. I make no apologies for not going. I chose not to go. I was in the building. I did not want to go, but I looked at their report and if you see the projection for alcoholics in the Ontario population, you are faced with a curve with an almost perfect arithmetic progression, up it goes like the side of Everest. I think they took it, I do not have it before me but I think they took it to about 1980. Well that curve was not encouraging for the \$5.5 million but at least it elicits in one some feeling of pessimism that, looking ahead 12 years, this \$5.5 million corporation does not expect to make any major breakthroughs. Could there be anything more pessimistic about their projection, with a curve such as they set out? I forget the numbers now. I wish I had the report but there was no relief in sight; no major breakthrough; no dramatic reduction in the number of alcoholics in our population.

The member for Oshawa was perfectly correct tonight in the candid comment that he made about the incidence of alcoholism and the way the alcoholic is greeted in society; I think repudiated would be a more appropriate description.

Then, we were made privy to the information—yes it has just been handed to me

—apparently in 1983, it is difficult to tell, it was not a statistician who drew this graph, in 1983 there will be 170,000 alcoholics we are told, whereas in 1968 there are somewhere between 110,000 and 120,000. Well, I do not know but that looks to me to be completely correlated to the point of the full interger with the increase in population in Ontario.

So, there is no relief in sight at all, through the spending of \$5.5 million a year. I expect that by 1983, or perhaps 1984 is a better year to take in the light of the literature, I expect that by that time they will be in a position of complete failure and that we will probably be spending about \$15 million.

I have sat back and watched the empire grow across Ontario and I must say that I find them to be very obliging people, very co-operative. I can cite a recent experience with them of helpfulness towards a citizen but I ask the Minister of Health, and I am one of those that does not really care if he replies or not—I never ask any questions to which I invite replies—but I say, where is the light of day? Where is the major breakthrough with this eight times Leslie Frost's figures of seven or eight years ago—and being the leading jurisdiction in North America?

It boils down to this; here is where we come down to: the member for Scarborough West informs us that someone—we do not know at what instance or what the genesis was—someone decided that this outfit should be studied. And about high time I would say, now that it is spending \$5.5 million of the hard-earned coin of the people of Ontario, about high time somebody studied it to see what kind of an empire we have. Well, someone studied it and the Minister of Health in an exercise of sophistry such as we have not been privy to for a long time, gets up and categorically denies that there is any such study or it passed across his desk or he knew anything about it.

Then when he is confronted with the facts three-quarters of an hour later he allows to us that there is a study and he exhibits a tremendous petulance. Did you notice, Mr. Chairman, that petulance about him, that it was not Dr. Urquhart that studied it, it was Dr. Kidd; or Dr. Kidd got involved with some ne'er-do-wells and they should not have been poking their nose in it anyway. And in the result of some collective group, whereas the Minister wanted an individual, some collective group, feeling



that three minds are better than one, has prepared a study.

Well, it is about time then, as the board of directors of this province that we are, that we had a look at this study. And whether the Minister has had time in his busy schedule to read it or not is really irrelevant, I do not care how he spends his time. But I care about what he produces to earn his salary a good deal, and it is about time that he afforded us the opportunity to have a look at it. I just want to end my comments in respect of alcoholism and all the work that this foundation does, spending the \$5.5 million, which is so dramatically increased; nobody over in that foundation will adopt the attitude of Caiaphas toward me. And I will leave that allusion for the Biblical scholars to ponder.

**Hon. Mr. Dymond:** Mr. Chairman, I suppose this is one case where it is rather difficult to produce concrete evidence of what has been accomplished. One might start out by saying, "Well, if we had not been involved in the programme, what would be the incidence of alcoholism?" Of course, we cannot answer that one either. I think there might be some relationship between the increased consumption of alcoholic beverages in the province and the incidence of alcoholism. Those figures, I think, would be rather revealing. I do not know by what gallonage it has gone up but I did read recently that we in Canada drink far more alcoholic beverages per capita than many countries in this world.

**Mr. Sopha:** Speak for yourself.

**Hon. Mr. Dymond:** I said "we in Canada". I doubt very much if I could keep up to you, Elmer. I would love to try if somebody else would buy the whiskey.

But there is evidence of success—

**Mr. Sopha:** Remember what I said about Caiaphas.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Chairman, could we have an explanation of that?

**Hon. Mr. Dymond:** I am trying to sort out Caiaphas and Ananias, and I am not just sure which is which. Caiaphas was an asthmatic, did you say?

**Mr. Sopha:** I said—

**Hon. Mr. Dymond:** Well, it is all right, I thought he was related to Ananias, but I am

not sure, I will have to go back and check the concordance.

But I would point out for instance that in the industrial programmes about which the member for Oshawa spoke very realistically and very reasonably, I can say that this in our view has prevented a great deal of alcoholism becoming confirmed and becoming irreversible.

Just a very brief comment on the employed alcoholic: The foundation has arranged a two-day educational programme for groups of employers. A short top management seminar followed by two or three days' seminar for middle management and supervisory staff—the kind of thing the member for Oshawa was talking about. They do this after they have done everything possible to promote and initiate programmes in various industries. For instance, the foundation's most outstanding programme of management education during 1967 was that arranged for Hamilton's five largest industries, representing 40 per cent of the city's industrial work force. I think if we have a programme that is reaching 48 per cent of the industrial work force in a highly industrialized city like Hamilton, much good is bound to flow from that.

I did not involve myself personally very much in the programme, I do not involve myself personally in the programme yet, but I do take more opportunities to go around speaking to the groups who are afflicted with this problem and I have done so over the last two or three years. I have had the opportunity to meet some very sizeable groups of AA, and on every hand I hear commendatory remarks about the work that has flowed from the work of the foundation. The foundation recognizes the value of work being done by groups such as AA; they work with them, it is a co-operative undertaking. All of these things are.

I have to repeat, Mr. Chairman, I could not possibly give the hon. member an answer, much as I would like to. I know he is so precise in his own information that he would like an answer, and I would like to be able to give him an answer, but unfortunately in many health matters where very large sums of money are spent it is often hard to give an answer.

I was talking to the research director of a large drug company a very short time ago and he told me that over the last nine years they have spent more than \$5.5 million on one research project and it has not yielded them a thing. Unfortunately this is one of

the distressing features about research, as I am quite sure my hon. friend knows. There are many, many research projects which start out with high hopes of achieving something but somehow or other they come to the end of the road and they do not achieve their objective or they do not find what they anticipated, or they do not gain the end they were looking for. I think we are going to have to face this in some degree.

I recall that night when our former chief hold us that they were spending \$700,000, and I want to say to you, sir, tonight, and to the hon. members of this House, that this foundation and its work, its activities and its achievements are far better known, far more highly lauded outside the province of Ontario than they are within. Perhaps this fault lies in some measure with us, that we have not blown our own horn enough. I can say to you that there is not a programme on this continent—and that is not an exaggeration—there is not a programme on this continent that has been as effective as the programme promoted and pushed forward by the addiction research foundation. They are perhaps the most disappointed people that they have not been able to achieve more than they have, but I can assure you that it is only by continually going at it and keeping at it that we will ever hope to achieve.

I do not think they can be accused of empire-building. The foundation directors include 20 people, all of them busy people, all of them interested citizens; not one of them takes a penny for the work they do; they have a right to do so under the Act but they have not done so; they never do, and I do not think they have any intention of doing it. And in spite of my roots and heritages I believe that they have a right to it and should take it, but they do not. I have never heard a word of complaint about the workload put upon the staff. They have had a difficult career, they have been moved five times in the 13 years of their life. Nobody can really establish a worthwhile programme when they hardly know where their permanent home is. I hope within the next 12 to 18 months they will have a permanent home on the University of Toronto campus and that then they will be able to work very definitely from a real head office, their own home, included in which will be a very large clinical operation.

I am afraid, Mr. Chairman, I cannot give a more definitive answer than I have. Much of it has to be philosophical because again I repeat it is very difficult to measure because you have no yardstick by which to measure

the results. I can only say that they are continuing to push forward their programmes in preventive measures because herein, they believe, lies the hope for the future, the hope that at least they will stop this graph going up. I would hope that some day we will be able to see this graph plateau and then we will know that they have attained a great measure of success. Many of us talked about the skid row group but they include a total of 10,000—about less than 10 per cent or 9 per cent of the total group addicted to alcohol are in the skid row group. That is a large number of people, we know, but we also realize that they are so badly afflicted that there is very little hope of reclamation. I think the most optimistic believe that you can reclaim about 3,000 of that 10,000.

Skid row represents about 5 per cent to 10 per cent of the total but you hope to reclaim about 5 to 10 per cent of the skid row groups, so it is a pretty hopeless group. Time will look after them, there is no doubt about that. We hope to keep on doing all we can in the meantime to try to reclaim them, but it is quite impossible to come in here with neatly packaged or cut and dried figures and say that out of 10,000 skid row people last year we can report that we saved five people—we cannot do that. First of all one year is not long enough to know if they have been saved. You have to have a period of time during which the patient remains stabilized before you can even hope to admit that they are reclaimed.

In talking to those who are members of AA, so many of them say, "I have not had a drink", I remember one chap saying to me, "I have not had a drink for 18 years." I said, "You are a real success story." He said, "No, I am not, Doctor." He said, "If I should be stupid enough to take a drink tonight I am stuck, I am farther back than ever I was, and all that I built up over 18 years is gone." They never believe themselves cured, and this perhaps points up even more clearly than anything I could say about it how difficult the problem is and how impossible it is to give you concrete evidence of the effectiveness of the programmes.

**Mr. Sopha:** I do not see how the Minister can reply by seeking to surround the remarkable work done by AA within the purview of \$5.5 million granted to this foundation, because AA existed long before this foundation was created by this Legislature and it operates entirely independent of this foundation.

**Hon. Mr. Dymond:** Excuse me, on a point of order, I hope that I did not leave the impression that AA is dependent upon us or the foundation or is in any way answerable to the foundation. There is a very close liaison between them; it is a co-operative effort, they work very closely together.

**Mr. Sopha:** Yes, they may, or may not. They may work independently of each other. Incidentally I heard a man I consider to be an outstanding clergyman in the life of this province, say that the greatest single contribution to theology in the twentieth century was the creed of AA, and if that be so, if there be merit in that assessment, then it certainly testifies to the important place played by that group within our culture. We are not going to be told tonight of any concrete achievements by this foundation and we are left in a spirit of hopefulness that at some time in the future it may have some success.

I have not had a great deal of contact with them though I do observe that they come into Sudbury, for example, and they put on their local board a man who had never had a drink in his life. Common sense seems to tell me that the contribution towards the prevention of alcoholism of a person who had never had a drink in his life must be extremely limited, because I would think that it is to be preferred to seek the advice of those who have some knowledge of the problem. But that is not to say that it is not possible; I simply do not know, I just speak on balance in that realm.

If the Minister is talking about preventing people from drinking to excess through the work of this foundation, then I must say pessimistically that they are fighting a losing battle, and I say that for reason that the influence of the television medium will be far more permeating and penetrating than any literature that is disseminated by this foundation. Now to illustrate that, I observe that my three-year-old sings in her euphoristic moments the Carling's Red Cap jingle, long before she can render the strains of "O Canada." I really detest people who talk about their own children, but lo and behold we were driving along a Sudbury street the other day and we passed a hitchhiker who had his thumb out and the three-year-old said, "That man wants a Carling's Red Cap." Now you see the influence of that medium.

Television has been terribly irresponsible in regard to drink, because the motif of television advertising the promotion of drinking

beer, the only liquor that they advertise, is directed to the single purpose of making drinking culturally acceptable. If you study the form of advertising you see that they are saying to the viewers that to be "with it," to be in the "in group," to be acceptable, to be conformists, you have to have a bottle of Molson's or Carling's or Labatt's or some other brand in your hand in all social circumstances. So I say to the Minister that if this foundation, in spending \$5.5 million, thinks it is going to be able to lessen the consumption of that beverage in our society then it is certainly facing what must ultimately be a losing battle, and at least in that respect it will be wasteful of the \$5.5 million that we are asked to vote to it tonight.

I want to say to the Minister that since he made the allusion—just so the record will be full, and in respect of myself—within the last six months, I will put it this way, if they look for one dollar in seven for the consolidated revenue fund from me the province would be bankrupt. Now I hope that gets through. I hope that gets through to him and straightens out the record that I am not contributing.

**Hon. Mr. Dymond:** If I offended the hon. member in a personal way I am very, very sorry and sincerely sorry for that; this was not intended. I must admit I was talking facetiously and perhaps I should not have been talking facetiously about a matter of this kind. There was no intention to offend the hon. member.

**Mr. Chairman:** I have the member for Brantford who was complaining about the rule of calling before. He is not in his seat so I call the member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman, at 5:30 when I first rose to enter the discussion on vote 801 the Minister was deferring to the educationists—the Minister as a layman in education was deferring—and I would just like to assure him that the opinion of the leader of the Opposition regarding the presence of a member of the medical profession appearing before a class of students would be most welcome to the teacher. No matter how great the rapport between the teacher and students, the additional support of the medical authority would be welcomed without any question. I should like to endorse the other opinion by the member for Windsor-Walkerville that the education should start in the elementary schools, especially in regard to smoking. You can make a whole speech about that but I



intend merely to put myself on record for the Minister's advice.

In the matter of education by TV, what I would like to know is when is the Minister going to use his influence to wipe out the TV advertising of cigarettes? To put on a campaign against them at the public's expense will merely stimulate the advertisers of cigarettes to a greater campaign. We may just as well end this one-sided battle by banning the advertising of the cigarettes. It would not cost the government a cent; it would be of great help in their positive campaign. I think the same could be said about the liquor advertising too.

On the third point, smoking in hospitals, not so long ago an expert from Great Britain in air pollution was brought over to this country and one of his memorable remarks was, and I am quoting:

Tobacco smoking is the most intensive form of air pollution and why there should be any hesitation in banning it in a hospital room, where a sick person is trying to recover from an illness, perhaps an illness caused by air pollution in the first place, is beyond me.

The Minister may say that he has no power, but the Minister has the power of persuasion. He has the power of suggestion and I think that he should use this power.

My final point concerns this 700-foot chimney that is being discussed for downtown. I assume that the fact it is being built to this height is an admission that the air pollution control equipment is not going to function.

**Mr. Chairman:** I wonder if the member would mind holding his comments on air pollution until vote 803?

**Mr. Burr:** Well, this is this one chimney.

**Mr. Chairman:** Well, one or six—any chimney.

**Hon. Mr. Grossman:** How many chimneys?

**Mr. Burr:** It was being discussed earlier, do you remember?

**Mr. Chairman:** I believe it has been discussed earlier and the Minister—

**Mr. Burr:** I may just as well finish. I have waited five hours; it will take two minutes.

**Mr. Chairman:** All right. I will give the member two minutes.

**Mr. Burr:** I believe that this huge height of 700 feet is an admission that the air pol-

lution control equipment is not going to function at 100 per cent. Is that not the case? The idea is to disperse this over a wide area because there is still some left?

Well, in Windsor there is a company which claims that its equipment, which is based on licensing agreements from a German firm that has been in the business for 50 years, and has equipment being used all over Europe, including Russia, England, Egypt, South Africa, South America, as well as in Mexico, that its equipment is 95 to 98 per cent efficient and that sulphur dioxide is the most serious of the air pollutants and this equipment has proved most effective in this field, particularly in the steel and chemical areas.

Now it seems to me, Mr. Chairman, that if the best equipment were used on this 700-foot smoke stack, it would not need to be 700 feet; perhaps 300, or even less would be sufficient. I would appreciate the Minister's comments on that aspect.

**Mr. Chairman:** I would point out to the member that earlier in the debates there was some discussion and the member for High Park was permitted to read a short paragraph into the record on the understanding it could be discussed under the proper votes later on. I would ask the member for Sandwich-Riverside not to ask for any answers at this time.

The member for High Park.

**Mr. Shulman:** Let us go to the second secret report of the night. I am talking on vote 801, item 16, an expenditure of four and one third million dollars, and I, with great regret hear that this money is just merrily going down the drain. Some weeks ago I received from the Ontario Department of Health, the second report of the peri-natal mortality study in ten university teaching hospitals in this province. It was sent out by the maternal and child health service, special health services branch.

**Hon. Mr. Dymond:** Mr. Chairman, I think this is the wrong vote the member is talking about. That comes under 803.

**Mr. Shulman:** I am talking about tobacco, and it comes under this vote.

**Hon. Mr. Dymond:** Tobacco does not come under this vote—

**Mr. Shulman:** Well let me look here in item 16. Clinical, applied, operational and other health research. This is definitely clinical health research, and it further goes on, "in amounts as may be authorized by the Minister."

**Hon. Mr. Dymond:** Mr. Chairman, I think I know how my department operates and in fairness to—

**Mr. Shulman:** There is some question about that.

**Hon. Mr. Dymond:** The peri-natal study does not come under this vote, it comes under vote 803.

**Mr. Chairman:** Vote 803, which is listed in detail, on pages 62 and 63.

**Hon. Mr. Dymond:** This particular report will not be listed there, sir, but it comes within the ambit of that vote.

**Mr. Chairman:** I would ask the member then to reserve his comments until vote 803.

**Mr. Shulman:** May I ask the Minister what item under 803, Mr. Chairman?

**Mr. Chairman:** The Minister has said it will come under 803.

**Mr. Shulman:** What item, Mr. Chairman?

**Hon. Mr. Dymond:** I read out the list of projects that are indicative—or the list of the kind of things being carried on under this vote.

**Mr. Chairman:** I assure the member we will permit this discussion on vote 803—

**Mr. Shulman:** Actually what I wanted to discuss was not this report but the tobacco situation and it certainly has been discussed here at some length by other members, I do not see why I should not discuss it.

**Mr. Chairman:** I think there were brief references to tobacco along with certain other things.

**Mr. Shulman:** Rather lengthy.

**Mr. Sopha:** Mr. Chairman, on a point of order. Is this the one about the effect of smoking on human fetus?

**Mr. Shulman:** Yes.

**Mr. Sopha:** Well, would not that be covered—first I ask—would not that be covered under 16?

**Mr. Shulman:** Yes.

**Mr. Sopha:** Would it not be paid for under 16?

**Hon. Mr. Dymond:** No, Mr. Chairman. It is a peri-natal study, it is not paid for under 16.

**Mr. Sopha:** Well, then, clearly Mr. Chairman, it comes under 11 of 803.

**Hon. Mr. Dymond:** It comes under maternal and child health, vote 803.

**Mr. Sopha:** Item 11, vote 803.

**Mr. Chairman:** That is right. The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, I was wondering about item 15 vote 801—bursaries. I believe a year ago it was \$1 million and this year it is \$1.5 million. What I am wondering about, is this amount that is set aside used each year, or in some cases do we have the case of it not always being used up? I am just wondering how this plan is working out as far as encouragement to get more doctors and dentists in the field is concerned.

**Hon. Mr. Dymond:** This, Mr. Chairman, is all completely used and we use federal grants to augment it. The expenditures for this year—that is the year just finished—are estimated at \$1,691,000.

**Mr. Ruston:** Thank you.

**Mr. Chairman:** The member for Welland South.

**Mr. R. Haggerty (Welland South):** Thank you, Mr. Chairman. My remarks will be short on this vote 801 item 7, alcoholism and drug addiction research foundation. I have listened to many speakers. It was mentioned by the hon. member for Oshawa, including the number of hours lost, the number of days lost and the jobs lost. I would agree with him that this is a serious problem in the industries of Ontario today. In the budget report, the LCBO estimates revenues at \$177 million, the estimated expenditure on 801-7 is \$5,566,000. The government spends less than 4 per cent on alcoholism and drug addiction in Ontario. This is far too little to spend on the problem of addiction in the province of Ontario to rehabilitate those that are in need of assistance so that they may become useful, gainful citizens again.

Will the government give consideration to increasing the expenditures for greater results in the rehabilitation programme in Ontario? There is a need for regional centres in Ontario.

**Hon. Mr. Grossman:** The member for Sudbury said it was too much.

**Mr. Chairman:** The member for Essex South.

**Mr. D. A. Paterson (Essex South):** Mr. Chairman, I would like to relate my remarks back to the remarks of the hon. member for Oshawa, where he was delving into the possibilities of management taking on programmes through this addiction foundation for the benefit of their workers. I would simply like to get the reassurance of the hon. member if these same facilities and co-operations would be available, to say a union group, such as the hon. member heads? In my own feeling, often the officials of the trade union are more closely oriented to their brothers with whom they work on the assembly line and possibly might do a better job than that of management. Certainly, where management might be unwilling to go into such a programme, this should certainly be available to the local union organization, should they wish to undertake this. I would appreciate the Minister's comments.

**Hon. Mr. Dymond:** Mr. Chairman, the director tells me that they are carrying on educational programmes with certain unions now and would expand that as far as is wanted. They have completed arrangements with the Canadian labour congress and the united steelworkers of America to provide one full evening's discussion at each of the annual summer schools conducted by these organizations: the UAW education centre in Port Elgin, and at the ICWU club at White Sands on Lake Catchicoma.

The first of these courses is during the week of June 4 to June 9, and the final one during the week of July 2 to July 7. The personnel from the education division in Toronto, and from appropriate regional centres will be taking part. The reason that they prefer to establish the clinic service, the total service within the industry is to be sure that they get everybody. Let us not lose sight of the fact that it is not only the workmen that get afflicted with this.

Indeed, I think that the figures at the top level and the lowest level are the highest. Am I not right? I am not just positive of my statistics, but if I remember them, it is those at the top level, and at the very lowest level that one finds the highest incidence. In between, where the great mass of people are, is the lowest incidence, so that anybody is liable to be hit with this. This does not afflict people because they are in a certain kind of job, or that they belong to a certain economic status. As one hon. member pointed out, the educational level has a great deal to do with this, and this has been proven; and again it is not enough to say that it is just because

they have got less than grade 8 education, there may be other environmental and personality factors to be included in this.

But this is proof that they are working with the union and are willing to expand this in every way they are requested to do. The hon. member for Welland South spoke about the regional centres. There are quite a number of regional centres now. There is a Metropolitan Toronto region, an eastern Ontario region, and a northwestern Ontario at Kenora, there is a special programme, northeastern Ontario, mid-western Ontario, and Niagara counties, metropolitan area. Now, in Niagara counties, and I suppose these are the ones in which the hon. member is most interested, our programme is going up from \$39,000 in the year just ended, to \$92,800 in the ensuing year. Included in this budget—Metropolitan Hamilton, the Lake Erie region, Lake St. Clair region, Georgian Bay region, Lake Ontario region. It is already broken down into regions.

**Mr. Haggerty:** Mr. Chairman, will the Minister accept a question? Does this item cover hospitalization of these persons, clinical health, or is it just alcoholics anonymous?

**Hon. Mr. Dymond:** Again, I hope that I have not misled anyone with my references to AA. We have nothing to do with their programme from the standpoint or direction or anything else. They work with us and we work with them, but we have nothing to do with this. These are programmes operated by the addiction research foundation in these various regions. The activities of each region are the responsibility of the regional board, which is named. Is it the Niagara that you are particularly interested in? It operates under Dr. Washburn in the city of Welland. That is where your regional operation centre starts.

**Mr. Chairman:** The member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, item 16, of vote 801—clinical applied or other health research. Can the Minister supply the organizations to which these funds are authorized or paid?

**Hon. Mr. Dymond:** Mr. Chairman, I have already put them on the record this evening.

**Mr. De Monte:** Did you? I am sorry, Mr. Chairman.

**Hon. Mr. Dymond:** At least, I read off 22 of them.



**Mr. Chairman:** The member for Wentworth.

**Mr. I. Deans (Wentworth):** In relation to item 7, again, I cannot help but wonder if we are getting the full value for the \$5.5 million that we are spending when one considers that the industries manufacturing these products are spending a like amount for advertising these products over mass media, in an effort to entice those on whom we are spending the \$5.5 million into buying and consuming it. Consider also that the \$5.5 we are voting on at this moment is only a small amount of what is spent by this province in the rehabilitation and maintenance of the people and their families that are afflicted by this problem.

As I understand it, for every \$2.50 that is spent by the province in the rehabilitation and the upkeep of the families of the alcoholics, we receive one dollar in return in tax. What I would like to know from the Minister, if he is able to answer it, is: are any of the industries that manufacture the alcoholic beverages presently contributing any amounts of money to the research foundation? And second, is he, or would he contemplate, taking any action to ensure that the advertising of these products was banned?

**Hon. Mr. Dymond:** No industries contribute to the foundation. We are told by my legal advisors that we have no legal authority to control advertising, Mr. Chairman. This is a matter of continuing discussion between the federal government and ourselves, again at the level of the Dominion council of health on which is represented every province. We can only continue to put this before them, and put our views before them in this connection. But we must wait for them to take whatever action is necessary or deemed wise, because this is within the realm of their responsibility.

**Mr. Deans:** Could I ask the Minister then if I am right in assuming that they are pressing to have this measure taken?

**Hon. Mr. Dymond:** I would be very difficult to say if we are pressing, Mr. Chairman. We continually put it forward as our view, that this is one effective way of attempting this measure. I am just not sure what degree of promotion we should be doing to say that it is pressing. We continue to put this forward as our view.

**Mr. Chairman:** The member for Yorkview.

**Mr. F. Young (Yorkview):** Yes, in this specific—

**Mr. Chairman:** The member has a question?

**Mr. Young:** Yes. I am a bit puzzled at the Minister's answer about his power over advertising, because I remember some years ago, in the province of Quebec liquor advertising was allowed, and that was spilling over into Ontario, and then it was allowed in Ontario. Does this mean that the federal government controlled the advertising in the various provinces, or was this provincial action which allowed the advertising to take place within periodicals, periodicals in the province of Ontario?

**Hon. Mr. Dymond:** There seems to be a division of authority; certainly none of it comes within the purview of The Department of Health. The federal government, I am given to understand, controls advertising. It certainly controls advertising on television. But I am told that the liquor control board of Ontario has some authority to control liquor advertising.

**Mr. Young:** The Minister could, I understand then, prohibit the advertising of liquor within Ontario.

**Mr. Shulman:** It could, but that would cut down the donations, though.

**Mr. Deans:** Well, we will take that chance.

**Mr. Shulman:** There is Allan to the rescue?

**Hon. Mr. Dymond:** This is an informal arrangement that has been set up with the liquor board, and I do not know if they have the power to ban it. I would have to find this out. I think that they have the authority, and indeed they must approve of the kind of advertising that goes on, whether it is a label, a bottle, a glass or what. But I will have to find just exactly what power they have to ban advertising; I do not believe that they have that power.

**Mr. Young:** Has the government the power to open it up? That is my point. One would think that if they had the power to establish it, they have the power to also close it down, to abolish it.

**Hon. Mr. Dymond:** This is a point about which I am not certain. Whether they have the authority to ban it.

**Mr. Shulman:** Well, why go to the federal government when all you have to do is walk across the hall?

**Mr. Deans:** Would the Minister be kind enough to inform me whether or not he has

approached the liquor control board on this matter?

Hon. Mr. Dymond: I have not.

Mr. Shulman: You should have.

Mr. Deans: Will you approach the liquor control board on this matter?

Hon. Mr. Dymond: I will take the matter under consideration, Mr. Chairman.

Mr. Chairman: The member for Peterborough.

Mr. Pitman: One of the most interesting things to come out this evening is the suggestion of the Minister that we are hoping to deal with alcoholics in a hospital setting rather than in a jail setting as has been done in the past, through the work of this foundation. It seems to me the success of this will depend upon the extent to which you can integrate this work into the full health services of the province.

I was wondering how you are going to deal with these people under OMSIP. Will this kind of treatment be covered by OMSIP and will it be covered by Ontario hospital services? Also, have you established any course or any kind of programme to train doctors? It seems to me that doctors are very reluctant to deal with alcoholics, and rightly so in some cases. They do not feel that this is their area. They do not feel it is a health problem; they feel in some cases a moral problem. But it seems to me that alcoholics are also very often difficult to deal with and they do not feel that their time is being well used in dealing with alcoholics. I am wondering if there has been sufficient thought about this aspect of the integration of handling alcoholics within the health services role of the province?

Hon. Mr. Dymond: If the patient is admitted to a hospital on the certificate of his doctors, as he must be to get into hospital, of course, he is covered by hospital insurance. Alcoholism is recognized as a medical disease and it needs medical treatment and therefore is covered by OMSIP, and I believe it is covered under certain other insurance contracts as well.

It is available and there are made available seminars, refresher courses, post-graduate courses for doctors in the handling of alcoholism as a disease. And when the new hospital is completed, it will be a university affiliated teaching hospital and we expect and will press forward to have it accredited as a post-graduate teaching centre.

Mr. Pitman: Mr. Chairman, one of the votes under 801 is number 12, the vote registered nurses association of Ontario and there is a problem I think in dealing with this association; at least I think there is a problem here.

I understand that registered nurses do not accept psychiatric nurses as full nurses in this province and it seems to me that they have to work as nurses' aids and nurses' assistants. They are regarded as full-fledged nurses in Manitoba, Alberta and Saskatchewan; they come to Ontario and they are no longer accepted.

Now I understand that their qualifications are somewhat different to the registered nurses in Ontario. They have not had courses in obstetrics and surgery. But it seems to me that this is the kind of service personnel which we desperately need in this province. Surely if there is any group of people that we need, it is people who are handling mental illness in some way or another and emotionally disturbed children and so on. I am sure the Minister is cognizant of this.

I am wondering if the Minister has done anything in this area, towards seeking to change the registered nurses association of Ontario in their attitude towards this particular group?

Hon. Mr. Dymond: Mr. Chairman, I think there is a little confusion here. The registered nurses association really has nothing to do with this. It is the college of nurses that has to do with this. They are the educational body and the professional controlling body.

Yes, we have tried to get them to change their views and attitudes in certain areas and we have been able to see improvement in this. Now I recognize they are still not accepting or recognizing many psychiatric nurses or nurses who go under the title "psychiatric nurses" because their training is rather narrow and we find that it is actually very little different—indeed, in some cases, not as good as the training given our nurses' aids in our Ontario hospitals for the mentally ill.

We could not ask the college to register as registered nurses, staff with this training because the curriculum just does not cover anything but psychiatric nursing. The matter of the lack of training in obstetrics I think has been dealt with, because many schools in Britain do not give routinely, a course in obstetrics and some of them do not give a course in pediatric nursing and I believe an arrangement has been made by the college



to give special consideration to such nurses so that there has been progress in this area.

This \$5,000 grant to the registered nurses association of Ontario is earmarked for recruitment purposes and they, with ourselves, the college, and the hospital services commission are launching out very shortly on a very vigorous campaign of recruitment to try to encourage more students to go into nursing.

**Mr. Chairman:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you Mr. Chairman. I have several questions of the hon. Minister in regards to the function of the alcoholic and drug addiction research foundation.

First of all, I think we all accept the fact there is nothing wrong with alcohol in itself nor the consuming of alcohol but only for those people who cannot hold it and for those people for whom alcohol becomes a disease. It seems to me that society could settle the whole problem or pretty nearly settle the problem if we could find out, in advance, whether a person is going to be an alcoholic or not.

We are able to determine in childhood, whether a child is going to have a certain allergy, and we know if a person is most likely going to be what they call in a very crude way a "bleeder." If the foundation could conduct research to determine in advance whether a person is going to be inclined towards this particular disease, then this would be the type of preventive work that would really render a service.

I am dealing here on territory of which I have very little knowledge, but I was wondering whether the foundation does this type of research, so that a person while still very young and before becoming completely involved with this horrible monster—horrible monster for the individual for whom it becomes a disease—if this person could be warned in advance and if people could indeed be tested to determine whether they are going to become alcoholics or not.

Then, we could prevent a lot of problems because I do not think that people who can handle alcohol should be penalized because there are those amongst us who cannot, through no fault of their own.

Well, that was one area. I have a couple of other questions that I would like to point out also.

First, I would like to know to what extent the foundation goes to bat for the alcoholic with his employer. I do not know whether

there are any companies in modern day society who automatically fire a man who comes in drunk or fire a man once they determine that he is an alcoholic, but I wonder whether the foundation makes it its business to intercede on behalf of these people to perhaps give them several months off until they see what can be done about their problem or at least give them some consideration. I would like to know what part the foundation plays in helping the alcoholic with his employer.

The other thing I would like to know, Mr. Chairman, is to what extent the foundation serves as a consoler, or as a teacher, or a friend to the partner of the alcoholic and the family. If it is a woman, can her husband go to the research foundation and get some kind of advice, some kind of help as to how he can help his wife; and, of course, if it is the husband, can the wife go to the foundation and get some help as to how she can help her husband?

**Hon. Mr. Dymond:** Well, Mr. Chairman, those are three rather good questions and very interesting questions.

We have not yet devised a test that would indicate who is going to be allergic, if I may use that term very loosely, to alcohol. The foundation is presently carrying on some interesting basic research to determine the effect of alcohol on the single cell and there are some promising results coming out of this, but I must caution, that these are promising only. What will happen is hard to predict at this stage.

Now, what support can we give to the man who is employed by an industry that has not taken advantage of the service provided for them if he is fired; and I have to admit that there are still some employers who will fire the employee rather than try to put up with him or try to help him—better still, to achieve some kind of rehabilitation. Unless the industry becomes involved in the programme and unless the employer becomes involved in the programme, the foundation does not involve itself.

The foundation strives constantly to promote and stimulate interest of industry in the programmes, and if you recall earlier in the evening I mentioned a number of industries, and just recently read a report which indicated that 40 per cent of the industrial force in the city of Hamilton are participating in, or have available to them, the industrial programme. In these industries the employers have accepted the value of the programme and have gotten away from the older—I hope



it is now an old fashioned idea—of firing the employee because of a drinking problem.

To what degree and in what respect does the foundation act as I believe you said counselor, teacher may I with respect suggest that you change the first word to counsellor, because I think that is more effective than counseling. I have no faith in sympathy or consolation; it is all right at times but it is cold, cold comfort. It is empathy they need, and counselling, and this is a basic and fundamental part of the programme.

When a person dependent upon this substance comes under the care or attention of the foundation they try every way possible to involve all members of the family, because only in that way do they believe they can do a total job.

Now some spouses and children will not involve themselves, but I think this is becoming more widely accepted because again, if I may have reference to the AA, which I agree certainly with my friend from Sudbury has done a tremendous lot of work, and probably has done more than some of the more sophisticated and highly organized agencies because they went into it with probably little knowledge except personal experience, and certainly no money. This is one of their proud boasts, and one for which I think they should always be given a great deal of credit, that they ask no money from any official purse. But they, too, for a long time have been involving the spouses and the children—indeed I think they have special programmes for it—the children of alcoholics I think particularly dear to children where both parents are addicted to alcohol. We try to do this kind of thing too—involving the whole family because it becomes unfortunate we have total family problems.

**Mr. Chairman:** The leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, this has been raised for a number of years. In a budget of \$400 million, for which this Minister is asking tonight, it seems strange that he should have to continue to put in \$4,000 "unforeseen and unprovided." This is item 4 in vote 801. I would like to know what the Minister feels in this expensive budget could be unforeseen and unprovided that could not be met more properly by Lieutenant-Governor's warrants, and why he has to resort to what must surely be a very difficult matter for the Provincial Auditor to deal with even though the amount is extremely small.

**Hon. Mr. Dymond:** Mr. Chairman, it is an annoying item but I do find that it is a very useful item and a very necessary item. In large measure I must tell you that in the last two years at least it has been used to provide some dinner or luncheon for national or international health groups who meet in conference in the city of Toronto. The world congress of tuberculosis—I beg your pardon?

**Mr. Nixon:** Does the Provincial Secretary (Mr. Welch) not have money for that?

**Hon. Mr. Dymond:** Not always. When we are first approached we turn it over to the Provincial Secretary but we generally find that his limited fund has been used and we have been using ours because we believe it is—

**Mr. Nixon:** The Provincial Secretary's limited funds? There is a big fund for "hospitality" that is over \$1,000 a week.

**Hon. Mr. Dymond:** Unfortunately the cupboard is usually bare when I get there.

**Mr. Nixon:** Perhaps you should get there earlier.

**Hon. Mr. Dymond:** I do not get my requests there early enough, I guess, but that is largely what it was used for in this past year.

**Mr. Nixon:** I would suggest that you should budget for that item in the future, or ask the Provincial Secretary to put it in as a special item.

**Mr. Trotter:** Yes, but Mr. Chairman, it is the same story. For example to go back in the public accounts—

**Mr. Chairman:** I have several other speakers—

**Mr. Trotter:** Well, it is on the same point.

**Mr. Chairman:** All right.

**Mr. Trotter:** In the public accounts for the year ending March 31, 1967, under this item it shows they have spent \$200 and unexpended \$3,800, and it is the perpetual story year in and year out. It is one of these items, although it is a small amount, which when unexpended and added to a number of these unexpended accounts, it helps the Provincial Treasurer (Mr. MacNaughton) to try to show that he has been saving money, but this type of thing should be wiped out of the accounts.

**Hon. Mr. Dymond:** Mr. Chairman, I am just advised that in the fiscal year just ended—March 31 of this year—we spent it all.

Apparently it was spent long before the end of March.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, I would like to return again to item 16, the matter of \$4 million. We have been told by the hon. Minister that smoking research did not come under that and he did not wish this discussed and will discuss that under 803 when it comes up in a month or two. At the moment I am interested in item 16, \$4.3 million. I would like the Minister to explain to me just where that \$4 million is going. It certainly is not going for alcohol research or cancer research or the other items that are listed here, so perhaps the Minister would enlighten the House just what is happening to that \$4 million.

**Hon. Mr. Dymond:** Most of it is going to cancer research. Alcoholism and drug addiction research foundation, for research gets \$634,000; Ontario cancer treatment and research, \$1,537,000; Ontario mental health foundation, \$750,000; Ontario heart foundation, \$150,000; new and unallocated, \$1.25 million. Some of that has been applied for already, Mr. Chairman, and I read out 22 projects which would be indicative of the kind of project covered by this \$1,250,000.

**Mr. Shulman:** I see, Mr. Chairman, you have items here—No. 7, alcoholism and drug addiction research foundation; No. 8, Ontario cancer treatment; No. 9, Ontario mental health foundation—all with rather substantial sums. Would you please explain why you have put it down again?

**Hon. Mr. Dymond:** Because we have tried to keep research separate from the others. I had not yet been questioned about the cancer item but I already explained to the member for Grey-Bruce, I think it was, that in addition to the \$5,566,000 for operations and education, there was allocated to the alcoholism and drug addiction research foundation an amount of \$634,000 additional for research.

**Mr. Shulman:** Item 9, Ontario mental health foundation—first of all what is the \$270,000 going for?

**Hon. Mr. Dymond:** The Ontario mental health foundation, 75 project research grants, \$918,250; four major equipment grants, \$19,620,000, pardon me, \$19,619.40. In addition, support of individuals, 11 research fellowships, \$56,800; five travelling fellowships, \$25,827. The foundation is providing continuing support to five educational associates

amounting to \$61,000. The associateship provides an annual salary of maximum \$15,000, plus employer's contributions to benefits for the post of director of education in departments of psychiatry at the University of Ottawa, University of Toronto, Western University and Queen's University. One research associate is supported by the foundation at Queen's University in the amount of \$16,200. In the more basic researches, for example, projects are being supported which include genetic studies of the newborn. These are the various projects; no amount of moneys attached to them.

**Mr. Shulman:** These are research projects, are they not?

**Hon. Mr. Dymond:** All research projects.

**Mr. Shulman:** I guess you did not hear the question. The question was, what is the \$270,000 going for? You said a few minutes ago this was not research.

**Hon. Mr. Dymond:** The research fellowships and the administration of the foundation itself account for the \$270,000; the research money, \$937,869, I read out.

**Mr. Shulman:** Mr. Chairman, does the \$270,000 include the research fellowship? Did you not say just a few minutes ago that you had segregated research down into item 16?

**Hon. Mr. Dymond:** I beg your pardon?

**Mr. Shulman:** You just said a few minutes ago that you had segregated research down into item 16. What is it doing back up in item 9?

**Hon. Mr. Dymond:** The research fellowships are supported individuals, they are not research projects. May I read it again, Mr. Chairman: The purpose of teaching fellowships is to foster careers in psychiatric teaching; research fellowships are intended to provide advance training and experience in research on mental health; travelling fellowships are for advanced training in areas of particular significance to the needs of mental health in Ontario.

**Mr. Shulman:** To the Minister, through you, Mr. Chairman, this \$900,000. Why have you not been able to find enough money to set up a suicide prevention centre such as has been done in most progressive jurisdictions of this continent?

**Hon. Mr. Dymond:** Mr. Chairman, this is a matter that has been discussed in this House

many times. Every psychiatric centre has the authority and the power, and if it has been necessary for its community operation, the responsibility to set up an emergency centre. You could call it the suicide centre or what you like. Suicide centres, as such, are going out of fashion, indeed I think the city of Buffalo recently closed its up. However, the fact does remain that some people still need this service and I think it should be provided, but The Department of Health should not have to tell hospitals or psychiatric facilities what their responsibilities or duties are. We have emphasized this, that the service is best provided at the community level. The community needs for service are best gauged by those who are in the community and at no time has there been any indication from my department that a hospital or a psychiatric facility could not set up such centres. I do not know if the mental health foundation has ever had a request for the establishment of such a centre on a research or experimental pilot project basis.

**Mr. Shulman:** I quite agree. You probably do not know, but I will explain it to you now. First of all, suicide centres are not going out of style. The suicide centre in Los Angeles is running a course now, I believe, at the rate of three times a year and people are coming from all over the United States and Canada. In fact someone went from Toronto not very long ago, and various parts of Europe, to learn how to set up suicide centres. The need in Toronto has been detailed and explained many, many times. There was an article, a very lengthy article, in *Toronto Life* some few months ago, pointing out that a person with an emergency need, particularly after hours, has nowhere he can go to receive emergency aid. The Canadian mental health association has been struggling for some three years to get funds to set up a suicide prevention centre because the need is so great and because the rate of suicides is growing so rapidly in our urban centres. How the Minister can say there is no need, or it has been adequately looked after is—

**Hon. Mr. Dymond:** On a point of order, I have never said in any remark I made there is no need.

**Mr. Shuman:** Mr. Chairman, perhaps I heard him wrong. If you agree there is a need—let us come back to the original question—if we agree there is a need, and I somehow got the impression we did not agree on this, but if we agree there is a need, do you not think out of this \$1 million you are

spending that you could appropriate perhaps \$50,000 and set up a suicide prevention centre which will pay immediate dividends in saving of lives, instead of where so much of your research is going, right down the drain. And that is where so much money is disappearing in this particular department and in this particular item.

**Hon. Mr. Dymond:** Mr. Chairman, I can only repeat that any psychiatric facility that wishes to set up such a service is completely at liberty to do so and there will be no refusal of funds if it is included in the budget.

I just had handed to me a rather interesting paper from psychiatric emergency:

The suicide prevention centre holds no particular brief for separate suicide prevention services. The reasons for separate service in its own case have been mentioned but these reasons may not be apropos in other communities. Where interest in suicide prevention runs high, one might wish to capitalize in this interest as a means of initiating a specific local health service that could be expanded to include additional services. Even so, a certain risk seems inherent in establishing a service that would have a low volume of use, and apathy on the part of its supporters would soon set in. Consequently, a suicide prevention service except possibly in very large cities, or where there are especially compelling reasons, seems more appropriate as one component of a comprehensive psychiatric emergency service.

Most appropriately, suicide centres should be component of a comprehensive psychiatric emergency service which in turn should constitute a component of a comprehensive mental health programme. This arrangement provides the advantage of immediate and direct access to treatment services when the need is indicated. Ideally, the staff of the emergency service should include a person with special training in suicidal behaviour.

We have contended, sir, that the total health service has been so badly fragmented that I think it has suffered much in the fractionating process. The sooner we get all our community health services back on a community basis, and not try to split the individual into his diagnoses, or his behavioural patterns, the sooner we get a better, more effective health service.

**Mr. Shulman:** Mr. Chairman, I am speaking of saving lives, I do not know what the



Minister is speaking of. There are now at this time more deaths from suicide in Metropolitan Toronto than there are deaths from car accidents. This has been the pattern now for the past two years. The number of suicides has gone far out of proportion to the growth of population, far out of proportion to the growth of every other type of death in this city. In the other types, we have seen work done with reductions, but in suicide it gets higher every year. Time and time again when I was in the coroner's office we saw attempted suicides taken to emergency in the hospitals and their stomachs pumped out or their wrists sewn up and sent home, to successfully commit suicide a few days later. There is a drastic need in this city for a suicide prevention centre, and how the Minister cannot see it is beyond me.

**Mr. Chairman:** The member for Wentworth.

**Mr. Deans:** On item 7 again, sir, did I understand the Minister to say that this \$5.5 million was used primarily for education and administration?

**Hon. Mr. Dymond:** No, I did not.

**Mr. Deans:** Well, I wonder if you would tell me what it is used for, I am sorry, I thought that is what you said. I do not need it detailed, I just want to know.

**Hon. Mr. Dymond:** It includes administration, education, community services, a grant for the university programmes, central clinical services, Metropolitan Toronto, grants in aid, regional programmes—and there was a deficit recovery of \$250,000.

**Mr. De Monte:** Mr. Chairman, I would like to develop the theme of the hon. member for Port Arthur when he mentioned that there may be some research done in the physical aspects of alcoholism. I am wondering, Mr. Chairman, if the foundation has considered psychiatric tests to determine personality traits or certain personalities that may be more prone to become alcoholics, and particularly if any research has been done on tests that could be given to certain personalities at an early stage in life as we have in IQ tests, tests of intelligence. Perhaps there may be some merit in initiating research in this type of personality test which would indicate a possible alcoholic early in life.

**Hon. Mr. Dymond:** Yes, Mr. Chairman, this is done and so far I am advised that there has been no established pattern, no evident pattern from the psychological stand-

point, psychiatric standpoint, to indicate a predisposition to alcohol dependence.

**Mr. Chairman:** Vote 801 carried?

The member for High Park.

**Mr. Shulman:** The committee of the healing arts services expenses are \$70,000; when can we expect some report from this committee, Mr. Chairman?

**Hon. Mr. Dymond:** I answered that question this afternoon, Mr. Chairman.

**Mr. Shulman:** I am sorry, Mr. Chairman, could you advise me again?

**Hon. Mr. Dymond:** I expect it this fall.

**Mr. Chairman:** Vote 801.

**Mr. Shulman:** Does the Minister intend to take any immediate action in connection with the situation in the masseur department, as was revealed in the inquest some two years ago with very serious deficiencies in that particular field.

**Hon. Mr. Dymond:** The latest information I have, sir, is that this matter is before the courts and therefore, I think *sub judice*.

**Mr. Chairman:** Vote 801.

**Mr. Shulman:** Wait a minute. What is before the courts, surely not the regulations set out by your department in regulating masseurs?

**Hon. Mr. Dymond:** The matter to which the hon. member made reference, refers to two people who, I believe, have appealed the conviction when the sentence was imposed.

**Mr. Shulman:** This was not the matter to which I was making reference, Mr. Minister, through you, sir. What I am making reference to is the fact that unqualified people are being licensed—to the fact that they are being passed in the examinations without having had to go through the necessity of writing the examinations, and this comes under your department. And this was brought out at an inquest some two years ago. I had presumed you had heard about it, but if you have not I will draw it to your attention now. All I ask, is: Has any action been taken? This was brought up also before the committee of healing arts.

**Hon. Mr. Dymond:** Mr. Chairman, the boards of masseurs assured me that this was a false charge, that they do not permit—they do not license people to practice who are not

qualified, and since they have responsibility for the licensing of their own group, I have to take the word of the members of the board. I wrote them about this matter specifically and that was the reply I had. What the committee of healing arts will determine on the basis of the brief, I cannot say. I read the brief and I will withhold my own opinion until the committee submit their report.

**Mr. Shulman:** Does the Minister prefer to accept the word of the board in preference to sworn testimony from numerous people, including members of that board?

**Hon. Mr. Dymond:** I have answered the question, Mr. Chairman.

**Mr. Shulman:** Very well.

**Mr. Chairman:** The Minister has provided the answers to the extent that he intends to. The member for Wentworth.

**Mr. Deans:** I apologize for getting up again but under the legal branch, has the work of the legal branch expanded so that we need an additional \$30,000 this year over last year? This is about a 90 per cent increase.

**Mr. Chairman:** The legal branch on page 61, the member is referring to—\$70,000.

**Mr. Deans:** \$63,000—\$30,000 more than last year and I am curious as to where it is going.

**Hon. Mr. Dymond:** The branch activities, Mr. Chairman, have expanded and the legal branch has been enlarged. There have been—there is still going on a great deal of additional work in respect of mental health legislation. There is also a complete rating of The Public Health Act going on, for which we have retained special counsel. I think that this is the reason for the increase—that and the normal increase in salaries.

**Mr. Chairman:** Vote 801.

The member for High Park.

**Mr. Shulman:** Workmen's compensation board awards and costs, \$230,000. Why is this figure so high? Do you have a large number of accidents in this particular department?

**Hon. Mr. Dymond:** What was the item? What item was that?

**Mr. Chairman:** Vote 802, page 61, awards and costs \$230,000.

**Hon. Mr. Dymond:** This is an amount of money that we pay into the workmen's com-

pensation board which they administer and they assess it on the basis of their actual calculations. I do not think that there has been any greater demand in the past year—I have not got the number of staff members under compensation but that is how this amount of money is arrived at. It is a special group—group four coverage. It is funds for the purpose of reimbursing the workmen's compensation board for benefits paid to employees under The Workmen's Compensation Board Act. This is the same amount as was included in last year's estimates and I believe that it has been this amount, Mr. Chairman, for some years. It is largely for maintenance of people who have been retired from duty because of illness that was deemed to be compensable.

**Mr. Shulman:** This is what intrigues me. I am just wondering what type of accidents can occur in your department that would be compensable. How many employees do you have and at what rate are you charged by the compensation board?

**Hon. Mr. Dymond:** We have 20,150 employees and there are many possibilities for accident and illness arising out of occupation. People—nurses and staff exposed to tuberculosis for instance in our tubercular hospital is one of the things—20,123 employees, is the up-to-date figure but staff hurt by patients in the hospitals for the mentally ill is not an uncommon thing. Staff coming by accidents where they are unable to continue work and eligible for compensation. In a staff of this kind actually I do not think that is very much money to have to spend for compensable illness and disabilities.

**Mr. Shulman:** I was wondering at just what rate you are being charged. Are you being charged at the prime rate by the compensation board or a higher rate?

**Hon. Mr. Dymond:** This rate is based on actual claims only.

**Mr. Shulman:** Well, is this the prime rate?

**Hon. Mr. Dymond:** I do not know. It is the actual rate—actual cost of the claims—it is the actual money that they have to pay out—it is not a rate. It is just that the amount of money they have to pay out, we must pay to them.

**Mr. Chairman:** Vote 801.

The member for Brantford.

**Mr. Makarchuk:** The Minister said that the new deintoxication centre will be opening in

Toronto. Could he give the approximate date when it will be opened and also, in view of the fact that alcoholism, to a great extent, is a social problem is he going to have personnel who will be able to do follow-up work on these individuals or will the deintoxication centre be a matter of a sort of a drying out process where they go out and then come back again?

**Hon. Mr. Dymond:** No, it is certainly not the latter, Mr. Chairman. It is a first phase of, we hope, rehabilitating the person. The centre first of all will be opened in May probably by May 15. They will be operating for 11 months. I believe I said this afternoon in the House, a full year, it will be 11 months, this year.

The programme in the deintoxication centre: The patient is dried out but that is only the first phase, I reiterate for emphasis, that is follow-up and that, of course, is the genius of the programme of the addiction research foundation in the treatment and care of the addicted person.

**Mr. Chairman:** Vote 801.

The member for High Park.

**Mr. Shulman:** Why does it cost \$500,000 to receive the federal health grants?

**Hon. Mr. Dymond:** Mr. Chairman, I answered that question this afternoon.

**Mr. Chairman:** Vote 801 carried?

The member for Beaches-Woodbine.

**Mr. J. L. Brown** (Beaches-Woodbine): Mr. Chairman, I understand that the drug addiction programmes are geared to specific types of drug addiction. I wonder if the Minister could describe the programmes under this drug addiction and whether or not the various drugs to which people become addicted have a programme available to them at all times or are there instances when this is not so, as was recently reported in the press?

**Hon. Mr. Dymond:** I think it would be wrong to believe, Mr. Chairman, that it is geared to treatment of one type of drug addiction. It deals with all types of drug addiction including heroin addicts, marijuana users, users of LSD and other substances, barbiturates and amphetamines and mood alternators. At the present time, there are 54 heroin addicts under continuing treatment and we have just completed an experiment in which they attempted to determine whether or not an out-patient clinic by itself could be an effective instrument in dealing with heroin

addicts. The general conclusion is that a more intensive programme of treatment than is possible in an out-patient setting, is required and we are currently planning the reorganization of the narcotic unit to provide a more intensive programme. I would have to repeat that they are not limited to the treatment of one type of addiction only.

**Mr. Chairman:** Vote 801?

**Mr. Makarchuk:** Mr. Chairman, in relation to the last answer, in view of the fact that there is considerable use of tranquilizers and mood alternator types of drugs or pills, is the Minister considering the possibility of providing some education programme to the public to suggest to them that they should not become addicted to these particular drugs? I understand that in some cases, particularly in the United States, this has become rather an evil in the social fabric.

**Hon. Mr. Dymond:** I think the whole programme of advertising and education of the foundation is geared toward pointing out to society at large the risks inherent in these—to quote the member—evils. I am not sure I would agree that is a good word—difficulties.

**Mr. D. C. MacDonald** (York South): It is a good Presbyterian term.

**Hon. Mr. Dymond:** Yes it is. I am a Methodist.

**Mr. Chairman:** Vote 801 carried?

**Mr. Brown:** I wonder if I could ask the Minister to provide me with the information on the scope of the direct service programme of the alcoholism branch, the number of people under actual treatment and the kind of treatment that is provided to them.

**Hon. Mr. Dymond:** I am not just sure, Mr. Chairman, what the hon. member means by the direct service programme.

**Mr. Brown:** I mean people who are receiving direct services, not through preventive programmes, but direct counselling or rehabilitative programmes for active alcoholism.

**Hon. Mr. Dymond:** I cannot give him up-to-date figures, but it was elicited a short time ago in the House that in the last 15 years, 19,071 patients passed through their hands, undergoing, it is hoped, in the main a complete programme—that is, complete from the drying-out process to the ultimate phase of the programme where it was believed they were stabilized. Last year, it was stated a little while earlier in the House, some



5,000 went through the clinic's facilities — 4,937 to be exact in 1967.

**Mr. Chairman:** Vote 801?

**Mr. Makarchuk:** Mr. Chairman, does that figure 4,937 include the number of alcoholics that have gone to the OH's or is this a figure that is completely separate?

**Hon. Mr. Dymond:** This only has to do with the facilities of the foundation.

**Mr. Chairman:** Vote 801?

**Mr. Brown:** In the process of going through the hands of the alcoholism and drug addiction research foundation, what are the types of services following the drying-out that are provided by that programme? What is the actual service method?

**Hon. Mr. Dymond:** Mr. Chairman, I am having difficulty in hearing the hon. member. I wonder if he would turn the mike on?

**Mr. Brown:** Sorry, I think I need a mike over here.

The question is, in going through the hands of the alcoholism and drug addiction research foundation, what are the programmes provided following the drying-out. In your figure quoted for last year, are these people who have come in for treatment and have completed treatment and are now rehabilitated, back to normal community living again?

**Hon. Mr. Dymond:** They would not all be rehabilitated because people come in the latter days of the year and naturally would still be under the programme. Probably many of those are continuing under the programme, because a year is not very long to follow a confirmed addict.

After the drying-out process is completed — and let me point out that the foundation may not always be involved in all of the drying-out process, because some of them are so severely sick that they go to general hospitals and then are referred for the follow-up, which is the long-drawn-out programme, referred to the addiction centres — there is clinical treatment or clinical follow-up at the foundation for those discharged, then outpatient service, educational process, and as I tried to explain a little while ago, there is the involvement, or an attempt made to involve the family, in the whole programme.

The director advises me the patient is directed to the service as soon as the diagnosis has been made and is subjected to a programme of treatment geared to his needs,

and so that every patient may not follow exactly the same programme, as I am sure the hon. member would understand.

**Mr. Brown:** In the mention, Mr. Chairman, of the involvement of families, does this mean the wife and other members of the family are counselled in some way by the alcoholism and drug addiction research foundation?

**Hon. Mr. Dymond:** The hon. member for Port Arthur put it very well, he said consoled. I suggested counselled. The foundation tries to be counsellor, teacher, friend, to the family. Again, and I must emphasize that we should not always say that it is the wife. Sometimes it is the husband who has to go in because it is the wife who is creating the problem, and the members of the family — the children, if possible — are involved wherever this can be done, and every effort is made because this, in the view of the foundation staff, I reiterate, is considered a very important factor in the rehabilitation of the patient.

**Mr. Brown:** Could I enquire as to the training of the counsellors who provide the counselling to the alcoholic and his family? Are they professionally trained to qualify for individual psychotherapy services? Are they professionally qualified to provide group psychotherapeutic services?

**Hon. Mr. Dymond:** I think I would be in error if I said they are all professionally trained. The great majority of them are professionally trained psychiatrists, practising physicians, psychologists, social workers, and clergymen.

**Mr. Brown:** Is it my understanding, Mr. Minister, through you, Mr. Chairman, that this is a policy that the alcoholism and drug addiction research foundation pursues deliberately in using some staff who are not fully professionally qualified, and could you express your reason for so doing?

**Hon. Mr. Dymond:** The director points out that they have made considerable use of recovered patients, but I think the policy could be said to be that the preference is for professionally trained people.

**Mr. Brown:** So that it is due to the shortage of such professionally trained people, not a policy matter?

**Hon. Mr. Dymond:** It is not a policy matter. Perhaps there may not be a shortage, rather a lack of desire to get into this kind of work. As you know, it is not the most attractive

kind of work and it is not the easiest kind of work for any people to get into. This is in some way, and in some places, an obstruction.

**Mr. Brown:** I would agree with the Minister that it certainly is not as much fun as politics.

The question that I am getting at in this regard, is whether or not it has been found in this particular programme, since you have been using non-professionally trained staff, that their successes and the fruits of their labours compare favourably with the professionally trained staff. Do you notice a difference? I think it has some significance when we are continually looking for people to provide services to the many areas of need.

**Hon. Mr. Grossman:** Depends how much he charges!

**Hon. Mr. Dymond:** This is a very interesting observation and it is again one about which it would be most difficult to generalize. It depends very largely upon the personality of the one involved—both the worker and the patient. The director tells me that they have been able to train, I think the number is ten, Indian people working directly with their own people and we are watching that to see the results. None of them are professionally trained, but it is a good opportunity for us to see if, in a particular group, the non-trained worker has more success or obtains better results. But again, I would have to emphasize that it is something about which one cannot generalize.

**Mr. Brown:** I would like to commend the department on this particular aspect of their programme. I wonder if this is being followed in such a manner that the success or failure of this programme could be reported, whether it is being researched or presented, or organized and studied in a manner that would be conducive to a research report.

**Hon. Mr. Dymond:** Yes, it could be. There is a great follow-up programme with every patient, involving the relationship with those who work with him, and how often the workers are changed or who takes what job when, so that there is every opportunity for a very worthwhile assessment or evaluation of the results of the work.

**Mr. Brown:** Is it the intention of the alcoholism and drug addiction research foundation to issue such a report after a certain suitable period of time? Can we have some assurance that this information would be available to the public?

**Hon. Mr. Dymond:** I do not think, Mr. Chairman, that I could undertake that at the present time. First of all, the staff of the foundation would have to give consideration to this, but much of the work that they do, and that they do report, appears in the various professional journals from time to time. It might well be possible, but I would not ask my staff at this time to give me a snap decision of this kind.

**Mr. Brown:** I can appreciate the reservation that you have on that. The question, however, is a particularly relevant one. We are continually faced in the province by the shortage of professionally trained persons to provide services to the many categories of need that exist. It would seem to me that with the department spending upwards of \$4 million on research projects, some of them costing vast sums of money, that here there may be an area that would be highly productive at relatively small cost, and that would be perhaps helpful in extending services in areas where the department has concern and jurisdiction.

**Hon. Mr. Dymond:** I would agree with the hon. member, Mr. Chairman. I hope that I did not leave the impression that I would not want to see this done; I just would not want to commit the staff to this at the present time, until I or they have had an opportunity to give some consideration to the proposal. I think that this is, or would be, a very valid research project. But whether it is applicable under the circumstances with which the foundation is faced at the present time, I could not say and I think I would ask that they be given some time to comment on this.

**Mr. Brown:** I realize, Mr. Chairman, that in the short period of time that I have been in the Legislature, I do not actually know how long the alcoholism and drug addiction research foundation has had, but it would seem to me that since this is a vital area of work that they may have been in existence long enough so that one could assume that this might have crossed the minds of the staff by this time, and that they might have given it consideration, and they might indeed be in a position to say yes, there is some pertinence here.

Obviously they have spent considerable sums of the taxpayers' money in conducting research projects that were purported to have relevance to the conditions plaguing us and our society, and it seems to me that one could safely assume that this might have been one of them, and I find it rather typical

that we are going to take it under advisement, continually, or we are going to ask people to consider it. Surely this is not a complicated procedure; it is a fairly obvious, commonsense kind of factor.

**Mr. Makarchuk:** Mr. Chairman, regarding this particular topic again. Could the Minister say what the recurrence rate is in the treatment of alcoholics and also, taking into account the development or formation of new alcoholics, and adding the two percentages together, does he see the light anywhere in the future?

**Hon. Mr. Dymond:** Again, there is no generalized answer to the question of results. I cannot tell you the recurrence rate since we have not got it. We can give you some idea of the results, again emphasizing that you cannot generalize in something like this. The results of treatment to alcoholism, like the results of treatment to any other illness, is based on the kind and degree of alcoholism that a person has.

In some kinds of cases, results will approximate 100 per cent. In other kinds, the results will be closer to zero. In other words, there are many cases that will respond quickly and easily to contemporary treatment approaches, there are others that will not respond at all.

To use one method of assessment, a patient who is still employed, who comes for treatment at the insistence of his employer, and who still has some reasonable family and community ties, the results, on the average, will range from 60 to 80 per cent. On the other hand, if the patient has reached the late chronic phase of the illness, with no employment, repeated involvement with the law, and considerable deterioration, then the result will range in the vicinity of 10 to 35 per cent.

There is, in Ontario, a considerable number — probably 5,000 individuals — who have reached the point of deterioration socially and psychologically, and suffered enough organic damage from the impact of alcohol that they will not respond at all to any known methods of treatment. There is no doubt that maximum results are directly related to the degree to which the patient has deteriorated socially, psychologically, and physically. It follows that the work of the foundation with industry shows perhaps most promise of productive results.

When we get the patient early, subjected perhaps by some coercion, some persuasion, and by some motivation on his own part to seek and take treatment and stay with it, be-

cause he still has a great deal of personal interest in life, then he can look forward to some fairly effective results. So, the times we see daylight, and the degree of daylight that we see breaking through the clouds, depends on several factors which are, in large measure, unpredictable, and about which one would wish with very great caution prognosticate.

**Mr. Deans:** On vote 802, the office of the executive director; what possible reason could there be for 150 per cent increase in the cost?

**Hon. Mr. Dymond:** As I announced in my opening remarks, a new branch has been started under this division. The procedures and systems facilities have been done for us up to now by the government system procedures people on a no-cost basis to us, fortunately—the Provincial Treasurer is carrying it in his departmental costs. But they have advised us that we must go on our own now, so that they have kicked us out of the nest, and we have to set up our own data, and that will account for the greater part of the increase in the cost of operation of this branch.

**Mr. Deans:** Will this account for the increase of the cost of salaries in the office of the executive director?

**Hon. Mr. Dymond:** Yes, this will all come under his office because he is responsible for three professional staff and one other staff member; four new staff all together; and normal increases account for 5.3 per cent.

**Mr. Deans:** Increase of 5.3 per cent? But this is 150 per cent; this is a fairly sizeable chunk of money. It goes from \$31,900 last year, to \$77,000 this year. Now, that seems to be a fair amount of increase. How many people were in this office last year?

**Hon. Mr. Dymond:** There is \$40,000 for the four people that I mentioned, so that takes it up to \$78,000, and a 5.3 per cent normal increase accounts for the rest.

**Mr. Deans:** You say \$40,000 for the people that you mentioned?

**Hon. Mr. Dymond:** Yes.

**Mr. Deans:** And they were not there last year?

**Hon. Mr. Dymond:** That is right.

**Mr. Deans:** So what is the total number of people in the office?

**Hon. Mr. Dymond:** A total of seven.



**Mr. Makarchuk:** Mr. Chairman, under research and planning branch, you have bursaries for medical, dental, and other services. In view of the fact, I understand, that there is a shortage of psychiatrists in all the institutions, and also a shortage of students or graduate doctors going into psychiatry, are there any plans to increase the grants to these particular students to ensure that there is a larger flow of them going into the various institutions and training in psychiatry.

**Hon. Mr. Dymond:** I increased the bursaries this year from \$1,000 to \$1,500 each, and for a married student from \$1,500 to \$2,000.

**Mr. Shulman:** Mr. Chairman, it is extremely difficult asking questions when the annual report has not been released. We are working from an annual report that is over one year old. Why has the Minister not released his annual report?

**Hon. Mr. Dymond:** The report is not ready, Mr. Chairman. We like to produce an annual report that would be submitted along with out estimates, but we ran into great difficulty because we were producing an accurate report to the end of the calendar year, and much of the remainder of the fiscal year had to be a guesstimate. We have done this now for four years and we have found that it is not a good practice. I expect that the annual report will be available very shortly; I believe it is at the printers now. But it will be a factual report and I think getting it out so shortly after the close of the fiscal year is something of an undertaking for which the staff deserve congratulations.

**Mr. Shulman:** Does the Minister not agree that the annual report should at least be given to the official critics before the estimates come up so the questions can be a little more searching?

**Hon. Mr. Dymond:** We prefer to wait until we have a factual report to supply to the critics and to all members of the House.

**Mr. Makarchuk:** Mr. Chairman, regarding the last answer on the increase in bursaries from \$1,000 to \$1,500—does the Minister think that this is a satisfactory amount to get more students taking psychiatry?

**Hon. Mr. Dymond:** No, psychiatrists are on a different scale. I am sorry, I thought you meant undergraduates. No, the graduate student in psychiatry receives a better return than any post-graduate student in the whole health care field. We will come to that in vote 804, I am told. It used to be in this vote.

**Mr. Chairman:** Anything further under votes 801 or 802? The member for Beaches-Woodbine.

**Mr. Brown:** I would like to raise a question about an item that collectively comprises about \$750,000 in the various areas under these two votes—the item of maintenance—to find out what it covers. It is a term that is not defined and it is difficult for someone unfamiliar with the estimates to know what is covered under maintenance in its various areas here.

**Hon. Mr. Dymond:** This word maintenance I have to admit to the hon. member, has often puzzled me over the last ten years. It is a word that is used and has been used since long before I came into this government. This means the cost of all other operations except salaries and travelling expenses—all the operations of the branch with the exception of those two things, and frankly I do not know why we separate those two things.

**Mr. Chairman:** Votes 801 and 802—the member for Dovercourt?

**Mr. De Monte:** Vote 801, item 2, and there are many items in that vote known as travelling expenses and they add up to quite a sum. I would like to know, Mr. Chairman, why they would have travelling expenses for the departmental administration when we had travelling expenses all through the other items and votes in these estimates.

**Hon. Mr. Dymond:** The \$53,000 indicates travelling expenses for the whole departmental administration and then you have it split up into the amount that is required for each of the various fees: For instance, main office—\$18,000. —information branch—\$8,000. —legal branch—\$1,000. —personnel—\$13,000. research and planning—\$13,000 and so on, all down the line.

**Mr. De Monte:** I would like to know what these travelling expenses would be used for. For instance, down here where it says main office, travelling expenses—\$18,000. Where would they have to travel to?

**Hon. Mr. Dymond:** Anywhere throughout the province, Mr. Chairman, and beyond the bounds of province if the government business calls them to do so.

**Mr. Brown:** Mr. Chairman, could the Minister identify the main items in this generalized category of maintenance?

**Hon. Mr. Dymond:** There would be grants, there would be purchase of equipment; just

all of the things necessary to run the departmental activities, with the exception of the salaries and the travelling expenses. For this year they will not be in the public accounts before you, but for the final part of the fiscal year that was completed you will have them available to you in the public accounts, itemized separately.

**Mr. De Monte:** Mr. Chairman, in this \$18,000 item, travelling expenses in main office, where would they travel to outside the province? Would you have any details of those travels that have been made outside the province?

**Hon. Mr. Dymond:** I have not got any here but I send members of my staff quite frequently outside of the province and sometimes beyond the continent to conferences where they can gain information which I believe is necessary to the operation of the department and to help us improve the health services of the province. That is just one example.

Votes 801 and 802 agreed to.

**Mr. MacDonald:** Mr. Chairman, on a point of order. When we get to an estimate like this again may I make a procedural suggestion, and that is when an estimate is made up of a number of items that are really individual sub-votes that stand on their own we deal with them in sequence. I was not here earlier in the evening, but even in the last hour and a half we have been flipping back and forth from the 7th to the 12th to the 5th to the 10th, and you get bits and pieces of debate rather than a focus, for example, on alcoholism and drug addiction research foundation, or whatever other item.

I think in vote 803 you have a perfect example. If we are going to deal with health league of Canada, let us deal with it at one time. Anybody who wants to, speak to it and when that is done the sub-vote is passed.

**Mr. Chairman:** I might say to the member for York South I appreciate this suggestion.

It was my intention in votes other than 801 and 802 to attempt to do it in the manner he has suggested. I might go further and say that there are some of the votes in this total estimate which can be discussed together again in the same manner in which 801 and 802 were discussed. There are three others that come together for example—hospitalization programme, OMSIP programme and the HERB programme could all be discussed together because they overlap. But the suggestion is very good and we will attempt to deal with them item by item on the remaining votes.

**Hon. Mr. Robarts** moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, tomorrow I would like to deal with order No. 51 on today's order paper which is the second reading of An Act to amend the Judicature Act, and the 38th and 39th orders, the second reading of a bill, An Act to amend The Planning Act and An Act to provide for the reduction of municipal taxes on residential property. I think, perhaps, those three bills plus the private members' hour will occupy us tomorrow morning. We will resume these estimates on Monday at which time we hope the Minister will have his voice back. I think mine will probably be gone by Monday.

**Hon. Mr. Robarts** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12:05 o'clock a.m.



# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Friday, April 26, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, APRIL 26, 1968

The House met at 10:30 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning once again we have many visitors to the Legislature.

In the east gallery we are pleased to have pupils from Runnymede public school in Toronto and the Dr. G. W. Williams secondary school in Aurora; in the west gallery, from the North Lambton district secondary school in Forest and a New Canadian group from the international institute in Toronto.

Later today, in a short while, in the east gallery we will have students from Central secondary school, Hamilton; and still later in that gallery, students from Malden public school, Malden; and then later in the west gallery, from Bayview junior high school in Toronto and Herron Valley junior high school in Don Mills.

We welcome these young people today.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Yesterday, the member for Sudbury (Mr. Sopha) raised a point of order with respect to questions of Ministers making statements before the orders of the day.

In my ruling of April 11 last, I explained why debate could not be permitted on such statements. Upon reviewing the precedents of this House I would now inform the members, that on occasion, brief questions—normally from leaders of Opposition parties, or perhaps a member with a special interest in the subject of the statement—have been permitted, at the discretion of the Speaker. This is a practice with which I am in accord and I shall so deal with such matters in the future.

**Mr. D. M. Deacon** (York Centre): Mr. Speaker, in the absence of the Minister of Trade and Development (Mr. Randall) I will hold over my questions to him until he is in the House.

**Hon. J. P. Roberts** (Prime Minister): Mr. Speaker, before the orders of the day I would

like to table answers to the following questions on the order paper; numbered 32, 37, 38 and 50. (See Appendix, page 2211.)

**Mr. Speaker:** The member for Sandwich-Riverside has a question for the Minister—

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, a question for the Minister of Health (Mr. Dymond).

**Mr. Speaker:** Yes, the Minister is absent so we will have to lay that over.

The member for Oshawa has a question for the Minister of Energy and Resources Management.

**Mr. C. G. Pilkey** (Oshawa): A question, sir, to the Minister of Energy and Resources Management.

Can the Minister tell the House what action his department is taking regarding the complaint about well pollution, from Mrs. R. Cannons, R.R. 1, Consecon?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I will take the question as notice and get an answer for the hon. member early next week.

**Mr. Speaker:** Orders of the day.

## THE JUDICATURE ACT

**Hon. A. A. Wishart** moves second reading of Bill 103, An Act to amend the Judicature Act.

**Mr. Speaker:** The member for Lakeshore (Mr. Lawlor) has the floor.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, on a point of order, surely the leader of the Opposition—

**Mr. Speaker:** I am sorry. The member is quite right. I apologize to the leader of the Opposition; I forgot this was a second reading.

**Mr. R. F. Nixon** (Leader of the Opposition): I appreciate that, Mr. Speaker, and the intervention of my friend from Downsview, because actually I have only one brief comment to make.

The subject of divorce reform, as the Speaker well knows, has been brought before this House for the last three years. The hon. member for Wellington South (Mr. Worton) raised it as a private member's resolution on two occasions and we, on this side of course, are very anxious that everything be done to facilitate the implementation of the new approach to divorce reform that has been enacted at the federal level. We appreciate as well that the Attorney General is anxious to facilitate court procedures in reducing the number of justices involved in a hearing from three to one.

In my view, if we are going to make the facilities of the federal legislation truly available, on a fair and equitable basis across the province, we should consider giving this responsibility to the county court judges. I believe this would have to be carried out with the acknowledgment and participation of the government of Canada but the Attorney General of this province might very well have within his power, a statute which would in Ontario at least, give the county court judges the powers to hold these hearings and to make the decisions associated with divorce actions. They would be subject to the normal courses of appeal but it would bring this type of relief much closer to the individual citizen in his own community and I hope he would consider that.

**Hon. Mr. Wishart:** Mr. Speaker, if I might, perhaps at this stage, make some remarks about this bill which will perhaps shorten debate. I would hope it would.

The Divorce Act, Canada was passed by the federal government at Ottawa in December of last year. It was proclaimed on the first day of February this year, with the proviso that it should—I am sorry—it was assented to by the Governor-General on the first day of February with the proviso that it could be proclaimed at a date not less than three months from the date on which it received Royal assent, which would be the first day of May this year.

A short time ago we were briefly advised that it was planned to have it proclaimed on the first or second day of May. The Minister of Justice at Ottawa requested the rules committee of Ontario particularly to examine the rules so that they might fit and conform with the procedures in the new Act, which makes some very extreme changes in divorce law and divorce procedures. This being largely a federal field of jurisdiction I may say to you, that the rules committee under

the chairmanship of Chief Justice Gale, has been working daily, I think without exception for the past three months, endeavouring to frame the rules to conform to and facilitate the new Act.

Those rules comprise quite a body of procedural matter. There are certain things which require to be fortified by amendments to our Judicature Act. That is the purpose of this bill. The House did not sit last week or perhaps we would not be quite so hurried, but I am anxious, as is the chief justice and as is the Minister of Justice, to have the rules ready to move with the Act on the first or second day of May when it will be proclaimed.

On the matter raised by the hon. leader of the Opposition, I cannot say that as a government the matter of giving divorce jurisdiction to the county and district court judges has been, at this time, discussed. But I can say that in The Department of the Attorney General this has been considered, this has been studied and we will, I think, be in a position to make some representations—perhaps some recommendations—regarding this shortly. But we have deliberately refrained, I may say, from doing so at this time. The changes in the federal divorce law are extreme and it may well be that some of the courts in Canada may find that possibly there is an invasion of constitutional rights, or constitutional questions may be raised as to how far the federal legislation is constitutional. I trust that this will not come about but there is a very good possibility that this could be one of the features of this new legislation.

We think it wise, in any event, that there should be a body of jurisprudence, perhaps, established for at least a year with our senior judges sitting and considering and dealing with the federal legislation; that we would have a body of some jurisprudence under the new Act to guide us if we should consider—I think it might very well be a meritorious move—to move it to the county and district court jurisdiction. There are good reasons for not rushing at this time to have the province transfer this jurisdiction in divorce matters to our county and district courts. I say this very sincerely, I think the reasons are most cogent, that we should see how our senior judges in the Supreme Court deal with the new legislation and give us then a better basis on which to recommend or to decide to go, if we should so decide, to the county and district court judges.

While I am speaking, perhaps I could go so far as to deal with the sections of the new



Act, which are three amendments, the first one providing that there may be an appeal without leave on an interlocutory motion to the court of appeal, which is now forbidden by rule 25. An appeal on an interlocutory matter may only be taken by leave. There is an exception in the first amendment that appeal may now be taken without leave to the court of appeal on an interlocutory matter in a divorce action.

The second amendment provides that instead of having to appeal to three or more judges as rule 40 provides that, concerning interlocutory matters in divorce actions, the appeal may be to one judge. The purpose of this, I think, is apparent; that there are likely to be a good many divorce actions come forward under this new legislation; there are likely to be many motions. We anticipate the possibility that there will be many interlocutory motions which will be questioned and appealed.

To leave The Judicature Act as it is would probably swamp our appeal courts. It would require three judges to sit on these interlocutory matters in a divorce action and we therefore have proposed that the appeal on an interlocutory matter, which is not a final decision in a court action, could very well be held before one judge in the court of appeal. This will facilitate court procedures, to get on with these actions. It will save expense, it will save time, it will save the time of our judges.

And the third amendment is simply to allow a local judge, or a master as we say, to deal with the matter of custody or maintenance in a divorce action so long as it is not a final decision. An intermediate disposition of the question of custody or maintenance and not a final disposition may be dealt with by the local judge or the local master, as he is referred to in the rules, reserving still the final disposition in these matters to the Supreme Court judge.

That exception, as it now reads in rule 3, prevents the local judge from dealing with the question of custody or maintenance. We are simply amending to give the interlocutory disposition of these questions, custody and maintenance, to a local judge, retaining still the matter of final disposition on the question of final custody or the final order as to maintenance to the Supreme Court judge.

These three amendments are all put forward with the same idea of facilitating the disposition of divorce matters and of making our Judicature Act conform to and facilitate the operation of the new

Divorce Act, Canada. It is necessary to do this in order that the rules which are ready may be filed and promulgated to meet the promulgation of The Divorce Act, Canada. I hope, therefore, that the House will not delay this second reading of this bill, and that I might be able to go forward very quickly with third reading and obtain Royal assent. I am anticipating that the House will appreciate that and allow it to be done perhaps very early next week.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, this bill is another example of the forward thinking of the Attorney General. This group is wholly in accord with it. My remarks will be direct and brief.

It concerns an admittedly rather minor matter, in a way, and I noticed in the last few days that the Attorney General has branched out into landlord and tenant and we anticipate receiving that bill in very close course.

When I first saw the amendment, I had certain reservations which have since dissipated themselves, arising out of section 40 where it does say at the end of the section that the matter will be heard before three judges and on appeal, and all these people are an uneven number of judges. What persuaded me, of course, is that one judge is an uneven number. Sometimes, Mr. Speaker, I find it true that interlocutory or intermediary matters are of considerable substance.

As a matter of fact, some of the issues involved in those matters arouse more debate among the lawyers themselves than perhaps the more substantive issues in their cases. Nevertheless, with respect to divorce and in order to expedite the great overlay that I think is going to take place as the Attorney General has indicated, it seems necessary to break through and to give the matter into the hands of the single judge. Perhaps even the extension of the principle might be taken under consideration with respect to non-divorce matters, at least in certain fields. But that would have to be scrutinized with some care again because of the rather substantive nature of some interlocutory applications.

Certainly, as far as the amendment to section 3 of the Act is concerned, that seems a very sensible thing to do. After all, the surrogate court judges, and even juvenile and family court judges, do under circumstances, particularly in separation agreements in the

juvenile and family court, take these custody matters into the ambit of their competence.

There is no reason why the matter ought not be handled with respect to interim custody at least, in the way set forth in this Act, so that again we want to say to the hon. Attorney General, keep bringing the good Acts forward and we will support you.

**Mr. Singer:** Well, Mr. Speaker, much as I enjoy the legislation the Attorney General brings forward, I do not want to give him all the credit for divorce reform in Canada. He really had very little to do about it. In fact, Mr. Speaker, you will recall the only debates on that took place on resolutions brought from the Liberal Party and it was difficult, if not impossible, to get any opinions from anyone on the front benches of the government.

**Mr. J. B. Trotter (Parkdale):** Right.

**Mr. Singer:** There was one back bencher who, I remember, stood in his place up there a year or so ago and said, "Let us vote now on this important resolution." When we finally got down to voting, he voted against it. But that was as far as the government participated in Ontario in the whole theory of divorce reform.

**Mr. J. H. White (London South):** Oh no, the vote was not—

**Mr. Nixon:** Eagleson wanted divorcel

Yes, Eagleson. We can even use his name, he is not here any longer.

**Mr. D. C. MacDonald (York South):** Typical Tory backbencher.

**Mr. White:** It was on—

**Mr. Singer:** That may be why he is not here any longer, I do not know, Mr. Speaker, but in any event, he is not here. However, we are about to have divorce reform and Ontario, as a part of Canada, is doing its part and for that I will compliment the Attorney General.

I do, however, want to deal briefly with the remarks made by my leader insofar as the use of county courts in divorce matters are concerned. I had explored this matter a year or so ago with legislative counsel and rightly or wrongly they convinced me at that time that constitutionally the province of Ontario could not do this. Then I discussed it, Mr. Speaker, with my colleague from Sarnia (Mr. Bullbrook) a few weeks ago and he says: "Let us ask the Attorney General and

see what the present opinion is." And much to my surprise the opinion came back that cast some doubt on the opinion of legislative counsel.

I think there are abundant good arguments on both sides and it is a point that perhaps someday is going to have to be decided by the highest court in this country. I would think it would make good sense to have our divorces come before the county court judges, for several reasons. There are more county court judges than there are Supreme Court judges, so the lists are going to be shorter in length and the persons concerned with divorce actions are going to be able to get speedier treatment. The county court judges are more or less fixed at the county seats and it is going to be easier for litigants, other than in the large centres, to get at these county court judges, if county court judges deal with this.

And most important, sir, is the whole question of expense. The tariff of county court fees is less than the tariff of Supreme Court fees and the whole structure is a cheaper procedure. It would seem to me most logical and sensible that when we are embarking on an important reform such as this one, that we do it as expeditiously and as economically as is possible. And I do not think the Attorney General is going to disagree with any of those statements.

Where he and I perhaps part company is on the theory that he advanced that it would be of advantage to have a body of law built up over a period of a year or so by senior judges. Mr. Justice Pennell, who was the Solicitor General, and I discussed this matter several months ago and he advanced the same theory. My suggestion to him at that time, Mr. Speaker, as it now is to the Attorney General, is that much as this might have merit over a long-term point of view, it smacks too much of the conservative legal approach to any real changes. I do not have the concern about county court judges going off half cocked, if you want to call it, any more than I am concerned that Supreme Court judges are going to make that decision.

I would think that you could build up a good body of law, based on the intelligence of those very capable gentlemen who are county court judges in the province of Ontario. I would think, Mr. Speaker, that we are going to have to anticipate the possibility, or even probability, of some challenge of Ontario's constitutional rights if and when we do designate divorce actions as being within the jurisdiction of the county courts.



And if that is going to happen, then why not have the test right away? Why wait for a year, or a year and a half, or two years, before we even start, and then anticipate the challenge that will be a long time in being finally determined because it is probably only going to be resolved in the last instance by the Supreme Court of Canada. Why not get at it now?

I can see no valid reason at all, Mr. Speaker, why, as we embark on this new legislation, Ontario does not do all in its power to place the choice or at least the responsibility, for the handling of divorce actions either in the county court or in the Supreme Court. My preference would place them all in the county court, but it may be that a substantial argument could be made to allow it to be an alternative.

It would seem to me, sir, that if we are going to be as brave in reforming an important part of our domestic law as we often say we are, let us go the whole way and let us now do all that we can within Ontario's constitutional powers to put divorce actions within the county court.

**Mr. Trotter:** Mr. Speaker, I just want to underscore what the member for Downsview has said, because divorce law has been kicked around in this country for years and years and they have been behind at least 30 years—to be as kind as possible to any government, be it provincial or federal. Now we have some good legislation coming out of Ottawa with regard to divorce law, and of course, I, as well as the members on this side of the House are happy to see that Bill 103 is before this House, as our party supports it. But it is obvious that there are going to be a great number of divorce cases before our courts. There has been a backlog building up and this Bill 103 is going to be one of the bits of legislation that is going to help to break the log jam and help these people who have been suffering over many years because we have had such stupid laws in this country.

When it is obvious that we are going to have to service a great number of people in our courts, I urge the Attorney General to make every effort he can to help these people get the service that they need, and the only possible way, unless we create a great number of Supreme Court judges, is to use our county courts. The argument is used in government that often the municipalities are closer to the people than the government of the province of Ontario or the federal govern-

ment. Certainly, Mr. Speaker, the county courts are closer to the people in many cases than the Supreme Court. The divorce law is not that involved that it needs necessarily to go to the high court, and in any event if something does go wrong in the county court, one always has the further appeal.

Before we have to go through literally a number of years of litigation, trying to build up a law, let us make the law, either in the Legislature or in the Parliament of Canada, whichever is the proper jurisdiction, to see to it that the county court judges have the jurisdiction in this field. One does not have to have tremendous years of experience to know that we are going to be faced with a tremendous volume of divorces, and I do urge, Mr. Speaker, that it is utterly important that we head off a serious problem before we are faced with it. This is another difficulty in government, where we sit back and we wait when we know that we are going to have a problem. The thing to do, Mr. Speaker, is deal with it now.

So again, I underscore what my leader has said and what the member for Downsview said, for heaven's sake, Mr. Speaker, let us take the action now and bring in the county courts.

**Mr. Speaker:** Is there any other member wishing to speak to this motion before the Attorney General replies?

**Hon. Mr. Wishart:** Mr. Speaker, I will be very brief in my reply. Actually I think I may say I agree with the points of view put forward by all the members who have spoken.

I just would make this further point. I have stressed, I think—and I must say I am pleased to find myself in agreement now with Mr. Justice Pennell when he expressed that view, which I am glad to hear—that we should build a body of jurisdiction in dealing with this new, novel approach to divorce. I think that there is some more important consideration which the hon. members seem to have overlooked—it is this. It is admitted by the hon. member for Downsview, and I believe the hon. member for Parkdale, that there may very well be constitutional questions raised, particularly if we were to remove the jurisdiction of divorce into the area of our county and district courts.

The hon. member for Parkdale particularly pointed out that there is a great backlog of cases, cases waiting for the promulgation of this new Act. It would be a sad situation with these new cases coming forward, to take the risk at this moment when there are so



many cases coming forward, to have them all frustrated and to have them all delayed and perhaps all thrown out on some constitutional question that the county court had no jurisdiction to try.

**Mr. Singer:** But if the government is going to do it later, it is going to run the same risk.

**Hon. Mr. Wishart:** Not necessarily. I think that if we let the initial flood of cases that we anticipate be disposed of, we will have achieved two things. We will have gained in that situation the jurisprudence that we would like to have from our Supreme Court, and we would have depleted and lowered the flood water of cases. Then, in the meantime, as I say, we are studying the matter, we would be in a much better position to accept what was, I think, a recommendation of the Ontario law reform commission that we might move to place the jurisdiction for divorce within our county courts.

**Mr. Trotter:** Mr. Speaker, let me ask a question.

**Hon. Mr. Wishart:** I shall, but let me just pursue this particular point for a moment. There were in that recommendation or opinion of the Ontario law reform commission, some hesitations. I think on a question such as domicile and some of the other things that are involved in divorce, they were not by any means convinced that the opinions there expressed would stand up. So there is a very definite possibility of a constitutional question being raised and I think that it would be very unfortunate to have the people who have been anticipating this new divorce legislation and expecting to bring their cases forward to be met almost immediately with the delay and stoppage of those procedures by means of some constitutional question which would perhaps take months to go through the courts and be resolved.

**Mr. Singer:** The Minister is going to get that question anyway.

**Hon. Mr. Wishart:** We will perhaps face that question if and when we move to county court jurisdiction. But, as I say, we will have lowered the flood water, and we will have the benefit of some jurisprudence, and we will have had time to study and firm up on whatever opinion we may be prepared to give to support our recommendation. I would suggest to hon. members that this way we have suggested that we should proceed is the proper way. I trust that we will not be

delayed in getting on with this, at least. I am sure that hon. members will support the amendment.

**Mr. Trotter:** Mr. Speaker, I would just like to ask this question. It is obvious that the federal government has jurisdiction over divorce. If there is any question at all, can the province and the federal government get together now and pass any legislation that would cover any doubt as to what the jurisdiction of county court should be? Could you not get together now, instead of waiting for some judge next year or ten years from now, to try to throw out what you are trying to do at the county courts?

**Hon. Mr. Wishart:** Mr. Speaker, I appreciate the validity of the question. The word "now" has to be interpreted as meaning that there is no Parliament now to get together with. I realize that when we have a new Parliament we can pursue this matter, and I think that it is worthwhile doing. While I am not standing here trying to take any credit for new divorce legislation I may say that we did urge on the federal government many of the things that are now filed under The Divorce Act, and we will continue to study with, and work with the federal government in achieving results which, I think we all agree, are desirable.

**Mr. Trotter:** Boy, it is sure slow, very slow.

**Mr. Speaker:** Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

#### REDUCTION OF TAXES ON RESIDENTIAL PROPERTY

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves second reading of Bill 91, an Act to provide for the reduction of municipal taxes on residential property.

**Mr. Singer:** Mr. Speaker, this is an Act that emanates from an election promise. It was variously interpreted during the campaign, and I guess that it occurred to the government that they had to do something about promising some sort of tax relief to offset the very valid suggestion made by the Liberal Party that the best way of helping the homeowners in their taxes was to pay 80 per cent of the cost of education.

They seized upon one sentence, or one paragraph in the Smith report, and said, "There is something that maybe we can do;

it seems fairly simple, and as the campaign goes on it is probably going to be interpreted to be much more than it actually means." And this, I would think, is what has brought forth—this was the conception process insofar as Bill 91 was concerned. Well, here we have it. A lot of funny things happen in politics, and somewhere along the way the former Minister of Municipal Affairs unfortunately could no longer be with us and they had to look around and find a new one, and they picked the bright young man from Chatham, and said "How would you like to have a go at it?" And here he is; he has been wrestling with this, I would suspect, since last October. "How can we do what we talked about during the last campaign? And how can we do it in a way that is going to meaningfully affect the burden of municipal taxes?" This is the compromise and this is the result.

We have had task forces going out from this building over the last few weeks. The new Minister of Municipal Affairs is working very hard on trying to convince people that they are really going to get a substantial benefit.

Let me deal first with the relief generally for taxpayers. This is really only going to benefit homeowners, and to the extent of approximately \$50. Now, does this really put into the pocket of the homeowner, any additional money? Does it really spread the burden of the various costs that are now being paid by municipalities more equitably on the basis of ability to pay? Does it really get at the root of the problem, and does it really even begin to approach the various recommendations set up by the Smith report? I think that to all those rhetorical questions the answer is, no. It is nibbling with a far more serious problem than the government has as yet been able to come to grips with. We hear about the white paper on the Smith report, that is going to be produced; they have got to have all sorts of considerations and reports on reports and so on. And maybe four years from now, as we are on the eve of another election, the white paper will emerge and it will perhaps be good enough in the minds of the people on the front benches to carry them through another election. But the root problem is the spreading of cost that is now being paid by municipal taxpayers equitably across the province, and not in the form of regressive taxation.

The obvious way to get at this, Mr. Speaker, is through the assumption by the province of at least 80 per cent of the cost of education, and this should be no more than a nibbling

at the root of that very serious problem. So, on that basis, sir, I just do not understand why the government has spent all the time and all the effort, and expended all of the energy of the new Minister of Municipal Affairs in trying to convince people that they are getting something better than is really here. There is really an additional expenditure of \$150 million, and it is coming out of the provincial treasury; it is being directed towards municipal treasuries and to this extent it is good, but it would have impressed me much more if it had been directed towards educational expenditure because the way in which this is done gives no control at all, Mr. Speaker, to the provincial government. You are just shoring up within the municipalities a way of spending more money, perhaps, without accounting for it. But there is no plan, there is no order, there is no system that makes this a meaningful reform. That is the first point.

Now, the second point—and it was obvious as the Minister introduced this on first reading and I asked him a question and he did not choose to answer, that it is going to be an equitable way of doing it. Besides homeowners there are tenants. Notwithstanding the various statements that have been made and the very interesting announcement made by the Premier (Mr. Robarts) that was reported in yesterday's papers, there is no real way, Mr. Speaker, of passing this benefit on to tenants who live in apartment buildings. It is all very well for the Premier to say that there are penalty sections here and you can be assured, tenants, that if the landlord does not do what he is supposed to, all you have to do is to find a Crown attorney and swear out an information, and the erring landlord is going to be hauled off to court and he will be punished. That sounds very good but landlords, Mr. Speaker, are not stupid people and landlords can read these Acts just the same as anyone else. In this context I think an editorial in this morning's *Globe and Mail* bears repeating and should be part of the record of this House. It is the second editorial, called: "Hard Lives Pay, Next?"

**Hon. A. Grossman** (Minister of Reform Institutions): Did the member figure that one out? I could not.

**Mr. Singer:** I could not quite figure out the head on it but the content of it I think is more appropriate to this debate. This is what they say:

If landlords have started to wear a hunted, persecuted look, venturing out of doors only after dark and under heavy disguise, one can readily see why. Circumstances, and to some extent their own behaviour, have conspired to make them the objects of considerable suspicion. As a group they are enjoying the benefits of a seller's market as H. Allan Leal, chairman of the Ontario law reform commission, pointed out. But what they gain on the seller's market swings, they appear to have lost on the social roundabouts. They are even being nagged and harangued from every quarter.

Premier John Robarts was at it again this week, warning Ontario landlords that if they tended to be sticky-fingered about passing along the basic shelter exemption allowances to their tenants, they would face prosecution and fines. They have had similar lectures from Municipal Affairs Minister D'Arcy McKeough and now the law reform commission has undertaken a special study to determine the extent to which the tenant is getting a rough deal from his landlord. It is open season and the spring air is full of verbal buckshot.

A modest move has been made to restore the balance, however. Mr. Leal said that the commission's investigation will also deal with the problems of landlords—"although I suppose from the public's standpoint there does not appear to be any."

Well, we will have to ferret them out, will we not? Perhaps the commission could consider this for a start: the difficulties arising from municipal tax rate increases in Metro this year which may average about \$25 per homeowner. With everyone watching the landlord like a hawk to make sure he hands over the \$50—approximately—shelter allowance, how can he gracefully raise the matter of a rent adjustment brought on by a tax increase?

The landlord's lot is plainly not an easy one. Alone he bears the onerous responsibility of guarding the thousands of dollars of tenants' money entrusted to him by way of deposits or rent in advance. Many must endure the soul-searing anguish of turning away families with children or the inner turmoil of informing the tenant that his rent is going up. The financial security of the average Metro landlord, moreover, is constantly being threatened by a vacancy rate which is bobbing ominously around one per cent. And on top

of all this, political candidates and party workers are about to lay siege to his property so that they can get their campaign messages across to the tenants.

Is there no end to this persecution?

**Hon. Mr. Grossman:** We shall now have one minute's silence for the landlord.

**Mr. Singer:** Well, I think—

**Mr. Trotter:** It is serious, it is not funny.

**Mr. Singer:** I think, Mr. Speaker, the writer of that editorial caught the mood and caught the problem which is involved in this legislation. You can make all the noise that you want and the Premier can issue all the statements, and the Minister of Municipal Affairs can assemble as many new meetings across the province—and he is out every night, I gather, making new meetings, and he makes a very attractive presentation—but it does not detract from the fallacies in this Act. There is nothing in this statute, and every landlord in Ontario knows it.

They are not a dull group at all. They are a successful group of businessmen and it is their business to know what the law is, and to find out how it affects them, and to carry on to improve their economic position, and we do not fault them for that. But there is nothing in here, Mr. Speaker, that prevents the landlords from raising the rent. They have to give back the \$50? They will show it on a piece of paper, but unfortunately the rent will rise by \$75 or \$100 or \$150, and there is no way, Mr. Speaker, under this scheme that the tenants are going to be protected.

So my second objection is this: In embarking upon this method of attempting to put money back into the hands of the people who eventually pay municipal taxes, the government has been unable to come up with any way whereby they can help the tenants, or whereby they can ensure that the tenants who are going to pay these taxes get the basic shelter relief back. The Minister is going to say, "All right, if there is a long-term lease, a one-year lease or a two-year lease, yes, it will go back," provided those leases do not have tax escalation clauses in them or anything else, provided there is not a way out. But it is amazing, Mr. Speaker, the number of leases in Metropolitan Toronto that are monthly leases, where there is no long period of time, and where the landlord can, if he wants, on giving proper notice—a



month's notice, 30 days, that is all he has to give—raise the taxes.

Even the Ontario housing corporation does this. I will be very anxious to hear in due course the Minister of Trade and Development (Mr. Randall) explain the philosophy behind Ontario housing corporation's leasing practices and why they only have monthly tenancies. Even the Ontario housing corporation does not give any terms longer than a month.

Mr. Speaker, for a great many tenants, while on paper it may appear that they are going to get this basic tax shelter relief, they are never going to see it. The government has taken \$150 million here and in an effort to help the municipal taxpayer has directed it to the municipalities in a manner where the real benefit is not going to come to the person who is saddled with the substantial burden of paying municipal taxes, and paying municipal taxes that are, in fact, unfair to him. They have missed the real opportunity of spreading the costs of important services like education across all of the people of Ontario on the basis of progressive taxation and the basis of ability to pay.

For those reasons, sir, while it is a happy-sounding bill, while it gives the new Minister an opportunity to talk to many groups in Ontario and impress them with his pleasing personality, while it gives the Premier an opportunity to stand up and say, "Watch out, Mr. Landlord, if we catch you breaking the law we are really going to punish you," I say it is all sound and fury and is not going to achieve the object that the government hoped it would be able to produce in this way.

Unfortunately, Mr. Speaker, this is the only method or the only suggestion of tax reform that we have before us.

**Hon. Mr. Grossman:** So the hon. member is going to vote for it?

**Mr. Singer:** Well, who kicks Santa Claus in the rear end, I suppose is about the only thing I can say. One hundred and fifty million dollars and some of it is bound to help some of the municipal taxpayers.

But I say, Mr. Speaker, that the government panicked at election time. They came up with a one-sentence or one-paragraph suggestion out of the Smith report; it sounded great, it looked good on the hustings, it looked good in the political pamphlets. Now they are stuck with it, they do not know how to get out of it. But for the good of the people of Ontario, Mr. Speaker, one would

hope that having at least become aware at long last that municipal taxpayers have problems, they will get at this whole taxation mess from basic principles and we will not have to wait another 10, 15, 20 or 50 years before we get real relief directed to the municipal taxpayers.

**Mr. F. Young (Yorkview):** Mr. Speaker, the hon. member for Downsview has, I think, covered the waterfront in presenting the political aspect of this bill. Certainly I think all of us were rather startled last fall to find the government picking out from the recommendations of the Smith report one or two aspects only and saying to the people, "These are the things which we are going to give you immediately." A government is inclined to say, "Well, we have to go to the Legislature, we have to discuss these reports *ad infinitum* before they can be carried out." But in this case, because there were a couple of things which looked good politically, immediately the government jumped on the two items and said they were going to do this because it looked as if they were good as far as garnering votes was concerned.

And so to every householder and every renter in this province they said, "We will have for you a certain amount of money over this next year and in return we hope you will remember on election day that we have been very, very good to you." What the amount was going to be was not determined and that is still perhaps not determined, because you cannot put a dollar value on each one of the tax rebates in each one of the municipalities until the assessment is known, the tax rate set.

However, we have the bill before us today and the government has to pay its political pledge in this case, although it is not always this enthusiastic about keeping its promises, if past experience is anything to go by. However, we are pleased to see that in this case it is being done and is being done in this particular way.

Mr. Speaker, there is no question, as the hon. member for Downsview has said, that this is inadequate nibbling at the whole problem. We had two reports last year: the Carter report at the federal level—and I was a bit disappointed the hon. member had not really pushed that a little harder, and I think perhaps he will at some other time—and the Smith report.

Carter did mention a whole revision of the tax structure and he brought out the fact that we have very great resources in

this province in our mines, our forests, our capital gain and all these things, which we could tap to solve many of these tax problems for the little taxpayer. But somehow, both federally and provincially we have seen fit to close our eyes to the fundamental nature of Carter's report and to fool around with some of the little recommendations that Smith has made.

One day I think we are going to have to face up to a total revamping of the tax structure and Carter is going to point the way. We have to recognize that a man's income is income whether it comes from capital gain or whether it comes from great resource industries. However it comes, we have to recognize that taxes should be levied on all these facets of the production of the economy, not just on the wage and salaries of the working and middle-class people.

Mr. Speaker, we have here a real problem and I suppose as far as the individual householder is concerned, that can be ironed out. He can be given the tax credit as the legislation calls for. The tax bill is going to be struck and he gets his tax credit of \$40, \$50, \$60 or \$70, whatever the dollars may be. In this case I suppose the higher the tax, the higher the assessment, the bigger the rebate.

Mr. Speaker, when we face up to the problem of municipalities today, tax rates are going up. I suppose there is going to be a temptation on the part of the average municipal council to realize that since there is going to be a \$50, \$40 rebate then the taxpayer can stand that new sewer or that new service that people have been clamouring for. And so taxes are bound to go up and they are going to go up in any case over this next period; there is no stopping that.

And so while there is a little easing of pressure here, the municipal councils will be tempted to take advantage of the easing of pressure by raising the rate a bit and making a contra-entry as far as this particular gift is concerned. So that in the long run this is not going to solve the real problem. And that solution, as I pointed out before, has to be found in some other area.

Be that as it may, the fact is that when the municipality comes to the problem of the tenants, then it is going to be up against a desperate situation because tenants have a habit of moving very rapidly. The family grows and the apartment is too small. And the rents are going up steadily in recent years and the pressure is on. Since the landlord is sitting in the driver's seat, he is able to pretty well dictate what the traffic will bear.

And I think all of us in this House, particularly those of us in the urbanized areas, get call after call from tenants who are becoming more and more desperate because of rising rents. And again I suppose the tendency will be that if the landlord is to rebate this amount, as he must, then he will shrug his shoulders and say, "Well, since I am going to give this gift which the government is going to make available to me, I am going to give that to the tenant so he can stand another \$5 a month increase to compensate for it, and I will still get it anyway."

Now this will not be the case with every landlord. But, as I say, there will be the tendency for many landlords to take this attitude. So with the rebate will also go a corresponding increase in rent. If history repeats itself over the last few years, as it will as long as we have the desperate shortage of housing, then this will be tendency.

But how the landlord is going to work this out will be a problem. I notice that there is a fine of \$100 provided in the Act. I would like to ask the Minister at this point, if I may, Mr. Speaker, whether this means \$100 is going to be for failing to hand this on to his collective tenancy or whether it means that in every case of failure he is fined \$100?

The Minister nods his head, so this means that in every case the \$100 fine, plus the gift, is to be assessed. Well, that makes some sense. But the other problem is, who is going to enforce this? As I see it, unless the Minister is going to put in inspectors or unless the municipality is going to put in inspectors to look into the account of every landlord, it is going to be very, very difficult to enforce this particular part of the Act and perhaps the Minister can give us some advice in this regard.

If, on the other hand, the tenant is saddled with the problem of enforcing the legislation, then the legislation becomes in effect null and void because tenants are in the situation today that unless they have strong leases they are not going to dare go to the landlord and say, "I want my four or five bucks a month".

Many tenants today have no leases whatsoever. They are in there on a month-to-month basis. Tenants are terrified, many of them, that they are going to be kicked out because of clauses in leases that lead with budgie birds or a little bit of noise that children might make or any one of a hundred clauses in those leases which are all for the benefit of the landlord and designed to bring the tenant into complete subjection.



In this kind of a lease or where leases do not exist, the tenant is going to be very, very leery of going to the landlord and demanding his rights. Because if he does then the landlord with the lease or without it can very well find an excuse to give that tenant his notice, terminate his tenancy and bring in a new tenant. And again that new tenant is not going to immediately make his demands upon the landlord. And so I say to you, Mr. Speaker, that if indeed the tenant is charged with the responsibility of enforcement, then this section of the legislation is ineffective and cannot be enforced.

On the other hand, if the body of inspectors must go ahead to see that this is done, again it becomes a very, very expensive proposition. When tenants change, as they do in mid-year, when they change sometimes with some degree of rapidity, then the landlord is charged with the responsibility of hunting up the other tenants and finding where they are and making a refund of \$4, \$5, \$10, \$20, \$30, and no landlord is going to go to this expense and to this trouble.

I have a suggestion to make, Mr. Speaker, to the hon. Minister, and I hope he will give it very serious consideration. The landlords and many people in this country know how to use scissors very effectively. The coupon clippers have been with us for a long, long time. It is a very pleasant experience, I understand, to go into a bank, pull out bonds and take a pair of scissors and clip coupons and take them to the teller and say, "I want my money for these particular coupons."

**Mr. Trotter:** That is heaven on earth.

**Mr. Young:** That is, I suppose, living without working for that particular thing, although the theory is that you have saved all those years, therefore you have a right to use the scissors.

My suggestion is a very simple one. Each tenant gets an assessment notice each year. That assessment notice could have on the face of it that the rent reduction for this particular apartment amounts to \$50 per year, or \$60, to bring it in round figures. Now that means \$5 per month, if it is the \$60. There is no reason why on that assessment notice there could not be attached 12 coupons, just as they are affixed to bonds. These are bonds which are going to the tenants. That tenant, each month, will then have a right to clip his coupon, affix it to the cheque for his rent and if the rent is \$150 for that particular month, he writes the cheque for \$145, he affixes the coupon for \$5, and his rent is paid.

If he moves, then that assessment notice and those coupons will be handed on to the following tenant. I know there will be some little problems in working this out, but when bonds are sold there is no problem for coupons to be handed on. There should be no problem, when tenants change, for the assessment notice with the affixed coupons unexpired, to be handed on to the new tenant. And I think if the Minister is serious about this matter, if he is really serious, there is no reason why in the world this kind of a plan should not be worked out and it could be done by each one of the municipalities. It may be that some of the extra printing costs could be absorbed by this government, but the printing costs would not be nearly as great as inspection costs, or as great as the penalty imposed on tenants if they try to enforce this problem for themselves.

And so, Mr. Speaker, with this suggestion, which I hand on to the Minister, I say to him that we agree, in fundamentals, with this legislation. We would like to see it go much farther, of course. We would like to see, and I think must eventually see, a total revamping of the whole taxation system at the municipal level, as well as other levels in our nation. As an interim measure we will support this particular bill, but we would like to see the Minister adopt the suggestion we have made to facilitate the work which he faces in implementing this legislation.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, this Act to provide for the reduction of municipal taxes on residential property certainly is, as has been mentioned before, one that is very difficult to condemn because there is some alleviation of the burden of taxation of a regressive form and by progressive sources of taxes. But there are many mechanical problems involved in this form of transferring funds from one of the taxpayer's pockets into the other pocket of the same taxpayer and I am sorry that this is the method that the government has seemed to adopt at this early stage of studying recommendations of the Smith report. It does seem to be a very patchwork method of dealing with a very important problem.

The two previous speakers have already referred to the major problems faced by tenants in apartment buildings, possible increases in rents that could arise, and many other abuses that can arise when there is a shortage of apartments. The main problem in having sufficient apartments whereby the market of supply exceeds the demand, is one of



getting more apartments built, and municipalities under the present form of taxation and sources of revenues, are not in a position to allow a great deal of residential development. If we, for example, had a system whereby our industrial and commercial assessment in the province were shared evenly so that there were not disproportionate benefits as between municipalities, and therefore a great need on the part of some municipalities where tremendous residential development is wanted but not possible due to their financial position, then we could alleviate a great deal of this problem regarding abuses that the tenants could suffer under this Act that we are now studying.

Another item in this Act that is bothering many of the municipal councillors and clerical people is the fact that although the credit is to be given at the time of the payment of the first instalment, that instalment usually puts the municipality in a very strong cash position. I may be incorrect in that. This is the information I got from people who had attended one of the meetings that have been held.

But they are quite concerned about the delay between the credit from the province to the municipalities and the time of the payment of the taxes. They do not want to be in a position where they have to borrow funds, or continue to borrow funds at a time of year when normally they would be placed in a strong cash position, and this can be an added cost to them. The clerical work, of course, is also a problem with which some municipalities are not yet sure how to deal. It is another example of how we, as a government, are requiring the municipalities to do something without providing them with the sources of funds to cover the cost. And I think this is something we should always take care not to do. If we are going to legislate and impose our authority upon the municipalities, we should not be expecting them to pay the price of it.

There is a different approach that I feel must be taken to this matter of alleviating the burden of municipal taxes, and the pooling of industrial and commercial assessment is one that I would hope the government would care to look at and examine in the light of what they are doing under this Act. I must say that I cannot understand why so many people repeatedly state that problems can arise if the province begins to pay a much larger share of the cost of municipal government. In the Netherlands, over 90 per cent of the revenues of local government come

from the central government and they maintain their autonomy. Many of the municipal people that I have talked to in the Netherlands say that there is absolutely no inter-reference with their local autonomy as a result of this very large percentage of their taxes coming from provincial or central government sources.

So I think that we should examine again how we can provide more progressive sources of revenue for our local government and, at the same time, ensure that there are no abuses of expenditures. We can do this, Mr. Speaker, by providing greater leadership and training in every way to promote more efficient local government—the most efficient form of government we can develop because it is the closest government to people.

This is just a temporary patchwork. I am hoping this is a temporary Act and that by the time the government has examined the Smith recommendations and considered alternatives, they will make much more basic changes in our legislation; changes that will enable municipalities to promote and allow a great increase in the amount of residential development; create a surplus of supply and thus alleviate many of the great burdens imposed at the present time on the residential taxpayer, particularly apartment owners and tenants.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I was one who was privileged to hear the Minister speak in my own community and explain the implications and the workings of this tax bill, this basic shelter grant. One of the things that really did surprise me is the comments that he made in presenting the proposed legislation. The Minister mentioned that he was not sure of himself. He thinks it is going to work. I hope it will work.

**Mr. Trotter:** The government is never sure of—

**Mr. B. Newman:** And he likewise mentioned that possibly \$2,000 was not the proper figure, that it should have been \$3,000. So, Mr. Speaker, surely if the Minister himself is not sure of the legislation, then he should have put it back into the hopper and given it a little more serious consideration. We cannot help but conclude from this that what the Minister is actually doing is bribing the taxpayer. This is strictly a political pay-off and nothing else.

**Mr. White:** With their own money.

**Mr. Singer:** If the hon. member is serious, stand up and argue.

**Mr. B. Newman:** With their own money! He is. Apparently he has indicated, or the Provincial Treasurer has indicated to us, Mr. Speaker, that the citizenry of the province have been overtaxed and now they intend to give them back a little of the moneys that they have taken away from them by way of the other taxation.

For example, the average individual is going to have to pay \$147 more in taxes this year. He will pay \$80 extra in hospitalization and medical insurance premiums. He will pay \$20 more in gasoline and approximately \$15 more in cigarettes and \$7.50 in miscellaneous other taxes; a total of \$147, and now he is going to give to the individual anywhere from \$40 to \$65.

We on this side of the House appreciate anything that will alleviate the tax burden on the municipal property holder. However, Smith made recommendations concerning the grant structures and he suggested that there be a complete review, and now here we have another grant being given to a community. Really, its only purpose was political.

The basic shelter grant, Mr. Speaker, is not uniform at all. There is no uniformity in assessment even though there is an equalizing factor in here. However, in my own community there will be, if I am not mistaken, four different types of grants allotted to the individuals because the effects of annexation have meant that the core city would have one assessment and each of the wards that were annexed have a different assessment, so that the variance will be from \$40 to \$65 in grant. So an individual who might have, as a neighbour, a person who is in another ward will find that his taxes have been alleviated to the extent of \$65 yet his backyard neighbour has only a \$40 basic shelter grant. You can imagine the problems this would create in the community among neighbours.

**Hon. Mr. McKeough:** Because the mill rate is different.

**Mr. B. Newman:** It is all right to explain that the mill rate is different but the individual takes his tax bill and he turns around and he says, "I have a \$40 shelter exemption and my neighbour has \$65". It is harder to explain the mill rate than it is to compare the \$40 and \$65 differences.

Mr. Speaker, the grant does provide the greatest tax benefit to the dweller in the lowest assessed home. However, in doing so, it does one thing that is not good in that it discourages home improvement. The individual who has a home assessed at a very low figure will say, "Why should I improve my home? If I do not improve my home I get the higher basic shelter grant." So he finds himself in a position that he allows his home to get run down rather than keep it up in its proper state of repair because his assessment will be that much lower.

The municipalities will be involved in additional expenses as have been mentioned by the hon. member for York Centre and I do not intend to cover that whatsoever. I think it was covered fairly well.

**Mr. Speaker:** I wonder if I might ask the member whether he has much further to go, because otherwise I would ask him to adjourn the debate so that we may go on—

**Mr. B. Newman:** No, I think I will probably be able to cover—

**Mr. Speaker:** I would like to finish this right on time so that we may have full time for the debate on the private members' resolutions.

**Mr. B. Newman:** I will adjourn the debate then, Mr. Speaker.

Mr. B. Newman moves the adjournment of the debate.

Motion agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, if you will recall motions No. 15 and 30 were to be taken together.

## NOTICES OF MOTION

**Clerk of the House:** Private member's notice of motion No. 15, Mr. Pitman.

### RESOLUTION:

That, in the opinion of this House, this government should consider establishing a fund out of which payments may be made to compensate victims of crimes of violence, or their dependants, to be administered by a board constituted to hear applications and make awards for compensation.

**Clerk of the House:** Private member's notice of motion No. 30, by Mr. Braithwaite.

## RESOLUTION:

That, in the opinion of this House, the Legislature should enact legislation to compensate innocent victims of all types of crimes through the use of an unsatisfied judgment fund, similar to that used by other provinces of Canada in uninsured or hit-and-run cases.

**Mr. L. A. Braithwaite** (Etobicoke): Mr. Speaker, I move, seconded by the hon. member for Essex South (Mr. Paterson) Resolution No. 30, standing in my name.

**Mr. W. G. Pitman** (Peterborough): Mr. Speaker, I move resolution No. 15 on the order paper in my name.

**Mr. Braithwaite**: Mr. Speaker, the resolution standing in my name and to which I wish to speak this morning, says simply:

That this Legislature enact legislation to compensate innocent victims of all types of crimes through the use of an unsatisfied judgment fund similar to that used by other provinces of Canada in uninsured or hit-and-run cases.

In examining the resolution the first thought that crosses a person's mind is: What exactly is meant by the word "victim"? According to the Oxford dictionary the word "victim" is a noun and it is defined as a living being sacrificed to a deity, or in performance of a religious rite; a person or a thing injured or destroyed in pursuit of an office; in gratification of a passion, and so forth; or as the result of an event or circumstance.

And so, a victim, Mr. Speaker, could be the actual person who suffers if a crime is committed, or it could be the individual who was injured because he or she wished to prevent a person or thing from being injured or destroyed during the commission of a crime.

In other words, Mr. Speaker, I feel that the word "victim" can be given the widest connotation.

Let me now, Mr. Speaker, examine the concept of "crime" or "evil" for which the resolution attempts to atone.

You and I who live in this urban electronic age are used to reading or hearing on the radio about gangs of young hooligans who attack a man or woman just for kicks. A citizen using the streets and parks of our great cities, is often subjected by night or day to robbery in which excessive force is used. It might be a purse-snatching, or it might be a mugging, or it might just be an

attack on a lonely person by teenagers in search of diversion. Yes, we see and hear so much of violence in our living today, that most of us accept it as a way of life. Violence is injected and projected by television and movies. It is such a common occurrence these days, that we have become indifferent.

Mr. Speaker, I do not have to remind the members of this House of the case of Kitty Genovese in New York, who was slashed to death on the streets in the presence of about 40 of her neighbours. They stood by and they did nothing. The Genovese case is not an isolated incident. Many times one hears of witnesses to an accident or a crime who say that they do not wish to become involved and therefore they will say nothing.

Yes, Mr. Speaker, everyone says these days, "I do not want to become involved." In a way, our television, radio and other communication media, have so played up the whole concept of violence and crime that to many conscientious citizens things have gone too far. No one wants to lend a hand. No one wants to prevent a crime. No one wants to come forward as a witness to an accident, or other unusual circumstance. Mr. Speaker, the day of the good Samaritan has passed.

And so we ask ourselves who is to blame? The ordinary citizen, who is so busy trying to make a living in the day to day struggle that we have—that he just does not have the time to stop? Or should we blame the law which will not protect and recompense a citizen who does try to help another human being and in doing so is hurt financially or physically?

One could suggest that all levels of government could undertake a crash educational programme to try to counteract the effects of the daily dose of glamour that violence is given. Yes, the government could attempt to brainwash the individual and bring him gradually back to the state where he feels that it is his duty to prevent crime, to become involved, and above all, to be a good citizen who does not care about himself and himself alone. Yet you and I know, Mr. Speaker, that this would not work. The modern day individual is much too sophisticated for this type of programme.

The hon. J. C. McRuer, in the second volume of his first report on the Royal commission inquiry into civil rights, takes us back in chapter 55 of that volume on page 845, to the way things were in ancient times. He points out that even in those days compensable offences ranging from robbery and burglary to libel, slander, assault, and murder,



were set out in the penal codes of Babylon, Israel, Greece and Rome.

The criminal of those days was required to compensate his victim with property or money. Gradually, as systems of criminal law and criminal procedures developed, they absorbed the concept of sin and penance. Gradually punishment replaced compensation as the penalty for the commission of a crime.

And so we find today the usual remedy for a victim of a crime is a civil action in the courts.

Now I ask you, Mr. Speaker, what good does it do the injured person if the murderer, or the person who has made the assault is put away? Does that pay his hospital bills? Does that compensate his next of kin if he should have been killed by a criminal? Obviously the answer is no.

I would like, Mr. Speaker, to refer to an article in the Toronto *Daily Star* of August 22, 1967, which I feel is quite appropriate. This is an editorial entitled "Crime Victims Need Help" and it begins:

Little Phyllis Peterson, the four year old survivor of the Shell Lake family massacre, is likely to make Saskatchewan legal history as the first person to benefit under provincial legislation compensating victims of crime. Miss Peterson can claim up to the maximum of \$10,000 although in her tragic case the Attorney General has promised whatever is necessary to take care of her material needs. Ontario, to our shame, still has no such legislation on the books, although Attorney General Arthur Wishart has promised it often enough. Had the Peterson killings occurred in Ontario—

**Mr. V. M. Singer** (Downsview): Mr. Speaker, on a point of order. Could I bring to your attention, sir, there is not a quorum of members in the House?

**Mr. Speaker:** Will the Clerk make the necessary count?

**Clerk of the House:** There are 23 members present, Mr. Speaker.

**Mr. Speaker:** And the quorum is?

**Clerk of the House:** Twenty, including yourself, Mr. Speaker.

**Mr. Singer:** Two just sneaked in.

**Mr. Speaker:** I would strongly recommend a course in the new arithmetic for the member for Downsview.

**Mr. Braithwaite:** Two came in, Mr. Speaker,

**Mr. J. H. White** (London South): There were only five in from the Liberal Party.

**Mr. Singer:** Only eight Tories on that whole side.

**Mr. Speaker:** Order! While the Speaker is on his feet, will the member take his seat?

There would still have been a quorum of 20—

**Mr. White:** People who live in glass houses—

Interjections by hon. members.

**Mr. Speaker:** There would still have been a quorum if the two members had not come in. Will the member please continue?

**Mr. G. Bukator** (Niagara Falls): Mr. Speaker, on a point of privilege, I believe—

**Mr. Speaker:** Order! Another point here.

**Mr. Bukator:** Two Liberal members were sitting just underneath here. I see you only have eight Conservatives, only eight.

**Mr. Speaker:** I would point out to the member for Niagara Falls that sitting on the floor of the House and not in the member's seat does not entitle a member to be counted as a member of the House for quorum purposes or to speak to the House. He is now back in his seat.

**Mr. Bukator:** Put it on the record, Mr. Speaker, you have only eight on the government side.

**Mr. Speaker:** Order! Will the member please endeavour to conform to the rules of the House? The member for Etobicoke will please continue.

**Mr. Braithwaite:** Mr. Speaker, I am glad to see that we have a quorum and I am pleased to proceed.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Always have had!

**Mr. Speaker:** Order!

**Mr. Braithwaite:** I continue quoting:

Had the Peterson killings occurred in Ontario—

**Mr. Speaker:** Order!

That was just to endeavour to give the member speaking the courtesy of being able to continue uninterrupted by a member of

his own caucus. Will the member carry on, please?

**Mr. Braithwaite:** I thought for a minute the hon. member for Grey-Bruce (Mr. Sargent) had arrived. Proceeding with my quotation from the article from the *Toronto Daily Star*:

Had the Peterson killings occurred in Ontario, the surviving child undoubtedly would have been generously cared for through the charity and concern of the community and the whole province, but such a killing is a rare and dramatic incident. Less brutal but financially crippling are the beatings, shootings and robberies that take place every day in Ontario. It is for these unfortunate victims as much as for those whose parents or husbands may be murdered that we need a compensation law.

That, Mr. Speaker, is the editorial comment of the *Star*.

For the many reasons that I have mentioned, it is my submission, Mr. Speaker, that the time is ripe for Ontario to start compensating its citizens who are injured, or in any way harmed by the commission of a crime, whether the person who commits the crime is known or unknown.

The Hon. J. C. McRuer and his commission dealt with the subject of compensation for victims of crime. This report, in examining and reporting at length on many areas of civil rights affecting the citizens, has made a valuable contribution to the worldwide movement to secure reparation for victims of crime. The McRuer report lists three logical submissions to support the paying of compensation to a person injured through the commission of a crime.

Firstly, Mr. Speaker, it suggests that it could be argued that the state by collecting taxes and by providing a police force has undertaken to insure that the ordinary citizen would not be injured by crime. Therefore, anyone who does suffer loss due to any crime should be reimbursed. This is a sound argument, yet one wonders what would be the best approach to take in the case of a suspected criminal who was injured by a police officer's gun during a chase.

If it turns out that he is not guilty and that there was no reason for his being arrested, a real problem would arise. And taking this contention one step further, what of the citizen who is physically far from the scene of a crime or the pursuit of a criminal? What if this citizen should be in-

jured accidentally by a policeman's bullet? Would either the suspected criminal who was being chased or the unwary citizen to whom I have referred, fall under the category of "a victim of crime?" These are some of the things that happen every day, Mr. Speaker. These are some of the things that I feel this government should do something about.

The report goes on to state that we make provision for persons injured in an industrial accident, yet our laws make no provision in the case of the citizen who, although he is completely innocent, suffers injury resulting from a criminal attack. This is an inconsistency in our social and legal system and the report deals with this at length.

Finally, in support of payment of compensation for victims of crime, the report refers to the fact that most democracies are providing more and more services to the individual—in other words the welfare state is upon us. If we accept this as a fact, there should be no reason for the state to refuse to compensate victims of crime.

Having examined the subject that far, the report goes on to state that bearing in mind the limits of the terms of reference under which the commission was operating, no further examination and no recommendation would be made on this particular subject. However, the report does proceed to deal with the area of compensation by the state for those who have sustained injury or loss while engaged in law enforcement. And therefore, it was a pleasure to hear the Attorney General (Mr. Wishart) mention that The Law Enforcement Compensation Act, 1967, would be proclaimed as of April 1, 1968.

I would submit, Mr. Speaker, that although the McRuer report does not make any recommendations with reference to the individual who has suffered injury as the result of the commission of a crime, the views put forward to support the contention in that report are worth noting, because they effectively substantiate the premise that the citizen injured during the commission of a crime is entitled to some sort of compensation from the state.

In March of this year, the Canadian corrections association, after two years of study, released their report compiled by a national committee of learned men. This committee was headed by Dean Thomas Feeney of the Ottawa law school. The committee's report, which made recommendations on many subjects, covered the question of compensating victims of crime in a more comprehensive manner than anything yet introduced any-

where in the world—although the secretary of the association commented to the press that the report is not expected to spark the immediate creation of provincial schemes because this is a year of economy, both federally and provincially.

Mr. Speaker, be that as it may, it is my contention and submission that this government, and particularly The Attorney General's Department, in establishing its priorities, should give very serious consideration to the long neglected matter of paying compensation to citizens who suffer from the commission of a crime.

As a lawyer, I have seen the attention which is given to the offender in the courts. Rarely is the fate of the victim mentioned. We all know that the murderer is looked after for life but the widow of the murder victim is left to fend for herself. Of course, welfare and other benefits are available to her and her family, but who is to pay for the loss of a loved one? Who can determine the amount of such a loss? It is most unlikely that the murder victim's family or the individual who is badly injured or disabled during the commission of a crime will be able to live at the same station in life that they had before the crime was committed. This disparity of treatment strikes many people as being most unfair.

The Feeny report concludes that the Canadian legal system is preoccupied with catching, punishing and rehabilitating criminals, and little or nothing is being done apart from the general welfare provisions to assist the victims of crime, even if they are physically injured or killed or financially ruined or their dependents deprived of financial support.

Mr. Speaker, as I mentioned previously, the Canadian corrections association report covers most comprehensively all systems to be found anywhere in this world. It indicates that the New Zealand Crime Injuries Compensation Act of 1963 still leads the field in legislation designed to cope with the yawning gap in the law of nearly every civilized country pertaining to compensation to the victims of crime. Great Britain established its compensation scheme in 1964 and to date has paid out a total of something like £750,000 to crime victims. Here I would like to refer to an article in the *Toronto Telegram* of January 27, 1968, Mr. Speaker, and I quote:

Since its founding in 1964, the British board has received 84,040 applications and paid out a total of £727,953 to crime victims. Strict regulations govern the

British board, which is headquartered in London under the jurisdiction of the national government. For instance, no compensation is paid unless the crime victim loses at least three weeks' salary and this loss cannot be more than twice the average industrial earnings—a rule more sympathetic to the poor than to the rich.

Other jurisdictions where compensation schemes have been adopted include New South Wales, California and New York.

As for the situation in Canada, here I would like to quote from page 6 of the Feeny report:

Until recently no compensation was available for victims of crime in Canada. Saskatchewan has just proclaimed an Act dealing with compensation for victims of violent crime who can establish need, which is effective retroactive to September 1, 1966.

I made reference to that Act earlier, Mr. Speaker.

Provision for ordering of restitution by the court at the time of conviction of a criminal charge is provided in sections 628 to 630 of the Canadian criminal code, and as a condition of probation in section 638 of the code.

Mr. Speaker, no statistics are available to show the extent that these provisions are used and how successful they are, but it would appear that very little use is made of sections 628 and 630. Relatively frequent use is made of the provisions of section 638, but the order often proves fruitless.

Mr. Speaker: Would the member draw his remarks to a conclusion because we have now reached the time limit afforded to his party by mutual agreement.

Mr. Braithwaite: Well, Mr. Speaker, I have just a bit to go.

Mr. Speaker: The member will please abide by the ruling of the parties, and he has a minute or so to go.

Mr. Braithwaite: I will do that, Mr. Speaker.

I should like now to draw the attention of the members of this House to the fact that in the official estimates of the province of Ontario for the fiscal year ending March 31, 1968, we had something like \$2 million provided for. In the 1968-69 estimates of The Attorney General's Department there appears an amount of something over \$6 million. Mr. Speaker, I am not quarrelling



with the money that is being provided for legal aid, because we all realize that this is a most important factor. However, I would like to point out that a large part of these moneys is being used to assist those who commit a crime. On the other side of the coin, Mr. Speaker, I think that it is only fair that those who are injured by the commission of a crime should be provided for in the same estimate.

The Attorney General just yesterday proclaimed the Act that I referred to earlier, where any individual who assists a policeman can seek compensation.

**Mr. Speaker:** Unless the members of the other two parties are agreeable I must ask the member to resume his seat because we have gone well over his share of the time.

**Mr. Braithwaite:** I will close by saying that it would take, in my view, a very minor amendment to The Law Enforcement Compensation Act of 1967 to make provision for a board and for the payment of money to individuals who are injured during the commission of a crime. I ask all members of this House to join me in supporting the resolution. We would like to see the government do something about this at the earliest possible time.

**Mr. Speaker:** Perhaps for the purposes of the record, as the member for Peterborough begins his address, he might give the name of the seconder of his resolution, which I omitted to get him him.

**Mr. Pitman:** It is my Resolution, No. 15:

That in the opinion of this House, this government should consider establishing a fund, out of which payments may be made to compensate victims of crimes of violence, or their dependents, to be administered by a board constituted to hear applications and make awards for compensation.

**Mr. Speaker,** I know you will realize—and certainly other members in the House realize—that the resolution which I have placed on the order paper is very close to that which has been placed by the member for Etobicoke, resolution No. 30. I shall try not to repeat what he has said here this morning. We have heard a great deal over the last number of weeks about the term “the just society”. It is a term which I think has a great deal of relevance for all of us in this House, but I would like also to use another relevant term and that term is a “compassionate society”. It is well for us to be just but it is also proper, I think, as a group of gentlemen

who are in this House representing the people of Ontario, that we should be concerned about the next stage in the kind of society which we want to create. Although justice is a concept which has great relevance I suggest to you that compassion is another concept which has importance to us. We can measure the health and the value, I think, of our society by its treatment of those who, for one reason or another, suffer misfortune of some kind. We have gone a long way in workmen's compensation; we have seen various forms of insurance and welfare; we have seen various efforts on the part of government—governments of all provinces, and government at the national level—to try to shore up the individual against what are the obvious demands of an industrial society; and it is also the demands of at least a partially lawless society which we must also guard against.

In the past in an agricultural society this responsibility has not been so much that of government. In some ways what we have done, in creating what some people have called a welfare society, is to restore, not to create, but to restore security which once existed in an agricultural society. When there was the family farm, people who were unemployed, or people who met misfortune as we have had it described here this morning, who were injured in the committing of a crime, could return to the family farm, could plough the back acres. And once they had been restored to health, once they had recreated their own security, they could venture out into the world again. We do not not have that kind of society, Mr. Speaker, any longer. We have a society in which each of us is so almost completely dependent upon himself, upon a weekly wage. Therefore we do look to government to restore that kind of security. I think it was rather significant that after speaking so much last night about The Department of Health and the work that is being done in that department for various people, there was no one in this House who stood and said that alcoholism or drug addiction, or any of these other evils in our society are the responsibility of the individual and that we should allow the individual to go down the drain, as I think would have been said possibly within the last half century in this House, or indeed in any other Legislature in the western world.

We now have a social conscience and I am suggesting that this resolution, and the one which the member for Etobicoke has so ably put forward in his previous comments, are

an extension of this kind of social conscience of regard for the society in which we live.

There are many kinds of misfortune and of course they can be handled on an insurance basis. We would not expect the Legislature of Ontario to provide for life insurance because all of us know we are going to die; all of us can look after this exigency through the private insurance carriers, but I suggest to you, Mr. Speaker, that this is not the case in regard to those who are injured in crime. One cannot know that one is going to be involved in a crime in which some injury will take place where there will be a massive loss of income, where there will be a massive loss of property. For that reason I think it is incumbent upon us as legislators to deal with a problem such as this.

We are dealing with a very small number of people, as the member for Etobicoke has said. There is not a tremendous expenditure involved here as other jurisdictions have realized. In New Zealand, Great Britain, in Saskatchewan, California and New York, where this has been done, there has not been a massive expenditure, and therefore I do not have any feelings that I am putting myself upon this government in suggesting a resolution of this nature in this year when this government is attempting to cut down its expenditures. I do suggest to you, sir, that the numbers are very small. They will never be a political force. They will never really make themselves heard either on the political platform or indeed in the committee rooms of this Legislature. They are small groups. But I suggest to you that this is another measure of the compassionate society, that it deals with those who are small in number, who cannot be heard very clearly; but we have a responsibility to hear them as well as those who are larger in number and who have established pressure groups.

Another reason for this resolution, sir, is its relationship to the whole problem of crime itself. In dealing with the criminal—now this may seem like a rather distorted view of this particular resolution but I did suggest to you that a few months ago we had a major debate in this country—not in this Legislature but elsewhere—on the whole problem of capital punishment, and I think two concepts came into very clear view as to how we should deal with crime. There is the one: an eye-for-an-eye concept of revenge, which is one that has long been a part of our western civilization and a part of our society; but on the other hand there was the rehabilitation concept, the idea that the judicial process

was not there to try to punish, to exert a kind of social revenge, but it was there rather to see criminals as people who need treatment—it might be psychiatric treatment; to see people who are the result of social problems—and they may be the result of economic problems—but certainly not to express simply the revenge idea in dealing with men who have committed some crime against the state.

Now, what has this to do with this resolution? Well it seems to me, Mr. Speaker, that one of the reasons we have been reluctant to move very quickly—and I am conscious of the feelings of the Minister of Reform Institutions (Mr. Grossman) in this Legislature, I am sorry he is not here, but I am sure that his efforts to change the penal system in this jurisdiction, and certainly the federal jurisdiction, is hampered by this concern for the victims of crime. I agree with the member for Etobicoke that you can never bring back a loved one. You can never really repay a person who has had his career changed as a result of a serious accident. You can never really repay people for a psychological damage. But you can take some steps towards reimbursing the victim, and in doing this I think that you destroy one of the main arguments against penal reform and the whole reform of our institutions for the rehabilitation rather than punishment of those who have committed crimes against our society.

I suggest to you that this resolution has this kind of side effect, or at least, I would hope that it would have that kind of side effect. A third side effect that I hope that it might have is that of encouraging the people of our society to assist those who are trying to carry out the law. There has been a great deal of concern over the fact that officers of the Crown find themselves in some cases hampered and certainly not assisted by the general citizenry. I am pleased to see that this government has seen fit to do something about this, but I think that by a resolution of this kind some place in the legislation of this province, we would be able to encourage in a very real way, citizens to feel that they are a part of the law enforcement agencies of this province. They would know that if they did take part in fighting crime they would have no doubt that they themselves would be compensated and that others who were involved, and their families, would not face a loss as a result.

Mr. Speaker, I just want to suggest to you that there have been one or two people who over the last couple of months brought

forward matters of extreme importance to this Legislature.

One of these, of course, was Thomas G. Feeney, QC, the dean of common law at the University of Ottawa. I think that other members have received this document and I am sure that the Attorney General and the Minister of Reform Institutions have read this document. He makes a number of recommendations, and I do not want to do more than simply comment on these recommendations. The first one of this 22-man committee is very simple. It is that:

Each province introduce a publicly administered system of compensation to cover loss or injury suffered by the following: Victims of crime or their surviving dependants; persons who suffer injury or loss while assisting in enforcing federal and provincial legislation that provides for sanction or punishment preventing a crime or reducing injury or loss to its victim.

The comments are that such a system of compensation should be financed out of general revenue rather than a contributory fund. And a further recommendation of that same report is that the province should establish a board for claims under this scheme to approve or deny compensation in any case. There should be no appeal of the board's decision except in the question of the denial of natural justice.

He goes on to point out that there would be no necessity of delay of the cases before the courts because this board would be operating in private, and would be able to decide on the compensation which the victim should get as a result of the injuries. It would not in any way involve itself in the judicial process.

I also suggest recommendation 8, that, "each province establish a fund out of which compensation awards would be paid." I feel very strongly that this statement of the Canadian correction association carries out in some detail the resolution that I place before the Legislature. Another champion of this cause, of course, has been Dr. Allan Linden of the Osgoode law school who began a research project and sent out 400 questionnaires to victims of crime, I imagine, in the Metro Toronto area. And he discovered from this that some 79 per cent of the victims of crime had suffered some loss.

**Mr. Singer:** A most able man!

**Mr. Pitman:** I am glad that the member for Downsview agrees with me in this case.

Interjection by an hon. member.

**Mr. Pitman:** No, he perhaps agrees wherein the individual is concerned, rather than with what I am saying. I realize this. Forty-two per cent of these had some medical expenses as a result of involvement in a crime that was committed. Twenty-nine per cent had hospital expenses. Twenty-three per cent had income loss. Fifty-one per cent had property loss, and of those who did have those losses, sir, only 36 per cent were fully reimbursed for medical expenses; only 46 per cent for hospitalization. And perhaps the most surprising is that only 2 per cent received all the income loss which they felt that they had suffered as a result of the commission of this crime. Seven per cent received the entire property loss. In other words, we do have victims of crime.

As I said in the beginning, they are a very small group but they are a significant group; they are ones that should not be forgotten by this House. When you take the entire group, it was decided that only 45 per cent really got back everything that they had lost as a result of the crime. And so you have 55 per cent, still a very small group in number. In concluding my remarks, Mr. Speaker, I do want to stress one or two of the remarks that I made in the beginning of my comments.

I think that this is a piece of legislation that would not cost this government very much but it would, I suggest to you, make a very great impact upon the efforts at corrections. I see that the Minister of Reform Institutions is in his seat, and I suggest that the passing of this resolution would make it a great deal easier for him to continue the whole rehabilitation aspect of the penal institutions of this province, if we could remove from this whole argument the emotional concern for the victim of the crime.

I do hope that in this session, not the next one, because of the very limited nature of the expenditure involved the real importance of giving this kind of assistance that the government will take some action and bring justice to this small group of people.

**Mr. White:** Mr. Speaker, I hold in my hand, a motion passed just this week by the council of the city of London, and I would like to read this, and I quote:

That the Attorney General of the province of Ontario be respectfully requested to introduce legislation to provide that municipalities may compensate citizens



who assist in the apprehension of a person found committing a crime such as common assault or similar instances or who take action to prevent such crimes, and that the association of mayors and reeves in the cities of Ontario be asked to endorse this resolution and that it be drawn to the attention of the Attorney General that this is a reiteration of council's action as taken in the meeting of March 4, 1968. Since it would appear that The Law Enforcement Compensation Act of 1967 is not sufficiently broad in scope to cover all cases which council felt desirable is borne out by the following.

And then the city clerk quotes certain weaknesses as seen by the city council. I concur with the motion of the city of London and I find myself in substantial agreement with the resolutions and the remarks of the hon. members opposite. I cannot resist pointing out that there was a Conservative resolution posed by the aging NDP and contrast that with a much more progressive motion presented by the hon. member of the Liberal caucus.

**Mr. D. C. MacDonald (York South):** The old party coalition again.

**Mr. White:** The difference is very obvious, sir, because the NDP motion makes it very clear that this is to compensate, quote: "Victims of crimes of violence", whereas the Liberal motion says that it is to, quote: "Compensate innocent victims of all types of crime." And I associate myself with the broader resolution.

**Mr. Speaker,** we took a very good step forward a year ago when in this Legislature we passed The Law Enforcement Compensation Act, chapter 45 in last year's statute book. And of course we were gratified when the Attorney General had this Act proclaimed this week. I think that it was an eminently sensible first step, that we should compensate victims of crimes in the assistance of peace officers, and I quite understand the reservation that the government has in not initiating a broader and more expensive programme initially.

I quite understand that some members in this House may believe that withdrawing the qualification of assisting a police officer might encourage some number of our citizens to act as amateur policemen, sort of a grown-up cops-and-robbers affair. This idea, quite frankly, sir, is untenable.

Let me imagine an illustration. Let us imagine that one of the members of the

House, on his way to the hotel last night had encountered an assault in which a man was assaulting another citizen. And let us suppose that a police officer happened on the scene and called upon our colleague to assist. If our colleague had been injured then of course he would be protected by The Law Enforcement Compensation Act.

Let us take this situation, but let us presume that our colleague happened upon the scene before a police officer. Obviously he would feel honour bound to assist the citizen being assaulted, but in this situation, sir, he would not be compensable under our legislation.

If, on rare occasions, a citizen were tempted to act like a policeman without being asked to do so, the board, under the terms of this Act has the power to disallow such a claim for compensation. So the fears that I have heard expressed that the qualification is necessary to prevent citizens from embarking upon unwise police actions is fully met by the constitution and by the powers entrusted to the board.

I would hope, sir, that as we gain some experience with this Act that the Attorney General would find it possible, that the government would find it desirable, to withdraw the qualification that the citizen must be assisting a police officer. And I would hope from that point, sir, that we could broaden the Act at some future date to include victims of crime where violence is not experienced. Mr. McRuer touches on that in an early section, in chapter 55, referred to earlier by the hon. member for Etobicoke, but I think I will quote the subdivisions under which Mr. McRuer placed this consideration, page 845:

The subject of the compensation for victims of crime is divisible into two parts:

1. Compensation by the state for persons who have suffered injury as a result of the commission of crime;

2. Compensation by the state for those who have sustained injury or loss while engaged in law enforcement.

What I am saying, sir, is that we have embarked on the first half of section 2. We should at some reasonably close date—within a year or two I would hope—broaden this so that the other half is covered. Then I think we should attempt to introduce by stages the consideration embraced in clause (a).

Reference has been made by previous speakers to the excellent brief prepared by

the Canadian corrections association which brief was sent, I think, to all members of the Legislature a few weeks ago. It is a most sensible and moderate document, very progressive, without being extreme. I was so taken with it when I read it that I forwarded it to the Attorney General and I have no doubt that he found it very helpful. I would like to make brief reference to this memorandum, sir, and to the several resolutions which are the basis.

It is suggested that compensation may overcome public apathy in relation to both the victim and the criminal and may help law enforcement. It is suggested that the availability of compensation would encourage citizens to try to prevent crime. It is said that, should the availability of compensation help overcome the hesitancy some employers feel about hiring a person with a criminal record, or in some cases do away with the necessity of bonding a person with a criminal record—if that were to happen, it would be all to the good.

Fourth, it says that the additional information that would be available on what crime costs the victims, might lead to increased interest in preventive programmes; and fifth, that restitution, which is quite a different matter—and perhaps I should mention the definitions which are offered in this memorandum.

In this report, the term "compensation" refers to payments by the state to the victims of a crime or to his dependants to make up the loss incurred, whereas the term "restitution" refers to the contribution made by the criminal; and it is said that restitution on the part of the criminal is a step in his own rehabilitation and a means of ensuring that he does not profit from his crime. Then, of course, most important of all, as previous speakers have mentioned, is the inherent justice in compensating victims of crime, particularly when they are assisting a law enforcement officer and when they themselves are acting as a citizen in enforcing the law, as is the right of a citizen.

A couple of those cases were mentioned by Mr. McRuer, which I found very interesting. Under our present arrangements here in this province, if a man is injured, perhaps through his own negligence, or carelessness, in an industrial plant, he will be compensated. But a man attempting to enforce the law, attempting to prevent violence against another citizen will not be compensated.

Another inconsistency is mentioned by Mr. McRuer when he says that if a citizen sees

a bank robbery taking place and if he runs out into the street in an attempt to apprehend the bank robber, if he is struck down by the car he will be compensated by the motor vehicles accident claims fund, but if, before being struck down by the car, or rather instead of being struck down by the car, the robber takes out his gun and shoots him, he will not be compensated. This does seem inconsistent.

**Mr. Singer:** That happens.

**Mr. White:** Well, the brief of the Canadian corrections association contains eight or ten recommendations. I would like very much to deal with those, sir—

**Mr. Singer:** We will let you do it.

**Mr. White:** —but my friend for Peel South (Mr. Kennedy) has a few remarks to make and I think perhaps the member for Downsview. So let me conclude by saying this: We now have a very good start on this problem in The Law Enforcement Compensation Act. It may be that this Act should be amended in the very near future to provide appeal provisions because at the present time the board of compensation has the absolute and final decision and there is something about that that is probably inconsistent with the philosophy expressed by Mr. McRuer and by the endorsement which that philosophy has had from the government and from the Legislature. I think that we should look into that very carefully immediately.

Second, I observe that there is no prohibition in the Act as such, against using information at hearings of the compensation board in the trials of the accused. It is recommended in the brief from the Canadian corrections association that information provided to the compensation board not be admissible for trial purposes and I think that this is an aspect of the present Act we should also consider.

And I would say finally, sir, that having introduced this innovating legislation here in this province, we should in the next year or two withdraw the qualification that the citizen must be acting in response to the request of a police officer. I would hope from that point we can introduce compensation for victims of crime, even where violence is not experienced.

**Mr. R. D. Kennedy** (Peel South): Mr. Speaker, I am generally in agreement with the principle and intent of these resolutions, but I took the matter to the grass roots, I

feel, and I spoke to the clerk of the town of Mississauga and the chief of police. I did this particularly to enquire if this legislation, or something similar had been in force, how many claims there might have been. Mississauga now has over 100,000 people so it is not a small community. I do not know whether these people are more law abiding than elsewhere. I believe they must be—but the police chief who has been in his capacity for many years stated that he could not recall that there would have been a single claim over these many years. So this bit of evidence would seem to support resolution 15 in that it would not be a very costly introduction. It bears out the New Zealand experience where only £1,042 were paid out on seven awards in the first year of operation and nine claims in 1965 totalling £1,599. I did not put that into dollars.

I might read too from their report if I may, of 1965. Their summary states as follows:

The Act has not been used as much as was expected so its cost to the taxpayers has been small. It has adequately met the needs of some necessitous cases. No unexpected difficulties have been experienced in its operation. The recovery of a portion of the compensation from offenders may have psychological value for the prevention of certain kinds of crime.

So this is the experience in New Zealand.

In Ontario there probably have been cases, or certainly could be eligible cases where there is hardship and necessity and these should be taken care of. Locally they do support compensation for injury suffered through the action of a citizen in the capacity of a policeman, if you will, and also for victims of crime. So this in principle, of course, is easy to support.

Now the Canadian corrections association also recommends compensation to victims of crime and restitution by offenders, as stated by the hon. member for Etobicoke. But the subject to me in my examination of it seemed so broad and any application rather involved so in order to insure justice in my opinion much more study is needed, I suggest by an independent group or perhaps a government-appointed committee to recommend particularly the mechanics of operation which are not detailed to any great degree in the corrections association report.

If I may just take another moment, I did want to refer to the London resolution referred to by the member for London South.

The city council in their resolution requested that the province provide legislation whereby a municipality may compensate citizens. We all know there are many municipalities that would not be in a financial position or have the facilities or perhaps the willingness to offer compensation. So some municipalities would adopt the authority, presumably, if legislation was enacted along these lines; others would not. So depending where misfortune befell the individual, he may or may not receive benefit.

So I think any authority or extension of the present legislation should be under provincial jurisdiction and this is proposed in resolution 15. But I do commend the city of London on their resolution and I believe—I might say to the hon. member for London South—they would be interested in this debate. Perhaps we could send forward copies of the remarks to the city of London and also the mayors' and reeves' association.

**Mr. White:** A very progressive community.

**Mr. Singer:** Well, Mr. Speaker, needless to say, I am in full support of both the resolutions, both the advanced one and the less advanced one. The Attorney General will recall with me that some three years ago—

**Mr. Pitman:** The hon. member must mean the realistic one.

**Mr. Singer:** Yes, the Liberal one, that is right. That is quite right.

The Attorney General will recall some three years ago that this topic formed a part of the debate on his estimates. At that time we got very little response from government, and I thought last night as I was watching the news and saw my good friend the Attorney General appear and tell us what a great piece of legislation had been proclaimed yesterday, that somehow he had missed the point. And as I listened to the member for London South it is obvious that unfortunately with the Conservative approach to affairs of this kind we move very, very slowly.

**Hon. Mr. Rowntree:** Oh, no!

**Mr. Singer:** Well, I suppose it was a bit of a forward step yesterday to say that there is now going to be compensation for people who are called upon by police officers and who are injured as a result of that. But my friend, the member for London South, mentioned a hypothetical case about a man who goes out and goes after a bank robber and is shot by the bank robber. That in fact happened—that is the John Blanc case. It



happened in a shopping centre in Downsview a year or so ago and poor Mr. Blanc was killed and he left a widow and family behind him, and there is no public facility left to look after his family.

A series of charitable drives were made on his behalf and so on, but it just should not be. I do not know why the Attorney General, when he looked again at the Act as he was about to proclaim it, did not extend it even the additional step and say that anyone who performed a citizen's duty—and it is in the criminal code that a citizen's duty is to stop crime—why that kind of action, if it results in injury, should not be compensated.

Unfortunately I suppose that the best enunciation of government policy comes from the member for London South. This is now a good thing because he can come armed with a resolution from the city of London. And since the resolution says that the view in the city of London is that we should do something, then it suddenly becomes progressive. Well, Mr. Speaker, it is 1:00 o'clock and let me conclude.

The principle is sound. It has been enunciated in this House many times in the past. It has been well spoken of today, but let the government move ahead more quickly than it is presently doing.

**Mr. Speaker:** I think perhaps for the benefit of all of us and particularly the newer members, I would like, in view of the occurrence this morning, to read to the House rules 5 and 6 then we will all be aware of the situation. Rule 5 says:

The presence of at least 20 members of the House including the Speaker shall be necessary to constitute a meeting of the House for the exercise of its powers.

And rule 6 says:

Whenever the Speaker shall adjourn the House for want of a quorum, the time of the adjournment and the names of the members then present shall be inserted in the journals.

**Hon. Mr. Rowntree:** Mr. Speaker, on Monday we will continue with the second reading of two bills which were indicated today and possibly House in committee on The Judicature Act and thereafter proceed with the estimates of The Department of Health.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1:00 o'clock, p.m.

## APPENDIX

32. *Mr. Makarchuk*—Enquiry of the Ministry—(a) Are renal arteriography operations performed in Ontario teaching hospitals? and (b) How many renal arteriography operations were performed in Ontario teaching hospitals in 1967?

Answer by the Minister of Health:

(a) We have no information re renal arteriography operations in teaching hospitals, since it is not required that hospitals report this to any department, or agency of government.

(b) Since this is part of the internal operation of the hospitals, the information is not available to government.

37. *Mr. Sargent*—Enquiry of the Ministry—(a) Will the Minister provide a list of all the properties in Ontario of the liquor control board, both brewers' warehouses and liquor stores, that are leased? (b) Who owns the properties? (c) the names of the people owning each property? (d) The terms of lease? (e) The value of the properties?

Answer by the Commissioner:

(a), (b), (c) and (d) as shown on the following list. (e) Value of properties not known.

Brewers' Warehouses are not the property of the liquor control board but are owned or leased by the Brewers' Warehousing Company Limited.

<i>Store</i>	<i>Location</i>	<i>Owner</i>	<i>Monthly Rental</i>	<i>Expiry Date</i>
1	Toronto	Keen Investments Ltd.	\$1,400.00	April 30, 1972
2	Toronto	Harry B. Kennedy, Jr.	2,500.00	Sept. 30, 1972
4	Toronto	Corporation Caretake Ltd.	1,300.00	Oct. 31, 1970
7	Toronto	Tumacan Ltd.	850.00	March 31, 1972
8	Toronto	Village Developments Ltd.	1,500.00	June 30, 1975
10	Toronto	Marathon Realty Co. Ltd.	1,500.00	June 30, 1970
12	Toronto	Fern Holdings Ltd.	837.50	August 31, 1973
14	Toronto	Fern Holdings Ltd.	825.00	July 31, 1975
15	Toronto	Fern Holdings Ltd.	825.00	Nov. 30, 1975
16	Toronto	Federal Bldg. Corp. Ltd.	3,000.00	Dec. 1, 1971
18	Scarborough	Fern Holdings Ltd.	875.00	May 31, 1976
21	Hamilton	Mrs. Irene Gilmore	850.00	Sept. 30, 1971
22	Hamilton	Nelson W. Gallant	950.00	Oct. 31, 1974
23	Hamilton	Estate of H. A. Truman	350.00	Dec. 31, 1969
24	Port Colborne	Laketown Investments Ltd.	840.00	March 31, 1979
25	Dundas	W. R. Chilman Ltd.	455.00	Aug. 31, 1968
26	London	Kingsmill Real Estate Ltd.	600.00	May 31, 1970
27	London	Canterbury Lease Ltd.	900.00	Nov. 30, 1980
28	Dunnville	Can. Legion Br. #142	250.00	Feb. 28, 1971
29	Warton	Spirit Rock Lodge #312	125.00	August 31, 1968
30	Walkerton	A. Reichenback	150.00	Sept. 30, 1968
34	Windsor	Kovinsky, Passman & Kovinsky	525.00	Jan. 31, 1973
36	Ottawa	Estate of Bert R. Brouse	1,232.00	Nov. 30, 1976
37	Ottawa	B. & C. Realty Co.	500.00	Sept. 30, 1969
38	Ottawa	Bromac Limited	800.00	July 31, 1969
41	Ft. William	Ft. William Bldg. & Realty Co.	675.00	March 31, 1971
42	Brockville	Estate of W. H. Comstock	550.00	April 30, 1971
43	Kitchener	Bullas Realty Co. Ltd.	1,100.00	Nov. 30, 1976
45	Peterborough	Comstock Realty Ltd.	1,000.00	Sept. 30, 1980
46	Sarnia	Sarnia Lodge 100F 126	357.50	April 30, 1972
48	Niagara Falls	Roseview Realty Co.	900.00	Nov. 30, 1972
49	Cornwall	Thomas & Nash Ltd.	875.00	June 30, 1975
50	Sudbury	Kahkonen Construction Ltd.	1,735.00	May 31, 1977
52	Wellsand	Cecil Stirtzinger	800.00	Oct. 31, 1971
53	Port Arthur	J. Filipovic	500.00	Oct. 31, 1969
54	North Bay	M. M. Hockman	600.00	Aug. 31, 1968
55	Pembroke	William Borenstein	450.00	April 30, 1968

<i>Store</i>	<i>Location</i>	<i>Owner</i>	<i>Monthly Rental</i>	<i>Expiry Date</i>
56	Prescott	J. R. & G. F. Dodge	600.00	May 31, 1970
58	Timmins	A. & N. Mascioli	450.00	July 31, 1972
59	Barrie	J. V. Byrne	450.00	Dec. 31, 1972
63	Sault Ste. Marie	Treasurer of Ontario (Dept. of Public Works)	2,000.00	Oct. 31, 1971
68	Kenora	Standard Realty Co.	650.00	April 30, 1972
70	Smiths Falls	Bayswater Realty Ltd.	650.00	Oct. 31, 1978
72	Perth	Mr. & Mrs. Kenneth J. Barr	590.00	Dec. 31, 1970
73	Preston	Preston Furniture Co. Ltd.	850.00	June 30, 1974
75	Iroquois Falls	Royal Can. Legion Branch #70	275.00	Aug. 31, 1970
77	Penetang	Robbies Food Store Ltd.	650.00	May 31, 1982
78	New Liskeard	R. S. Tunnoch	300.00	June 30, 1975
79	Port Hope	Selgram Corporation	600.00	Sept. 30, 1971
80	Parry Sound	Granite Masonic Hall Corp.	700.00	July 31, 1976
81	Sturgeon Falls	Arrowhead Investments Ltd.	649.17	Nov. 30, 1979
83	Hawkesbury	Guaranty Trust Co. of Canada	425.00	July 31, 1971
85	Arnprior	County Newspapers Ltd.	135.00	Sept. 30, 1969
88	Paris	Wheeler Investments	180.00	March 31, 1974
89	Mattawa	Romeo LaFreniere	450.00	April 30, 1975
91	Kirkland Lake	C. G. Gracie	425.00	Dec. 31, 1972
92	Englehart	D. Korman & Sons Ltd.	175.00	June 30, 1968
93	Fort Erie	Daphco Holdings Ltd.	669.75	Nov. 30, 1980
94	Eganville	R. G. Reinke Sons	450.00	Sept. 30, 1976
95	Galt	Fern Holdings Ltd.	650.00	Nov. 30, 1975
96	Deseronto	Thomas W. Jackson	100.00	July 31, 1969
97	Napanee	Can. Legion Br. #137	400.00	April 30, 1969
98	Alexandria	Estate of Miss E. McDonald	100.00	Feb. 28, 1968
99	Embrun	G. Daoust	200.00	Nov. 30, 1968
100	Thorold	Louis Reid	450.00	Aug. 31, 1973
101	Grimsby	T. Herbert Jarvis	450.00	July 31, 1969
102	Gravenhurst	Owl Realty Ltd.	650.00	May 31, 1980
103	Espanola	Mr. Russel Pugh	400.00	Oct. 31, 1971
104	The-salon	Mrs. J. F. Thomson	200.00	April 30, 1968
106	Huntsville	Mrs. H. M. Evans	525.00	Feb. 29, 1976
108	Blind River	S. Mitchell Estate	253.00	June 30, 1970
110	Wallaceburg	Wellington S. Hazzard	300.00	July 31, 1971
111	Westport	Miss B. Roberts	225.00	May 31, 1969
112	Kapuskasing	North Rentals Co. Ltd.	650.00	Dec. 31, 1970
113	Barry's Bay	J. A. Cybulski Estate	175.00	June 30, 1970
116	Elmira	Estate of Fred C. Forwell	350.00	Sept. 30, 1970
117	Chapleau	Mrs. J. Brownlee	225.00	Sept. 30, 1970
118	Capreol	Mr. Cecil Fielding	400.00	July 31, 1977
119	Merrickville	Smiths Falls Realty Co. Ltd.	120.00	Nov. 30, 1969
120	Pelée Island	Margaret A. Oare	350.00	Sept. 30, 1971
121	Ottawa	Mrs. D. Lithwick	300.00	April 30, 1969
122	Hearst	North Rentals Co. Ltd.	500.00	Aug. 31, 1973
124	Niagara-on-the-Lake	Mr. J. H. Doyle	230.00	Sept. 30, 1973
125	Rockland	Mrs. B. Thivierge	175.00	Sept. 30, 1968
126	Tilbury	Mr. Harland Rankin	250.00	June 30, 1970
128	S. Porcupine	North Rentals Co. Ltd.	675.00	Sept. 30, 1976
129	Geraldton	C. A. & F. G. Vongunten	250.00	June 30, 1968
130	Bracebridge	Muskoka Masonic Temple Corp.	400.00	Aug. 31, 1968
131	Ridgetown	Mr. John R. McKinlay	250.00	Dec. 31, 1969
132	Carleton Place	St. John's Lodge 63 AF & AM	125.00	April 30, 1971
133	Petrolia	Walter J. Lambert	206.56	Nov. 30, 1972
134	Larder Lake	I. Dobrijevich	240.00	Sept. 30, 1971
135	Madoc	George E. McKnight	300.00	Nov. 30, 1972
136	Minden	Mr. F. E. Hewitt	150.00	Nov. 30, 1972
137	Red Lake	Mrs. L. Laci	315.00	Feb. 29, 1976
138	Bothwell	B. Osier	160.00	Nov. 30, 1972



<i>Store</i>	<i>Location</i>	<i>Owner</i>	<i>Monthly Rental</i>	<i>Expiry Date</i>
139	Sutton	Messrs. R. Pasquale, J. Wilks, J. Wolynetz	225.00	Jan. 31, 1973
141	Harrow	M. Bolus	175.00	June 30, 1968
144	Renfrew	Melville Barr	450.00	Aug. 31, 1970
145	Bradford	A. & L. M. Cousins	250.00	Oct. 31, 1968
146	Southampton	Canadian Legion Br. #155	275.00	May 31, 1969
147	Nipigon	F. Zechner	200.00	Nov. 30, 1968
148	Oakville	Stewart Kerr Properties Ltd.	750.00	Oct. 31, 1975
149	Toronto	Mrs. D. P. Boylen	800.00	Jan. 31, 1969
150	Toronto	Sidney Reichman	625.00	Dec. 1'66- Nov. 30'68
			700.00	Dec. 1'68- Nov. 30'73
151	Marathon	Lakeview Heights Ltd.	400.00	April 30, 1969
152	Windsor	Leone E. Holmes	630.00	January 31, 1973
153	Leamington	Leland G. Hillier Estate	250.00	Aug. 31, 1969
156	Georgetown	Can. Legion Br. #120	250.00	Dec. 31, 1969
157	Gore Bay	T. R. Porter	325.00	Dec. 31, 1969
158	Little Current	A. E. Rolston	300.00	Oct. 31, 1969
159	South River	Francis H. Quirt	183.33	June 30, 1970
160	Cayuga	W. E. Baldwin	200.00	July 31, 1970
161	Dresden	Dresden Produce Ltd.	300.00	Aug. 31, 1975
163	Toronto	Fern Holdings Ltd.	650.00	Dec. 31, 1970
164	Toronto	Fern Holdings Ltd.	800.00	Dec. 31, 1975
165	Hamilton	Paratus Investors Corp. Ltd.	475.00	Dec. 31, 1975
166	Essex	Pauline Johnston	275.00	Dec. 31, 1970
167	Kingston	G. Zakos	525.00	March 31, 1971
168	St. Catharines	W. B. Elliott	550.00	Oct. 31, 1970
169	Ingersoll	O. E. Fergusson	400.00	Nov. 30, 1970
170	Atikokan	Busets Building Fund	455.00	Nov. 30, 1977
171	Sudbury	F. H. Barlow	475.00	Dec. 31, 1975
172	Thedford	G. W. Coultis	181.45	Jan. 31, 1971
173	Terrace Bay	S. Y. Chang	575.00	Oct. 31, 1969
176	Marmora	Estate of A. J. Maynes	225.00	May 31, 1976
177	Ft. William	R. F. Gay	825.00	Nov. 30, 1980
178	Campbellford	Collin M. Collins	275.00	July 31, 1974
179	Toronto	Joseph & Gladys George	1,050.00	July 31, 1970
180	Beardmore	B. P. Saarimaki	325.00	July 31, 1972
181	Delhi	M. & S. Bozek	250.00	Oct. 31, 1972
182	Port Credit	Arthur John Slacer	600.00	Oct. 31, 1972
183	Brampton	A. Morrison	500.00	Nov. 30, 1970
184	Jamestown	A. E. Stewart	350.00	Feb. 28, 1973
185	Toronto	S. & R. Holdings Ltd.	1,087.50	May 31, 1973
186	North York	S. & R. Holdings Ltd.	837.50	May 31, 1973
187	Niagara Falls	P. Zuker & F. Muller	550.00	April 30, 1973
188	Whitby	James Papavasiliow	375.00	Dec. 31, 1973
189	Smooth Rock Falls	T. Moore Realty Ltd.	475.00	Sept. 30, 1968
191	Sault Ste. Marie	Jack Sicoli	550.00	Oct. 31, 1968
193	Belle River	L. L. Crowley	325.00	March 31, 1969
195	Scarborough	Monarch Investments Ltd.	900.00	Oct. 31, 1974
197	Deep River	V. Dunn Investments Ltd.	630.00	Feb. 28, 1975
198	West Hill	Mrs. Jean Moody	630.00	Dec. 31, 1970
199	Tillsonburg	Mrs. O. E. Fergusson	380.00	Oct. 31, 1969
200	London	Lebanon Leaseholds	850.00	Sept. 30, 1979
201	Ajax	Kelmor Ltd.	600.00	Jan. 31, 1975
202	Sarnia	S. A. Smith	750.00	Nov. 30, 1969
203	Burlington	Pyramid Concrete Prod. Ltd.	700.00	Feb. 29, 1976
205	Markdale	D. L. Weber	280.00	Jan. 31, 1970
207	Cloverdale	Cloverdale Shopping Centre	900.00	Nov. 30, 1976
208	Bancroft	Royal Can. Legion Br. #181	457.00	Oct. 31, 1970

<i>Store</i>	<i>Location</i>	<i>Owner</i>	<i>Monthly Rental</i>	<i>Expiry Date</i>
209	Alliston	The Springarden Homes Ltd.	425.00	Nov. 30, 1980
214	Rexdale	Village Developments Ltd.	850.00	Sept. 30, 1972
215	Toronto	Bathurst Manor Shopping Plaza Ltd.	825.00	Nov. 30, 1972
218	Port Credit	Applewood Village Shopping Centre	800.00	March 31, 1968
221	Port Perry	S. E. & W. T. Beare	300.00	April 30, 1968
228	Scarborough	Fairview Centres Ltd.	933.33	Aug. 31, 1968
230	Keewatin	Wallace & Helen Powell	200.00	Jan. 31, 1972
231	Havelock	Mr. & Mrs. H. A. Anderson	265.00	May 31, 1972
232	Burk's Falls	Edward A. Boyes	180.00	Sept. 30, 1968
234	Agincourt	Deacon Investments Ltd.	700.00	Oct. 31, 1973
240	Port Rowan	J. L. Gullett	160.00	May 31, 1969
241	Timagami	Pacey Bros.	175.00	June 30, 1969
245	Longlac	Dawd Holdings Ltd.	275.00	Oct. 31, 1969
249	Hamilton	Fennell Square Shopping Centre	800.00	Nov. 30, 1974
250	Stoney Creek	T.C. & B. Investments Ltd.	750.00	Aug. 31, 1974
251	Mactier	Charles F. Muller	190.00	Aug. 31, 1969
252	Merrittton	Massachusetts Mutual Life Ins. Co.	833.00	Sept. 30, 1974
253	Don Mills	Don Mills Developments Ltd.	850.00	Dec. 31, 1974
254	Millbrook	Ronald R. Palmer	125.00	April 30, 1974
256	Massey	Massey Sudbury Realtors Ltd.	225.00	June 30, 1970
257	Sioux Narrows	Concours Corp. Kenora Ltd.	3,300.00 per annum	April 30, 1970
258	Manitowaning	Dougal Hembuff	180.00	April 30, 1970
259	Coldwater	M. & F. Johnston	200.00	June 30, 1970
260	Hanover	Edwin H. Faelker	325.00	Aug. 31, 1970
264	Lucan	George A. Thompson	300.00	Aug. 31, 1970
265	Bolton	Bolton Redevelopment Co. Ltd.	360.00	Nov. 30, 1970
267	Creemore	W. G. Watkins' Estate	230.00	Oct. 31, 1970
269	Scarborough	Fairview Centres Ltd.	996.67	Sept. 30, 1970
272	White River	N. & L. Bracci	335.00	Nov. 30, 1970
273	Seaforth	Harold Jackson	285.00	Nov. 30, 1970
279	Toronto	North Park Developments Ltd.	850.00	Feb. 28, 1971
280	Elk Lake	Mrs. V. M. Cook	200.00	Dec. 31, 1971
281	Omeme	J. M. Carnegie	150.00	Jan. 31, 1971
282	Clinton	Wilfred & John S. Parker	385.00	May 31, 1971
283	Tobermory	P. L. Adams & Viola J. Adams	200.00	April 30, 1971
284	Chesley	Erwin Rier	260.00	April 30, 1971
285	Emo	Steve & Marg. Bruchkowski	200.00	Aug. 31, 1971
286	Kingsville	George Stomp, Jr.	250.00	April 30, 1971
287	Sudbury	Sanron Developments Ltd.	991.25	Sept. 30, 1976
288	Barrie	Consolidated Bldg. Corp. Ltd.	850.00	Dec. 31, 1976
289	St. Mary's	Stewart Marriott	425.00	Aug. 31, 1971
290	Port Loring	Estate of S. S. Clapperton	250.00	Nov. 30, 1975
291	Ignace	Max Naumann & Sons Ltd.	250.00	June 30, 1971
292	Ear Falls	J. Loman	100.00	June 30, 1969
293	Arthur	H. R. W. & Wilma Rooney	275.00	Oct. 31, 1971
298	Orangeville	Victor Chapple	550.00	Aug. 31, 1974
307	Kinmount	J. E. Taylor	170.00	Feb. 29, 1972
308	St. Isidore	Mrs. Julia Lamoureux	100.00	Monthly basis
309	Maxville	Mrs. Loretta MacDonald	150.00	March 31, 1972
310	London	Westown Plaza Ltd.	825.00	July 31, 1977
312	Welland	Lawrence Manor Investments	600.00	May 31, 1977
314	Killaloe	A. J. Cybulski & M. Cybulski	190.00	June 30, 1972
315	Vermilion Bay	H. L. Barr & Sons Ltd.	185.00	Nov. 30, 1975
316	Athens	Rising Sun Lodge #85	140.00	June 30, 1972
317	Durham	Orval MacDonald	200.00	June 30, 1974
320	Toronto	Thorntowne Properties Ltd.	933.33	Oct. 31, 1982
321	Streetsville	Jay Mill Holdings	600.00	Feb. 28, 1978
322	Noelville	Eustace St. Louis	200.00	Nov. 30, 1972
323	Pointe au Baril	Arnold Wing	300.00	June 30, 1974

<i>Store</i>	<i>Location</i>	<i>Owner</i>	<i>Monthly Rental</i>	<i>Expiry Date</i>
324	Ottawa	Pyramid Commercial Proj. Ltd.	850.00	Jan. 31, 1973
325	Guelph	Guelph Shopping Centre Ltd.	900.00	Jan. 31, 1978
326	Waterdown	W. & J. Swirski	400.00	May 31, 1973
327	Hanmer	Carwin Investments Ltd.	480.00	Nov. 30, 1977
329	Brampton	Brampton Shopping Centre Ltd.	1,011.00	June 30, 1981
332	Nakina	Ralph & Bonny Harris	250.00	Feb. 28, 1973
333	Nestor Falls	Jack R. Dalseg	95.00	April 30, 1973
334	Batchawana	L. W. Fisher	110.50	March 31, 1973
335	Kakabeka Falls	Joseph L. Delvecchio	325.00	May 31, 1978
336	Kearney	H. Shaw	140.00	April 30, 1973
337	Courtwright	Moore Masonic Club	180.00	May 31, 1973
338	Foleyet	Mrs. Rita St. Amour	150.00	April 30, 1973
340	Keswick	W. E. Donnell	325.00	June 30, 1978
341	Ancaster	Danks Const. ('57) Ltd.	625.00	May 31, 1973
342	St. Catharines	Grantham Shopping Plaza Ltd.	500.00	Aug. 31, 1978
346	Woodbridge	Robert F. Wallace	400.00	Oct. 31, 1973
347	Rosseau	Wm. Gates, Victor Cox, Ivan Campbell & E. Einarson	225.00	July 31, 1973
349	Vankleek Hill	A. Boyer	225.00	Sept. 30, 1973
351	Brockville	Matspeck Const. Ltd.	744.35	July 31, 1978
352	Elgin	Everton Strong	275.00	Aug. 31, 1973
355	Bayview Village (Toronto)	Bayview Village Centre Ltd.	1,222.33	Dec. 31, 1978
356	Burlington	Indervine Investments Ltd.	1,125.00	Oct. 31, 1978
357	Downsview	Interborough Invest. Corp. Ltd.	1,832.94	Nov. 30, 1968
358	Peterboro	Trivest Investments Ltd.	700.00	Nov. 30, 1979
359	S. Ste. Marie	Camston Ltd.	700.00	Jan. 31, 1974
361	Burlington	Allied Towers Merchants Ltd.	800.00	Feb. 28, 1974
362	Thistletown	Millmink Developments Ltd.	825.00	Feb. 28, 1974
363	West Ferris	Robert D. Kizell	875.00	April 30, 1974
364	Frankford	George G. Montgomery	350.00	May 31, 1974
365	Oakville	Agri. Holdings Ltd.	1,030.00	Sept. 30, 1984
366	Toronto	Martinway Plaza Ltd.	850.00	Sept. 30, 1979
367	Toronto	Gargan Investments Ltd.	800.00	Oct. 31, 1979
371	Clarkson	Jobarden Properties Ltd.	633.33	May 31, 1975
375	Plantagenenet	L. Seguin	175.00	May 31, 1980
376	Clearwater Bay	Mrs. J. L. Doyle	125.00	May 31, 1975
378	Oshawa	Can. Interurban Prop. Ltd.	1,000.00	Aug. 31, 1980
379	Pass Lake	L. Grann	130.00	June 30, 1975
381	Kitchener	Fairview Centres Ltd.	940.00	April 30, 1976
382	Galt	Tanlen Ltd.	700.00	Nov. 30, 1980
383	Scarboro	Duad Investment Ltd.	891.66	Sept. 30, 1980
384	Ottawa	Metispret Ltd.	1,000.00	Nov. 30, 1980
385	Toronto	Woburn Plaza Ltd.	850.00	June 30, 1981
387	Widdifield	Widdifield Const. Ltd.	950.00	Jan. 31, 1981
388	Ottawa	Lynwood Shopping Centre	850.00	Jan. 31, 1981
389	Cataraqui	Guard Holdings Ltd.	750.00	Dec. 31, 1980
390	Scarboro	Project Construction Ltd.	850.00	July 31, 1981
391	Hamilton	Terminal Towers	1,652.08	April 26, 1976
393	London	M. Loeb Ltd.	1,000.00	Feb. 28, 1982
395	Sudbury	D. & M. Jacobson	676.66	Nov. 30, 1981
396	Scarboro	Lawnview Investments Ltd.	935.00	Feb. 28, 1982
397	Scarboro	Shin Development Ltd.	1,000.00	March 31, 1982
398	Etobicoke	J. Abramson	900.00	Feb. 28, 1982
399	Dorset	Bradley Robinson	275.00	April 30, 1982
400	Ottawa	Mr. M. R. Denison (in trust)	933.34	Oct. 31, 1982
401	Niagara Falls	Stamford Green Investments	972.00	June 30, 1982
402	Belleville	Fides Canada Investments Ltd.	900.00	Aug. 31, 1982
404	Stouffville	Southwick Investments Ltd.	750.00	Oct. 31, 1982
406	Angus	Melhill Shopping Centres Ltd.	525.00	Oct. 31, 1982



38. *Mr. Worton*—Enquiry of the Ministry—(a) What is the total cost of insurance for L.C.B.O. establishments? (b) What is the insurance coverage on the average per store, for: stock, fire, theft and personal liability? (c) Is the insurance allocated regionally, locally or on a province-wide basis? (d) What are the names of the agents and insurance companies holding the insurance? (e) How often is the insurance renewed? (f) Is the insurance renewed by tender? (g) What are the names of the agents and companies which have submitted tenders?

Answer by the Commissioner:

(a) \$38,500 annually.

(b) Average per store: Fire: None; Theft: \$80,000.00; Liability: \$1,000,000 inclusive.

The liquor control board has an insurance reserve of \$1,000,000.00 to take care of fire losses at owned or leased stores plus other contingencies.

(c) From Toronto.

(d) An insurance committee appointed for a three year term, is composed of a representative of the board and the following companies:

Dale & Co. Ltd; Reed, Shaw and McNaught; R. S. Henderson & Co. Ltd; Hanover Insurance Company; Phoenix Insurance Co. of Hartford; Car and General Insurance Company; North River Insurance Company; Reliance Insurance Company; Lombard Insurance Company; Yorkshire Insurance Company; Guardian Union Insurance Company; Home Insurance Company; Global General Insurance Company; Prudential Assurance Company; Canadian Indemnity Company; Commerce General; Canadian General; General Accident; Provident Assurance Company; Boiler Inspection Insurance Company.

(e) Every three years.

(f) Yes.

(g) We do not have a record of all the companies and all the agents who have submitted quotations to the board over the years. However, upon receipt of a request from any agent, broker, or company to provide a quotation on board insurance, the matter is turned over to our insurance committee who analyze the quotation and submit their recommendation to the board.

50. *Mr. Sopha*—Enquiry of the Ministry—1. During the years 1965, 1966, 1967, how many patents for summer resort locations were issued by the Crown? 2. Of those so issued, how many respectively were issued to: (a) Residents of Ontario? (b) Residents of Canada, non-resident in Ontario; and (c) Non-residents of Canada?

Answer by the Minister of Lands and Forests:

1. 977, 883, 827 patents were issued for the fiscal years 1965, 1966 and 1967, totalling 2,687 patents.

2. (a) 2,122 or 79.0 per cent were patented to residents of Ontario.

(b) 139 or 5.2 per cent were patented to residents of Canada non-resident in Ontario.

(c) 407 or 15.1 per cent were patented to non-residents of Canada.

(d) 19 or .7 per cent in process of cancellation or other disposition and residency of patentee not determined.



ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, April 29, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 29, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** This afternoon we have guests in both galleries: In the east gallery, students from Fairmount senior public school, Toronto; and in the west gallery, from Danforth technical school, Toronto.

Later this afternoon, in the east gallery, we will be joined by students from Monarch Park secondary school, Toronto; and in the west gallery, from St. Mildred's College, Toronto.

Petitions.

Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary): **Mr. Speaker,** I beg leave to present to the House the annual report of the office of the Registrar General for the year ending December 31, 1967.

**Mr. Speaker:** Motions.

Introduction of bills.

## THE CORPORATIONS ACT

**Hon. Mr. Welch** moves first reading of bill intituled, An Act to amend The Corporations Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Welch:** **Mr. Speaker,** the amendment increases the minimum authorized capital of joint stock insurance companies transacting insurance other than life insurance from \$300,000 to \$500,000, in line with the minimum capital requirements for licensing under section 29 of The Insurance Act.

Also, the purpose of these amendments is to bring the power of Ontario incorporated insurance corporations to invest in debentures, guaranteed investment certificates, preferred shares, common shares and leasehold interests in line with the investment powers of federally incorporated insurance corporations under The Canadian and British Insurance Companies Act.

The power to invest in common shares is increased from 15 per cent to 25 per cent of the book value of the total assets of an insurance corporation, also in line with the federal legislation.

**Mr. V. M. Singer** (Downsview): **Mr. Speaker,** I wonder if the Minister would permit a question? Are we going to see any amendments to The Corporations Act along the lines recommended by the select committee, sometimes wrongly called the Lawrence committee?

**Hon. Mr. Welch:** Well, in answer to this question there is on the order paper, as you know, a notice of intention of introducing The Business Corporations Act, which I think will fall in line with your question.

**Mr. Singer:** If we see the bill.

**Mr. Speaker:** Before the orders of the day, I would like to draw to the members' attention a note which has been placed on the desks from the clerk's office. Due to other matters it has been necessary to postpone the start of the short series of discussions on House rules and procedures mentioned in the memo, for one week.

Would the members kindly just make a note on the memo which they have, that Wednesday, May 8, will be the first meeting with regard to the House rules, and I would hope that as many members, whether they be newly elected or old timers here, will find time on their schedules to drop in for these meetings which will be short, and of which there will not be very many.

**Mr. R. F. Ruston** (Essex-Kent): **Mr. Speaker,** just before the orders of the day, I rise on a point of personal privilege. As a member of the agriculture and food committee of the Legislature, and as agriculture is, in my opinion, a very important aspect of our basic economy of Ontario, I take strong exception to the very minor role this government took in attempting to enlighten this committee as to the operations of the Ontario milk marketing board. I am amazed that such an important board that holds the very lifeblood of

the people of this province in their hands, should be designated one hour—

**Mr. Speaker:** Order. Will the member state his point of personal privilege? He is reading a statement, which is not a point of personal privilege.

**Mr. Ruston:** Thank you, Mr. Speaker. I wish to have placed in the records of this House that I strongly protest the method of the amount of time now allotted to the board—

**Mr. Speaker:** Order, order. The member is continuing to read the statement. I would ask the member to state his point of personal privilege. Now will he do so, please?

**Mr. Ruston:** Mr. Speaker, I believe it is a personal privilege when you represent people of the province of Ontario and are allowed one hour and a half in a committee to go over a very broad board, and we were not allowed this privilege.

**Mr. Speaker:** Is the point of privilege the member is raising that, as a member of this House, he is not given the rights and privileges by a committee of this House that he expects or would like to have? Is that the point of privilege?

It would appear that this is the second discussion which has taken place in the House in connection with committee matters, and I would like to suggest to the member for Essex-Kent that he raise the matter in the committee. Then the committee perhaps would report to the House and the Speaker would be glad to see from the report if any action is necessary. If so I am sure this House will take it.

But I think in this case, it is the proper thing for the committee to deal with, and report, and the chairman of the committee will report, I presume, what the action of the committee is. I certainly then would be most pleased to place it before the members of the House.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, on the point the hon. member has raised, may I be permitted to speak or not? Inasmuch as the chairman of the committee on agriculture and food is not in the House, I—

**Mr. Speaker:** I have suggested, and I think the House has agreed, that it go back to the committee, Mr. Minister. Then if it comes in as something from the committee I am sure not only the Minister but other members will wish to speak to it and there

can be a debate on the committee's report as the orders of the House permit.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question for the hon. Minister of Trade and Development.

What are the recent developments in the refinancing of Norply Corporation in the Thunder Bay area?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, in answer to the hon. member's question, an offer was made to the industrial development bank for the purchase of the fixed assets of Northern Plywoods Limited. The initial offer was not accepted by the IDB but negotiations are continuing.

Because of poor operating results the company's bank found it necessary to liquidate its security. The IDB has as its security buildings and equipment. Thus the IDB holds the key to the situation, for no further constructive action can be taken until a deal for the buildings and equipment is negotiated with IDB.

If the present negotiations can be brought to a successful conclusion, it is my understanding that the company negotiating with IDB will reactivate the facilities in their existing location and may well expand them. If the need arises for additional funds, for example, ODC would give favourable consideration to a businesslike proposal. Both ODC and The Department of Lands and Forests are keeping a day-by-day watch and brief on these negotiations.

**Mr. Nixon:** I wonder if the Minister can tell us what the debt is that is held by the IDB?

**Hon. Mr. Randall:** I believe the amount is \$470,000, and they have been offered 50 cents on the dollar. At the moment they have not been prepared to take it, and this is the hold-up now.

**Mr. Nixon:** The present company is not in the hands of the receiver?

**Hon. Mr. Randall:** Yes, I think it is in the hands of interim receivers and they are trying to get a settlement, so that they can dispose of the business one way or the other. But the assets are such that I think when IDB are paid 50 cents on the dollar there will be nothing for other creditors.

**Mr. Nixon:** If I might pursue this with another supplementary question, with the Minister's permission. I am to understand

then, that the ODC is prepared to advance the funds required by this proposed new management to pay off the IDB debt to the extent of 50 cents on the dollar?

**Hon. Mr. Randall:** Not at all. The company has sufficient funds of its own to buy the company at 50 cents on the dollar. Then they would propose to put in new equipment and extend the building. At that point we would be prepared to help them refinance through ODC, if further moneys were required. We have already indicated that to them.

**Mr. Nixon:** One last question: is it the Minister's judgment that IDB would be serving the taxpayers' interest to accept a payment of that level?

**Hon. Mr. Randall:** Yes, I certainly do. This has been done in many other instances. I would think, in the interest of that town and the people who want to get back to work, that you are not going to get too many prospects for the business. I would hope they would not delay it too long, in case the company decides to buy somewhere else—and they are looking at other areas. So we have been putting the pressure on IDB to take a look and make a decision.

**Mr. Nixon:** Mr. Speaker, another question, having to do with northwestern development, of the Minister of Agriculture and Food. Will the Minister announce to the House the terms of reference of the economic study of the Lakehead region to be financed under ARDA; and secondly, will the Minister tell us why the decision to conduct the study was delayed so long after the original federal request?

**Hon. Mr. Stewart:** Mr. Speaker, if I may answer the second question first—I feel there was no undue delay at all in implementing this programme for the northwestern region of Ontario.

Insofar as the present study is concerned, it was initially proposed by the ARDA directors of Ontario last fall as a means of drawing together some of the information relative to the long-range development programme for the region. Since the beginning of the year, our Ontario ARDA directorate has been negotiating with the federal ARDA director, relative to a means of financing this comprehensive study.

It was the opinion of the Ontario ARDA directorate that, because of the size and complexity of the area, the study should be

undertaken by the federal regional economic development personnel, and financed by the FRED—federal rural economic development—programme, as have similar regional development surveys in northeastern New Brunswick, the Gaspé, of Quebec, and Manitoba's Interlake district. However, the FRED funds were not available for this study and it was finally agreed that to expedite the study it would be undertaken by ARDA with the federal and provincial directorate sharing the costs equally. When this agreement was reached with the federal government the announcement was made immediately.

As for the terms of reference, Mr. Speaker, the study will consist of two independent parts. The first of these, carried out by the regional development branch of the Ontario Treasury Department, will be a survey of the economic base of the northwestern Ontario development region. This aspect of the study will deal with such important indices as income, and labour force, characterizing the educational levels, investment capital and resource utilization. An examination will also be made of development policies of both federal and provincial departments of government operating in the region.

The second part of the study will deal with the improvement of living standards of Indian people in northwestern Ontario. The Ontario Department of Lands and Forests will be undertaking a study of the natural resources in a selected area some 200 miles north of Sioux Lookout. The area to be studied is that supporting the activities of the Indian bands centred at Round Lake. The economy of this area has traditionally been based on primary and renewable resources such as forests, fisheries and wildlife and it is expected that improvements in the standard of living can be secured, through a more diversified use of these resources.

An ethnological study will be included to enable a more complete understanding of the social and economic structure of the Round Lake community. This study is expected to provide the means for solving money problems common to Indians in the entire region. The findings of these research groups will then be submitted to a federal-provincial steering committee comprised of senior representatives from the federal Departments of Finance, Forestry and Rural Development, Indian affairs and Labour; and the Ontario Departments of Treasury, Lands and Forests, Education, and Agriculture and Food.

It will be the responsibility of this steering committee to examine development policies



of these departments of government affecting this particular region; to bring together other information that is required; and to establish with the northwestern Ontario development council, through the Ontario Cabinet committee on regional development, the objectives and priorities necessary for a long-range development programme. The members of this steering committee will be announced just as soon as the nominations are confirmed by the federal government.

Out of all this, Mr. Speaker, will emerge, we hope, a very massive programme of opportunity for those who reside in northwestern Ontario. It is also our continuing hope that this will be undertaken as a FRED project under the federal government.

**Mr. Nixon:** Mr. Speaker, if I might ask a question supplementary to what the Minister has said and arising directly out of it. You said the study was undertaken on the initiative of the provincial directorate of ARDA. Is he aware of the letters urging such a study that must have come to his desk for the last 18 months or two years from the federal member for Port Arthur, Mr. Andras? Is he aware of his involvement in the initiation of this?

**Hon. Mr. Stewart:** I am aware of some correspondence that had gone on with Mr. Andras, who is the member of the federal government. I was of the opinion that since this was to be undertaken as a FRED study—federal rural economic development plan study—that it would have been initiated by the federal government, and this was our hope. But it was not initiated by the federal government.

We had hoped that they would do this just as they had done in Quebec—in at least two areas of Quebec; in the Mataquack area of New Brunswick as well as in the Interlake area of Manitoba. But the federal government did not see fit to do this.

Now, on that basis, ARDA then took it up in Ontario and in communication with the federal officials determined that since funds would not be available from the federal government to do this, it would be undertaken as an ARDA project, with the province of Ontario paying half the cost and the federal government paying the other half, but this was not the case in the other provinces. Why, I do not know. I would like to know, quite frankly.

**Mr. Nixon:** Mr. Speaker, no doubt we can continue an exchange on this in the Minister's

estimates which will be coming up soon because I do want to pursue it further. But also, coming from the terms of reference that he has just read to us, can he assure us that the study will involve market potentials across the border into the Minnesota area of the United States?

Is there anything in the terms of reference that will permit this international aspect of the study?

**Hon. Mr. Stewart:** I would see no reason why it would not. As you know that part of the study is being carried out by the regional development branch and Ontario Treasury Department, and I would just assume that every avenue will be explored whereby new markets may be developed for the resources of the area.

**Mr. Speaker:** The member for York South.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have a question for the Minister of Economics and Development. I do not know whether he operates under the new name or not yet, or perhaps he is using both names.

**Hon. Mr. Randall:** It is official.

**Mr. MacDonald:** It is official—good!

Will the Minister, on behalf of the Ontario housing corporation, expropriate a three-storey apartment block located at 497 St. Clair Avenue West, Toronto, and designate it as senior citizens' housing, in order to retain shelter for the 53 women presently occupying the apartments?

**Mr. J. B. Trotter (Parkdale):** I have a similar question to ask. Should I read it?

**Mr. Speaker:** Yes, they should be placed together.

**Mr. Trotter:** My question is also for the Minister of Trade and Development and is as follows: Is the government providing any assistance for 53 ladies, many of them in their 80's, who are being forced to leave their low rent apartment building at 497 St. Clair Avenue West, in view of the fact that some of the ladies have tried to enter senior citizens' housing units which have hundreds of persons on waiting lists?

**Hon. Mr. Randall:** Mr. Speaker, I will answer both these questions if I may, and I am prepared to answer a supplementary question if necessary.

Answering the hon. member for York South. I do not intend to take steps to

expropriate the property at 497 St. Clair Avenue West for use as senior citizens' accommodations.

In view of the discussions we have had with the owner of the property, I am satisfied no hardship will befall the present occupants of the apartment building. To this end, I have directed officials of Ontario housing corporation to remain in close contact with the owner of the building and other housing agencies in Metro Toronto.

I might say, in answer to that question, Mr. Speaker, that the builder has not been able to give notice to many of these ladies, they are still down south for the winter months. When they come back, then he is going to sit down and see what he can work out for them.

In answering the hon. member for Parkdale, until I read in this morning's *Globe and Mail*, the article concerning the apartment building at 497 St. Clair Avenue West, I had not been made aware this situation existed. None of the tenants had approached Ontario housing corporation, and I am advised that no applications have yet been received by the Metropolitan Toronto housing registry which would route such applications, not only to Ontario housing corporation, but also to the Metropolitan Toronto housing company limited which operates senior citizens' accommodation, the housing authority of Toronto, and the city of Toronto limited dividend housing corporation limited.

Ontario housing corporation has this morning been in touch with Mr. Frederick Braid, owner of the property, and has received his assurance of co-operation with the corporation to ensure that there will be no cases of hardship. Mr. Braid purchased the property in March of this year from the estate of the previous owner. He found that rentals had remained constant over many years but that these could not be maintained in view of the purchase price of the property and current operating expenses. None of the tenants had entered into a formal lease with the previous owners and, in fact, many of them had rented on a weekly basis.

Although Ontario housing corporation has not been requested by Metropolitan Toronto to develop housing for senior citizens, it does have a number of developments existing or under construction containing bachelor and one-bedroom suites. In co-operation with Mr. Braid and the other housing agencies in Metropolitan Toronto, the corporation will do everything within its power to ensure that the tenants of 497 St. Clair Avenue West,

who have been unable to secure alternative accommodation, will be provided with accommodation at the earliest possible date.

Now, I might point out, and I think the hon. member knows—we do not build senior citizens' housing in Metro Toronto; that is done by the Metro corporation itself. We build all senior citizens' housing outside of Metro. Therefore, they have to go through the Metro registry but we have a very close relationship with them and I am quite sure that there will not be too many hardships here. We keep an eye on them.

**Mr. MacDonald:** Mr. Speaker, I wonder if I might ask the Minister a supplementary question? How can the Ontario housing corporation give assurances that there will be no hardship other than by giving these people a higher priority on waiting lists that some people have been on for two or three years?

**Hon. Mr. Randall:** The hardships have not been created yet. The hon. member is asking how we can assure it. I do not know how we can assure it. All I say is that the problem has been created by the people getting their notice. I am quite prepared to have the housing corporation work with anybody who gets notice, to see if we can find a spot for them.

Now sometimes it is much easier to find a place for them in an Ontario housing development for a single person, than it is for a large family. Most of our major problems are with large families as you know, but there are some single bachelor suites around, or one bedroom, and I think if there are any hardship cases there, we will do the best we can.

**Mr. MacDonald:** No, the Minister has not answered my question. My question is—

**Hon. Mr. Randall:** I know what the hon. member's question is, and what you are suggesting. Are we putting other people ahead of other people? We have done this for you in your party many a time. If we can be of service, we try to be. But we get criticized if we do and we get criticized if we do not. All I say is, we try and use our best judgment, recognizing the needs of that particular person.

**Mr. Trotter:** Mr. Speaker, I would like to ask the Minister, how can he avoid hardships, when there is a waiting list of over 4,500 right now for this type of older person? There is a waiting list of over 4,500.

**Hon. Mr. Randall:** Of senior citizens?

**Mr. Trotter:** Senior citizens.



**Hon. Mr. Randall:** Again let me say to my hon. friend that we have built every unit that the Metro council has asked for, that the Ontario housing corporation is building. If they have not asked us for any senior citizens' housing, there is not much I can do. They will not let us build in Metro, that is Metro's own prerogative.

**Mr. Trotter:** The government went through this with the Toronto housing authority.

**Hon. Mr. Randall:** I would just like to suggest that instead of criticizing the housing corporation, call up the chairman of Metro and ask him if they want us to build senior citizens' housing in Metro. The answer is no. They want to build their own senior citizens' housing. We are building senior citizens' housing outside of Metro, but we are not building in Metro. If they ask us to build them, we would be glad to build them. I think one of the reasons why, perhaps, the senior citizen list is higher—at least why we have so many elderly people in our public housing units—is because there are not enough senior citizens' housing units in Metro. But we do not have the responsibility. We have never been asked to do it.

**Mr. MacDonald:** Mr. Speaker, on a point of order. The Minister has just informed the House that they are not building any senior citizens' housing. In the borough of York there is a complex now being built by OHC, which is partially senior citizens.

**Hon. Mr. Randall:** In co-operation with the city, yes, but—

**Mr. Trotter:** There is one in my own riding.

**Hon. Mr. Randall:** We are providing these at the request of the Metro council, but our responsibility for senior citizens is outside of Metro. Where it is being built in Metro, as the member knows, we give \$500 per unit. This is our contribution in the Metro area.

**Mr. Singer:** Does the government need an engraved invitation to do its job?

**Mr. Trotter:** Mr. Speaker, they are building one in my own riding.

**Hon. Mr. Randall:** Do the members want us to ignore the Metro council? They are elected officials. They have the responsibility.

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

The Minister of Agriculture and Food has a statement.

**Hon. Mr. Stewart:** Mr. Speaker, I have an announcement to make today relative to the provision of large-animal veterinary service in this province. As you and the members of this Legislature are so well aware, there appears to be an acute shortage of large-animal practitioners in some areas of Ontario. This has been the cause of a good deal of concern among livestock producers, the veterinary profession, and to The Department of Agriculture and Food.

We have attempted in several ways to resolve this problem. In 15 designated areas of Ontario we have implemented a subsidized veterinary assistance policy in order to ensure that livestock producers will have service available to them at a reasonable cost. Fourteen of these areas are in northern Ontario, the fifteenth is in the Madawaska valley of eastern Ontario. Under this programme the department enters into an agreement with a local committee, whereby a qualified veterinarian is established in the area and the costs of maintaining this large-animal practice are assisted by the provision of grants. In this way the local livestock producers are charged for services on a fair and equalized basis, regardless of the distance travelled by the veterinarian.

We have also attempted to attack this problem at its source by providing a programme of bursaries to students at the Ontario Veterinary College, who enter into an agreement that upon graduation they will embark upon large-animal practices for a minimum of four years. I am pleased to report that there has been a very good response to this offer by the department.

While we are gratified by the results of these programmes already under way, there is a good deal more that we need to know about the requirements of the community in terms of veterinary service.

And so, I am pleased to announce today that we have established an Ontario Department of Agriculture and Food committee on large animal practice. This committee will assist the special committee on farm income by carrying out a study of the problems and the future of the rural large-animal practice, with respect to cost and availability of veterinary service. This committee will be headed by Dr. Harold Worton, director of the veterinary services branch of our department and will consist of both livestock producers and veterinarians.

Dr. Howard Patterson, director of the department's farm economics, co-operatives and statistics branch, will assist the committee



in its plans to launch this detailed study. The practising veterinarians who will serve on this committee are Dr. R. Fish of Perth, in eastern Ontario, Dr. K. Mountjoy of Brooklyn, in central Ontario, and Dr. Jack Turnbull of Seaforth, in western Ontario. Dr. K. A. McEwen of the veterinary services branch will act as secretary of the committee, and the president of the Ontario veterinary association, Dr. W. R. Mitchell, will be an *ex-officio* member.

Representing the livestock industry on the committee will be Andrew Stewart, of Ailsa Craig, a hog producer; Preston Ralph, of Kemptville, a dairy farmer; Francis Walsh, of Peterborough, a beef feeder, and James Barrie, of Galt, who raises both beef cattle and sheep.

It is our hope that this committee will serve as a medium where members of the veterinary profession and livestock producers can work closely together in assessing the needs of the industry. Plans are under way to determine and analyze the costs of operating a large-animal practice in Ontario, and in this regard a questionnaire will be sent to all large-animal practitioners in the province seeking pertinent information.

Mr. Speaker, I am confident that this committee, working with our special committee on farm income, will provide us with valuable information upon which we may base our veterinary programmes in the future. Their efforts, combined with the measures I have already outlined, should bring us closer to resolving the shortage of large animal practitioners in certain areas of this province.

Mr. T. P. Reid (Rainy River): Mr. Speaker, I would ask the Minister a question on this very important announcement. I must compliment the Minister for his concern in this regard. There is certainly—

Mr. Speaker: Order! The member has the privilege of asking a brief question, not of making a compliment or a statement.

Mr. T. P. Reid: Thank you, Mr. Speaker.

The question is simply this, sir. Would you please suggest and recommend to your colleague sitting beside you that a similar study be made of the shortage of medical practitioners for human beings in northern Ontario?

Hon. Mr. Stewart: Mr. Speaker, I might say that I think that The Department of Health programme is already in practice.

Mr. Speaker: Any further questions?

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, may I ask my friend, is it proposed that this committee report at the same time as the income committee reports?

Hon. Mr. Stewart: I would hope that they would report relatively quickly. I do not know whether they can report as soon as, or before, the income committee or not. We would hope for this report as soon as we can get it.

Mr. Speaker: The Minister of Energy and Resources Management has the answer to a question asked by the member for Oshawa (Mr. Pilkey), I believe.

Hon. J. R. Simonett (Minister of Energy and Resources Management): Mr. Speaker, the member for Oshawa's question was: Can the Minister tell the House what action his department is taking regarding the complaint of well pollution by Mrs. R. Cannons, R.R. 1, Consecon?

The answer: This question relates to water wells in the Cannifton area, one of which is located on property owned by Mrs. R. Cannons. Our department was made aware of this problem some months ago and, following an investigation, found no evidence of continuing pollution by petroleum products. The Ontario water resources commission was asked to carry out a study and a preliminary report was received last week which indicates that there is contamination by fuel oil of one active and two inactive wells. On Saturday, April 27, two departmental inspectors investigated the Cannons' property and surrounding areas in an attempt to pinpoint the source of contamination but without any definite result. The investigation is continuing.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I have a question for the hon. Minister of Trade and Development.

On March 26 the Minister said he would be delighted to know of builders interested in building \$15,000 homes. Have any such builders made themselves known to the Minister?

Hon. Mr. Randall: Mr. Speaker, in answer to the member for York Centre, I would like to assure him that both myself and Ontario housing corporation are constantly being approached by builders who are quite prepared to build homes costing \$15,000 or less. This interest has been substantiated by the rapid disposal of serviced lots in the HOME plan, under which homes are being constructed with prices from \$13,500 to \$15,000.

I am quite confident that, as additional lots are placed on the market in the course of this year, it will become apparent that good housing can still be provided within the \$15,000 figure.

As a matter of interest, this view is reinforced by Mr. William Conneley, last year's president of the national house builders' association, who has said, and I quote:

There is no doubt that we can build a good, substantial, house of up to 1,200 square feet—and up to 1,300 to 1,400 square feet in the storey and one half or the two storey—under that limit. I have every confidence in the capabilities of the house building industry to produce houses under the HOME plan in quantity that will be limited only by the supply of serviced land and the availability of mortgage financing.

In regard to the supply of serviced land, the Ontario housing corporation is taking all possible steps to produce serviced land, bearing in mind the fact that, as the hon. member, who has been involved in the building industry, will understand, serviced lots cannot be produced in large quantities overnight.

**Mr. Deacon:** Mr. Speaker, a further question on that, if I may. If the Minister would care to answer? Have any such offers to build these homes been made to build on lots other than those under the HOME plan? In other words, have offers been made to build on land that is not now owned or bought by the government but on which they wish to obtain services and that they now own themselves, or have options on land that does not require purchase by the government?

**Hon. Mr. Randall:** Not that I know of, but I will have to find that out from the housing corporation. We have been concerned with the lots that we have to lease out. I do not know if anybody has been making an offer to build on someone else's property or not. I would be inclined to believe that this is a possibility.

But the big difficulty has been to get the mortgage money. Very few builders today will enter into a programme to build a house of any kind unless they are assured that when they get this built that there is mortgage money at the time the house is finished. This has been the great difficulty for the builders who constantly come to us and talk about the shortage of mortgage money in the market.

**Mr. Deacon:** Mr. Speaker, I would like to ask the Minister if he would obtain information concerning the willingness of builders to build homes at \$15,000 or less on lands not owned by the government, or under their HOME plan or any other plan that they put forward. Would he advise us if such builders are coming forward to him? I understand there are many who have asked for assistance in servicing land they now own, but they are unable to get the necessary services.

**Hon. Mr. Randall:** All I can say, Mr. Speaker, is that they come to us every day in the week with their problem talk about serviced land. We had a man in the other day who wanted to build a city but it will be 20 years before the services that he requires will be in that area. If this is one of the gentlemen that you are referring to, the answer is: the services will not be provided in that area, so any price on a house would not be acceptable to him.

I would say to you that if there is serviced land available, the majority of houses being built today are not in the \$15,000 or less category. But we have had people come to us and say, "Where can we get land to build?" And all that I can offer them is the land that is owned by the corporation, or the federal partnership and ourselves. I do not know if they have approached any private owners to build \$15,000 houses.

**Mr. Deacon:** Mr. Speaker, I think that further discussion is probably more appropriate when the department estimates are considered.

**Mr. Speaker:** The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, I have a question for the Minister of Trade and Development. In the San Franciscan OHC rental development at Finch and Jane, how many units finished, but not yet occupied, are there? By finished I mean constructed, but not yet released to the placement officer of OHC; in other words, sitting empty in the interim period?

**Hon. Mr. Randall:** Mr. Speaker, I would like to assure the hon. member for York Centre that both myself and Ontario housing corporation are constantly being approached by builders—that is the wrong question, I am sorry.

Interjection by an hon. member.

**Hon. Mr. Randall:** Hon. members ask so many supplementary questions that I got twisted!

Now I will answer the hon. member for Scarborough Centre.

The member for Scarborough Centre is referring to the Ontario housing development that is known as York Woods, which consists of 306 dwellings. Of these, 273 have three bedrooms, 13 are four-bedroom units, and the remaining units have five bedrooms.

The units were turned over to Ontario housing corporation by the contractor in phases as they were completed, commencing in April last year. The final takeovers consisting of 25 units took place last month. All the units were allocated by the tenant placement branch of the Ontario housing corporation as they became available. Eight applicant families had not as yet been able to occupy the premises which they had leased due to commitments in their present accommodations. Of these, four families moved in last weekend, and the remaining four families are due to take occupancy during the course of this week.

**Mrs. M. Renwick:** Mr. Speaker, may I ask a supplementary question? My question was how many are empty now, not occupied? And considerably more than eight units in that San Franciscan section of the Jane and Finch development.

**Hon. Mr. Randall:** Mr. Speaker, not having been up there today, I cannot answer the question. But I have answered to the best of my ability on the basis of the information that I have, and I will be glad to take that part of your question as notice. In my understanding, there are only eight families involved; four have gone in and four will go in. Now, if there are any more I do not know about it, I will check into it.

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Mr. Speaker, I have a question for the Minister of Mines. What steps will the Minister take to make sure that Muro Copper Mines Limited, which is now in receivership, will be reopened as soon as possible?

**Hon. A. F. Lawrence (Minister of Mines):** None.

**Mr. Speaker:** Order, the member for Cochrane South has further questions.

**Mr. Ferrier:** I have a question for the Attorney General. Has the Attorney General

given consideration to introducing legislation providing guarantees of wage preferment when an undertaking has gone into voluntary receivership, similar to the wage preferment now granted in a bankruptcy or involuntary receivership?

**Hon. A. A. Wishart (Attorney General):** No, Mr. Speaker, consideration has not been given to a preferment of this kind. I would like to make a comment on the question, to point out that receivership is a case of a company continuing to operate, or a personal corporation continuing to operate. Bankruptcy, on the other hand, is a sudden stoppage of a going concern. The preferment there for wages earned in the three months prior to bankruptcy, but not exceeding \$500, has a priority; one of the high priorities. And a person employed by a bankruptcy firm, or by a bankrupt company after bankruptcy, would be employed by the trustees.

In receivership, I would think that it would be quite difficult to provide a guarantee, because you have a company which is continuing to operate, probably, in the hands of a receiver or under some receivership arrangement. I do not know whether a receiver could be found to say whether such a guarantee could be made effective, or if he would undertake it.

I would think also that it would be unlikely that any person working for a firm in receivership would risk continuing working for a period of three months if they did not get paid wages. So I have not given consideration to this matter before this question came to my attention, and I would be glad to give it my consideration. But these thoughts occur to me, that there would be quite a difference and quite a difficulty in arranging such priority, because you have got a continuing operation in receivership.

A classic example is the Abitibi corporation, which was in receivership for years. It worked its way out and, of course, gives a very prosperous and capable performance now. I would give consideration to this, but I think that it may present considerable difficulty.

**Mr. Ferrier:** Mr. Speaker, I have a question for the hon. Minister of Health. First, have instructions been issued to the French-speaking employees in the North Eastern Ontario psychiatric hospital in Porcupine that they are to speak only English on the premises? If so on whose authority were these instructions issued?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, no such instructions have been



issued, and therefore there is no answer to the second part of the question.

**Mr. Speaker:** The member for Brantford was on his feet—has he a question of privilege? Because his question is of a Minister who is not in the House at the moment.

**Mr. M. Makarchuk (Brantford):** Mr. Speaker, I have a question for the Minister of Agriculture and Food.

**Mr. Speaker:** I am sorry, I just have one for the Minister of Transport.

**Mr. Makarchuk:** This is a question left over from Friday, Mr. Speaker.

**Mr. Speaker:** Would you just give me half a minute?

**Mr. Makarchuk:** Yes.

**Mr. Speaker:** You are quite correct, sir.

**Mr. Makarchuk:** I have a question of the hon. Minister of Agriculture and Food: In view of the large number and expensive advertisements opposing the egg-marketing board that were placed in Ontario papers, is the Minister prepared to inquire into the source of finances used to pay for the advertising?

**Hon. Mr. Stewart:** No, Mr. Speaker.

**Mr. Makarchuk:** I have a supplementary question: In view of the fact that to a great extent these advertisements may affect the outcome of the vote, is the Minister prepared to insist that the people putting the ads in the paper signify who they are?

**Hon. Mr. Stewart:** No, it is a free country, Mr. Speaker. We have no control or knowledge as to who put the ads in the paper or whether they had any effect on the outcome of the vote or not.

**Mr. MacDonald:** That is evading the issue.

**Hon. Mr. Stewart:** It is not evading the issue at all; it is just plain common sense.

**Mr. Speaker:** Order!

**Mr. T. P. Reid:** Mr. Speaker, I have a question for the Minister of Lands and Forests: Has there been a decrease in the deer population at Algonquin Park since the establishment of the wildlife research study by Dr. Douglas Pimlott and the cessation of predator control in the park due to the Pimlott programme?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. member for Rainy River, since there is no hunting permitted in Algonquin Park it is very difficult to determine whether or not the population of deer has decreased. As the hon. member probably knows, food and snow depth are the determining factors on deer population.

**Mr. T. P. Reid:** Would the Minister accept a supplementary? I know the department officials are very capable—

**Mr. Speaker:** Order! The member will place a question.

**Mr. T. P. Reid:** Has the Minister received any report from his department officials of an increase in deer skeletons or deer bodies due to wolf predation?

**Hon. Mr. Brunelle:** Mr. Speaker, I am not aware of this. I would like, if I may, to send to the hon. member some very interesting booklets of the deer hunt in Ontario, and wolves and coyotes in Ontario. I am sure the hon. member will find these very interesting.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I have a question for the Minister of Health. In view of the fact that, according to the *Toronto Daily Star* of April 25, at least one person had to be hospitalized after using a new toothpaste which apparently contains a drug, chloroform, will the Minister take steps to see that all toothpaste tubes containing toothpaste using a drug as one of the ingredients have this information clearly printed on the label?

**Hon. Mr. Dymond:** Mr. Speaker, toothpastes are classed as cosmetics and as such come under the federal food and drug regulations. These cosmetic regulations do not currently require any listing of ingredients.

However, if any cosmetic manufacturer makes a claim that an ingredient of his product has an effect on the user which could be considered to be a response to a drug, then the product so involved is investigated, processed through the federal food and drug directorate like a new drug when first introduced, and the ingredient involved in the cosmetic must be listed on the label.

**Mr. Burr:** A supplementary question—is the Minister reporting this to the food and drug administration?

**Hon. Mr. Dymond:** We have not done so, Mr. Speaker. I presume the food and drug director is well aware of this, as we are.

**Mr. Burr:** I wonder if the Minister would endorse the suggestion of an unnamed member who says that,

"If you find it hard to sleep at night,  
Just brush your teeth with ultra brite."

**Hon. Mr. Dymond:** The Minister has no comment, Mr. Speaker.

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a question for the hon. Minister of Reform Institutions: Is there any reason why the provincial government cannot now raise the 6 cents per day paid to the reformatory inmates, without awaiting any possible action by federal authorities?

**Hon. A. Grossman (Minister of Reform Institutions):** Mr. Speaker, it may be the hon. member's "daily question," but I am afraid he is beginning to repeat himself. I have stated the department's position on this matter in answer to question 407 on April 25, 1968.

I attempted to clarify, at that time, the matter of the gratuity which is paid to all inmates. Unfortunately, in today's question, the hon. member still refers to "6 cents per day paid to the reformatory inmates". I wish to emphasize and repeat that this is not payment for work, but simply a gratuity of \$2 per month which is given to all inmates upon discharge.

In order that there be no misunderstanding, I feel I should repeat what I said in this House last Thursday:

I think it is important that I correct any implication that all prisoners are released from our institutions with only the \$2 per month gratuity as provided by the regulations. Before discharge from a reformatory or industrial farm, each person is interviewed by a rehabilitation officer in order to assist him in re-establishing himself in the community.

If the person requires assistance, financial or otherwise, and shows some motivation to rehabilitate himself, he is given assistance according to his needs in terms of employment, board and lodging, tools, clothing, financial assistance, and so on. In fact, there is a substantial sum in the estimates every year for this purpose.

It is true that, with the approval of this Legislature the present gratuity of \$2 per month could be increased, but it is not our intention to implement the progressive changes, for which we have been pressing the federal government during the past four years, in a patchwork manner.

Most of these changes, many of which are embodied in Bill C 195 now before the House of Commons, are interdependent and serious implications could develop from introducing them in a piecemeal manner.

**Mr. Shulman:** Mr. Speaker, will the Minister allow a supplementary question?

**Hon. Mr. Grossman:** No, Mr. Speaker. My daily "no".

**Mr. Speaker:** The member for Wellington South.

**Mr. H. Worton (Wellington South):** My question is to the Premier (Mr. Robarts) and he is out of the House.

**Mr. Speaker:** I would like to remind the members, and those who are involved intimately will, of course, remember, that beginning this evening, the classes which have been arranged for French instruction for members will begin and it is my hope that the members of the House who are interested, and who can make use of this, will do their very best to attend, not only the first class but as the session carries on.

I know it will be difficult but I think the results will be well worth the effort which each member will put into it.

Orders of the day.

**Clerk of the House:** The 2nd order, committee of the whole House; Mr. A. E. Reuter in the chair.

## THE JUDICATURE ACT

House in committee on Bill 103, An Act to amend The Judicature Act.

Section 1 agreed to.

On section 2:

**Mr. P. D. Lawlor (Lakeshore):** On section 2, but in a wider way, a good deal of debate took place the other day, Mr. Chairman, rising out of what the Attorney General (Mr. Wishart) called a "constitutional difficulty," touching the role of county court judges acting in divorce proceedings.

Over the weekend, I had the opportunity of looking through the report of the law reform commission in this regard and on pages 4 and 5 there is considerable outline, Mr. Chairman, as to the role of county court judges. There are recommendations made by the commission itself.

For the life of me, after perusing the matters, I cannot see wherein the difficulty lies.

Under section 115 of The Judicature Act, all local judges except for those of the county of York, are already local judges of the Supreme Court. The only matter there that would be necessary would be an Act or bill of this Legislature, designating divorce matters to fall within the jurisdiction. In other words, within our present ambit of authority local judges, county court judges do have the full range of this authority.

Now the law reform commission goes on to say that so far as the local judges and county of York are concerned, that is a very simple matter apparently too. They, too, by an Act of Legislature, and by amendment to The Judicature Act, possibly falling right within the section, or at least, under 115, could very easily be constituted local judges of the high court; and the only difficulty I see arising out of the whole matter under Bill C 187 of the federal House, in their wording, in which they are somewhat ambiguous as to the designation of the judges who carry out the administrative function under the provinces.

Would the hon. Attorney General care to comment on the remarks that I have made?

**Hon. A. A. Wishart (Attorney General):** Mr. Chairman, I commented on second reading of the bill about the merit of the suggestion that county courts be given wider jurisdiction—perhaps the whole jurisdiction on divorce matters. I find it difficult to say more than I said then. We are studying this and I am aware of the report of the law reform commission.

I think there is some hesitancy in some of those recommendations as to this constitutional validity, perhaps, or whether they would stand up.

The point here, however, Mr. Chairman, seems to me that if we confine ourselves to section 2 we are simply providing that an appeal to the court of appeal may be before one judge instead of three, while The Judicature Act presently provides there must be at least three judges.

Section 2 simply says now you can get the appeal heard before one and this will facilitate—reduce—the need of the appointment of three judges to hear these interlocutory matters. It is related, of course, to section 1 of this bill because under the present section 25, only with leave could even an

interlocutory matter be appealed in a divorce action. Section 1, of course, says you can appeal without leave and when you get to the court of appeal, you get before one judge instead of three.

So I do not think I would like to comment further, if the hon. member would permit, except to assure him that we are studying this whole question of where and when and if this is advisable—perhaps I should put it that way—to move the jurisdiction in divorce matters to the county courts.

Sections 2 to 5, inclusive, agreed to.

Bill 103 reported.

**Hon. Mr. Rowntree** moves that the committee rise and report one bill without amendment, and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs leave to report one bill without amendment, and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** Resuming the adjourned debate on the motion for second reading Bill 91, An Act to provide for the reduction of municipal taxes on residential property.

## REDUCTION OF TAXES ON RESIDENTIAL PROPERTY

**Mr. R. F. Ruston (Essex-Kent):** Mr. Speaker, I would like to make a comment or two regarding this bill. I certainly do agree with the intent of it and I have just taken notice of a report in the Windsor *Star* that householders will save \$50, on an average. I see in the township of Mersea the average person is going to pay \$22 per year, but they do quote farther down that with the basic shelter grant, it will be less than last year.

The thing that worries me, however, is that in some areas—and I have checked on this over the weekend—a number of people in my area will be paying higher taxes than last year because of increased school costs. This is on farm property where the basic shelter grant only allows on residents, and does not allow on farm land without a building. So it does not quite help the situation in which we are faced with an economic squeeze in farming in our area.



I missed the meeting in Windsor that the hon. Minister attended; I understand it was very educational but a number of people came away rather disillusioned and wondering about the basic method of working it out so that people could be refunded their money. No doubt this will be done with a lot of extra work on the part of members of The Department of Municipal Affairs and the clerks in treasuries of the various municipalities.

It seems a shame that we have systems already set up for compensating municipalities on a per capita grant structure which is very easy to process. All they have to do is take how many people you have in a municipality, and multiply it by four and a half or up to seven, depending on the size of the municipality, and it comes in one cheque and if you want lower taxes this, would in my estimation, be a much more businesslike way.

I am a little surprised that the hon. Minister being, I know, a very forthright businessman from away back, sir—they have exceptionally good business people in the city of Chatham—I do not know that this would be in line with his business thinking, but, however, we all know that we are in government and not business so we have to do things not always expeditiously but sometimes politically. And, of course, as this was announced in the fall during the election campaign, it would be pretty hard to change it then.

Another way, of course, that it could have been done would have been when they were sending cheques out to the various school boards. It would have been quite simple to say we are going to give a grant of \$150 million more to school boards in the province of Ontario, and this could have been done, just increased in the cheque that is sent out.

So, the cost of processing would have been practically nil if it had been done on either one of these other methods and much less problem for the people in the local municipalities. Perhaps the government was not figuring that it would get the credit for it. I understand that the tax bill has not been paid; that this year, for instance, that they total up the taxes and then at the bottom put: "Grant through this bill by the province of Ontario deducted \$50 or \$60"—whatever the case might be. So probably the political part of it is that the government is going to figure to get a little more credit for this money.

I do not blame them for taking the credit, of course. On the other hand, I would think with the increased taxes over the last couple of months in the last Budget, that anyone who saves \$50—in fact, I had intended to have that figure and I just did not get it down, but I do not think that with the increased taxes, anybody is going to save \$50.

I think that the average person with three children, paying more for hospitalization, probably buying a package of cigarettes a day, and paying 2 cents a gallon more for gasoline, may pay more taxes this year than he paid without the basic shelter grant.

So, it is really not that glorious a step to improve our taxation but, however, it is starting in the right direction and we would hope that with our young new Minister of Municipal Affairs (Mr. McKeough), that he will keep on going in a much better direction in the future.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, in rising to speak with respect to this particular Act, and to the contents of chapter 11 of the Smith report, I think it might be well, right off the bat, to give some recognition to the fact that Lancelot Smith did depart from, and took great care not to, launch himself into direct grants—the situation such as has taken place in a payola form in western Canada to the tune of \$120 in British Columbia, and \$50 in the three other provinces.

Smith's reasons for doing so are admirable. He says that this is a direct form of political subversion of the electorate and it ought to be scrupulously avoided if possible. To that extent, both Smith and the government, in adopting the measures, cannot fall under the blight of anything I might have to say.

The second set of reasons were given by the hon. Minister in the House itself as to his administrative difficulties and I thought perhaps at that time the administrative difficulties were so overwhelming that the payola aspect quite passed him by. However, being an astute politician I could hardly put much credence in that either.

What should be done in this case is either of two things. The government, not being so much under a cloud and being somewhat bemused by elections, might have granted a direct grant to the municipalities concerned, making that grant conditional upon the reduction of taxes in the municipality and therefore excluding a great measure of the undue administrative cost and the snarl that

has taken place in many municipalities, as I shall indicate in a moment.

Of course, the really intelligent thing in the circumstances would have been to consult with our party and to have taken some cognizance—and perhaps the Minister will do so as his political development continues and he matures in his job—of the municipal foundation plan that we have presented to this House.

Nevertheless, however that may be with respect to the direct-direct, if I may call it, form of payola, that has its implications too and is a measure designed in the same vein. The Smith recommendations, I suggest, are ill-conceived and are really impossible to administer, as the Minister himself has been forced to say in the House, much less to police properly.

A number of examples have come to light of recent date in the press. The administrative costs in the township of Scarborough show a sum of \$2.10 on every \$58.00 being administered and they have had to increase their mill rate in the past few days to make accommodation for this. Again, of recent date the township of Pickering—well, it is really an administrative mess in Pickering.

There are 63 different combinations of the residential mill rate—ergo each one of the 63 have to have a different combination in order to arrive at a computation for the basic shelter grant. They are going to have to hire, I suppose, some Einsteinian calculus and increase their staff and go through all kinds of wonderful machinations to make this government's policy in taxation even partially workable. It fails—a number of things have been pointed out as to how it fails; it has been pointed out again by the Minister himself.

I might make adversion to two or three other matters that come to my attention. For instance, take the case of a tenant who vacates the property some time in July or October. It does not matter. To whom does the landlord pay these moneys? Pursuing the Act, I see no provision for that. Is it to the new tenant who comes into possession, or is it to the old tenant who is going out?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Both.

**Mr. Lawlor:** Oh, the Minister then seems to be—there must be some kind of an apportionment made by the landlord. I do not see that spelled out, Mr. Speaker, in so many words in the Act. Suppose that there are a

half dozen turnovers in the course of a year, then I would think that the degree of bookkeeping and work that is being imposed is quite considerable in this case.

The Minister may throw up his hands and say this is unavoidable, but I think that the whole calculated scheme might have been avoided till the inception, had not political expediency overridden sound political common sense.

In winding up what I have to say in this matter, Smith in motivation—in the way he approaches the matter—really did wish to bring in some taxation affecting property owners which would be non-regressive in character. He speaks of this at length and mulls over a whole host of various objectives and then dismisses them one by one. In this regard Lancelot, I suggest to you, Mr. Speaker, must have been cavorting with Guinevere on that occasion and not thinking about the proper business of the province.

In Camelot, Ontario, he did not consult with Merlin and therefore was unable to pull the right trick out of the bag. In any case, overlooking and ignoring the difficulties here and not really going into them, in only one instance does he really make an investigation. He says, "Lord help us, rooming houses and boarding houses, what on earth are we going to do with them?" And he finally gives up in despair which, I suggest, many other municipal treasurers might do very well in the circumstances—simply cabbage the money and give up in despair and say, "we will simply tax them as single family residences, that is the very best we can do." This bill has caused good king Arthur Robarts, I consider, a considerable amount of difficulty and you will not live it down in a day.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, I would like to elaborate somewhat on the question I asked the Minister on Monday, April 22, I believe, and the reason I bring it up at this time is that the Minister threw up a smoke screen and did not answer my question. So I would like to bring to the attention of the House the point I was trying to make in that question and then comment on the Minister's answer.

The question was that the basic shelter plan will result in the loss of \$100,000 from investment income in the borough of Scarborough, and will require an additional expenditure of \$45,000 to cover new clerical costs of preparing tax bills which show the provincial abatement to taxpayers. The ques-



tion was: "Could the Minister inform the taxpayers of Ontario what the aggregate loss of municipal investment income and aggregate additional municipal clerical costs will be for all Ontario municipalities?"

In his reply to the question, Mr. Speaker, the hon. Minister noted a number of things: 1. His officials assure him that the additional administrative costs of letting the taxpayers know that it is big daddy province that is giving them the money and not the municipality is "not the significance". Scarborough says it will be significant.

The other point the hon. Minister made in his reply, Mr. Speaker, is that municipalities have no business investing this money in the first place and really they should not be doing that. The Minister will no doubt correct me if I have interpreted his remarks incorrectly.

A very interesting editorial appeared in the *News*, which is a Scarborough-West Hill-Highland Creek weekly, of Thursday, April 25, and the editor had been informed of the Minister's remarks as reported in the *Globe and Mail*, I believe, and my comments and why I asked the question. I would like to bring to the attention of the members what the editorial says, because it throws light on the Minister's reply because it is written by a person who understands, I believe, the municipal problems probably better than the hon. Minister. The editorial, entitled "O Come Now", said:

Scarborough council got a rapping this week from Municipal Affairs Minister, D'Arcy McKeough, for investing its tax money collected in the early part of the year. This criticism was in answer to a question from MPP Tim Reid that the new basic shelter exemption grant did not get paid to the local boroughs until the end of the year.

Mr. McKeough may come from a small one-horse town but he should take another look at the big business of Metro Toronto municipalities. For years the local governments found themselves borrowing money in the first half of the year to keep the machinery rolling and this borrowing cost a lot of interest. In fact it was in the hundreds of thousands of dollars.

Then came the idea of spreading the tax bills over the early part of the year. In Scarborough, like many other areas, they decided to invest this newfound amount of money in short term notes in order to get interest to pay for any borrowing which

might be needed. Interest flowing in might equal payment on borrowing of moneys flowing out.

One of the financial aspects which the hon. Minister did not spell out, is the fact that provincial grants, especially school grants, are never paid in the current calendar year, but are sent out the year afterwards. In rapidly growing municipalities, such as Scarborough and North York, this can create a lot of loss in interest. The latest handouts from the province, the basic shelter exemption grant, is just great. It compels the local government to give out the money off the tax bill before the last payment, which is in August. However, the money will not be forwarded to the local offices until "the end of the year".

We had the distinct impression that this grant was to ease the load on the property owner. You see, if the property owner has to pay out \$100,000 more in interest rates to support the handout, the grant is worth just a little bit less than before.

Another factor which the Municipal Affairs Minister neglects to think about, is that most of the taxes paid in a place such as Scarborough, is paid in advance by the mortgage company. This year, an immediate rebate will be necessary to pay the grant back to those eager taxpayers. This will mean millions of dollars to Scarborough or North York.

And he winds up his argument:

There is no argument that municipalities were never intended to invest in notes to gain interest on money, but in past years, municipalities did not have to pay out such large amounts of interest to the bank either. This resultant investment of taxpayers' money until it is needed by the local corporation, is beneficial to the taxpayers. It was one way of fighting back against higher and higher costs.

Surely the borough should be congratulated on using its money wisely on behalf of its inhabitants, rather than getting scolded by the Minister.

We respectfully suggest that the Minister should be finding out ways of getting the exemption money to the municipalities as soon as possible in the year as an aid to everyone concerned. After all, we taxpayers pay at both ends of the range of government, and are interested in the economic use of our tax dollars whether they are provincial dollars or municipal dollars.



Mr. Speaker, I thought that was a significant editorial, because it comes from a newspaper which I believe is in touch with municipal problems, which deals with municipal problems day after day. So with that in mind, sir, I was wondering if the Minister might answer my question, which I put to him on April 22: How much will all the municipalities in Ontario be penalized by this basic exemption Act, to the loss of revenue and to additional clerical costs?

I did not want an answer, Mr. Speaker, simply telling me that they had no right investing this money in the first place. If they have not got any right in collecting the money early to try to synchronize it with their expenditures, this government has no right to do it either.

I submit, sir, that is a false argument, a smoke screen. I would like, for once in this House, to have a direct answer from that particular Minister.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, I just want to bring up one or two points on this particular bill. First, I would like to say that I was present at a meeting at which the Minister described the effect of this bill to the local municipalities, and I must say he showed a commendable command of the bill and the intricacies of this piece of legislation. As well as that, I think he showed a compelling candour about the difficulties which it would have for those who were renting accommodation.

What I wanted to bring to his attention, and perhaps he would like to comment on this, is my difficulty in seeing this legislation in terms of the entire direction this government is going.

**Mr. V. M. Singer (Downsview):** The hon. member thinks there is a direction?

**Mr. Pitman:** I shall restrain myself from commenting on the latest outburst from the member for Downsview, but I would like to suggest, Mr. Speaker, that we have been told in this House, and I think there have been also a number of comments made in other places by members of the government, that we are moving towards a very real tax reform; that this government is concerned about the fact that taxation—so much of it is regressive taxation, as the Smith report pointed out so well—and that this will take place probably along with a full examination of both the Carter and the Smith reports.

It will demand, probably, a number of conferences between this government and the government at Ottawa, when that place has

a government, and that this process will take, probably, a number of years. And what bothers me about it is what effect this bill might have in making it more difficult for the government to consider and implement tax reform.

I want to take a look at it this way. What this bill is really doing is giving a massive transfer payment from the government back to the municipalities. Now what will be the effect of this on the municipalities? I am afraid what it may very well do is place the municipalities in a position where they will want even more to put taxes on land, rather than consider other forms of tax resource, or transfer payments, or looking to other methods of dealing with their expenditures.

In other words, they will now have a feeling that this kind of taxation no longer is intolerable as it has been in the past, and I am afraid of what the municipalities are going to do. They are going to look to this government to deal with the intolerability of this kind of taxation, so that next year, possibly what the Minister will be faced with will be several hundred municipalities saying, "Look, \$2,000 is not enough for a basic exemption."

"Obviously, if you really want to make this a progressive tax, or at least make it, Mr. Minister, less regressive, what you really must do is put it up to \$3,000." And therefore, they will then adjust the mill rates up. By reassessment they will put more and more emphasis on the taxation of land, and in every case they will turn to the government and say, "Now you must use your basic exemption to make this a less regressive tax."

I am going to leave the political implications of this; every political party going to the electorate from now on will be looking at the basic exemption grant as a form of ploy in dealing with the electorate. I am less interested in that than I am in the whole question of getting hung up on a system of taxation which might have very disastrous effects in other areas.

What I mean is that if we do come to the conclusion, as a result of many many months of consideration at every level of government, that taxes on land are not the best way to deal with municipal expenditures, that these are, indeed, a disadvantage. As members are aware, a tax on land has a very real effect on housing. If municipalities, as a result of this legislation, tend to look more and more to raising the taxes on land, they may very well begin to see that assessment is the main problem.

Therefore they will continue to make it more and more difficult to provide cheap housing because you cannot assess a cheap house enough to provide the services, as every municipality knows, and you have a great many people in this House, and in this country, who are trying to find means of providing low cost housing in every municipality in the province, but they are faced immediately with the resistance on the part of municipal councils who will say, "You cannot have low cost housing because we cannot assess low cost housing sufficiently so that we can provide decent services, educational services, sewers, water, and so on."

In other words, I am afraid that we are structuring into our taxation system, something which may make it very difficult to reform the tax base away from land.

I look at another problem which I think may very well be affected by this legislation—urban renewal. I am not going to go into a long discussion of urban renewal. We know, I think all of us realize that as Ontario becomes more and more urban, we are faced with a very real problem as to whether we are going to be at a disadvantage in dealing with the kind of a mess that you have in many cities in the United States—where you have the centre of the city decaying, where you have it ringed with areas which have various zoning regulations which make it almost impossible to put up cheap kinds of housing, and so you end up with the dispossessed in the centre of these cities.

The dispossessed may be negro; the dispossessed may be any other ethnic group that has not, as yet, been able to fit into the middle class of American society. It may be filled with people who have just lower incomes, the old, the people that are described and identified in Michael Harrington's *The Other America*. Do we want those kind of cities in Canada?

I suggest to you that this bill, if it is looked upon by the Minister as anything more than what could be called a temporary measure to solve the problem of a regressive tax which has been identified by the Smith report; if he sees it as a long term measure which will demand a whole restructuring of local tax so that in a sense you will have not just a temporary changing of the tax bills, and setting up all the machinery for sending out bills in this way. On the other hand if a lot of departments become involved in this kind of taxation, and the municipalities begin more and more to emphasize this kind of taxation, rather than demand grants from the

province, or transfer payments which are non-conditional, then I can see a very real problem.

I hope that perhaps the Minister might comment on this aspect which I think could have a very real effect upon both housing and the problem such as urban renewal in the future of the province.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, I would like to make a few comments on one particular aspect of this bill and that is the question of the relationship of the landlord and the tenant. During the election campaign, Mr. Speaker, there was not a Tory candidate who did not make a great deal of hay on this idea of the tax rebate. No doubt many members on that side of the House are there just because of that idea and that plan.

During the campaign I was particularly convinced that the government must have something in mind; I was certain they must have worked the details out. I was certain they had solved most of the problems or else they would not have used the gimmick so blatantly during the campaign.

And so, I was surprised to hear the Minister say that he realized the difficulties he was going to have in getting this tax rebate back to the people.

The thing that particularly concerned me was the effect that this bill, Bill 91, is going to have on the tenant.

The tenant is the same person who suffers from the regressive taxes—the increases on gasoline and tobacco and other things. Looking at the situation from the point of view of those in need of some place to live, and those who have accommodation to rent, I think the tenant is the person that this government, and in particular we here on this side of the House, should be concerned about.

How is the tenant going to be able to prove that he has received this tax rebate? This is going to be a greater problem if the tenant moves during the term of the year, or if the tenant has no lease.

I noticed in the local paper today, the *Star*, four-star edition, that the Minister, speaking somewhere, made reference to the fact that he is going to have a force of 30 or so counsellors who are going to do their best to bring the landlord and the tenant together. In some way, this was going to smooth out some of the difficulties that this bill will bring to pass.

I understand, and perhaps the Minister could tell us more about it later, that these



counsellors, and I will call them counsellors—I do not know what the Minister calls them—will not have any legal right to force the landlord to come to the bargaining table—that is to the meeting where the tenants' problem can be discussed.

The thought that comes to my mind is that these days, where it is the landlord who has the upper hand, just how are you going to get the landlord to come to talk with the government representative and with the tenant who says he has not received the tax rebate.

The only suggestion I can make here, Mr. Speaker, is that perhaps the Minister should consider the suggestion that has been put to him, that the onus of proving that the rebate has been passed on, should be taken from the tenant and placed on the landlord. Therefore if the tenant comes to one of these counsellors and says that he has not received this money, or he is not certain that he has received the rebate, or he is not certain that the rent has not gone up because he has received a tax rebate, the onus would be put on the landlord to come before these counsellors to prove that he has passed it on.

And if the case goes to court, I think it is even more important that the landlord be the person who has the onus of proving that he had in good faith passed on the tax rebate which he received from the municipality. Mr. Speaker, those are my comments on this bill; I have only touched on one aspect of it but I do feel that we on this side are most interested in what will happen to the tenant who has no one else to speak for him.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I think the government is to be congratulated for this piece of legislation; indeed, I am almost tempted that we should appoint a select committee to strike a medal. Life is very, very complicated in modern society and it is often contended that governments and government intervention in its various efforts to ease burdens and develop the welfare state, adds almost indefinitely to these complications. In my view, if the government were to have sat down and tried to figure out the greatest single addition to the complications, they could not have improved on the bill that they have brought before the House. Here, obviously, was a very ill-considered election promise. Well, "ill-considered", Mr. Speaker, is a mistake—it was not considered at all. Ill-considered means presumably that it was considered wrongly. The fact of the matter is that the idea was picked out of the Smith report. It was not considered in any sense, so that this Minister was heir to the

incredible difficulties of working out a feasible, viable, procedure for administering the contributions they want to make to ease the municipal burden.

Forgive me, Mr. Speaker, but when I listen sometimes to the caricatured stereotype that the Tory has of what a democratic socialist government would do, they usually create some monstrosity that is in the category of the bill that the Minister has presented to us. This is the kind of thing we expect from those "meddling people" who intervene in the free operation of the economy and who are constantly trying to nurture people from the womb to the tomb, and all the rest of it. This is the kind of monstrosity you have produced. It is a perfect illustration of your own caricature—of what you like to suggest we would do.

Let me assure you we would not do it. About the only reason that I rise at this point, Mr. Speaker, is to fasten on a theme that has emerged in the debate, namely, that this is a piece-meal approach. It is a piece-meal approach—it is not going to solve the problem fundamentally. It raises, I think, all of the rather terrifying and serious implications that my colleague from Peterborough has drawn to the attention of the Minister. I shall listen with great attention to the Minister's reaction to the consequences that this piece of legislation will have, with regard to municipal development and planning and urban renewal and everything else.

In our view, the hon. member for Downsview is partly right when he says that you should move into assistance in the educational field and just cut down the burden on the municipal property tax. But, without going into the detail of it, even that is not adequate; even that is toying with only a part of the picture. We have presented—and I shall only refer to it in review—the kind of programme which, in our considered—not hastily considered—our careful consideration of this problem at the municipal front, we really need. A three-pronged attack: First, a phase take-over of the cost of education up to 80 per cent.

Secondly, remove the burden—

**Hon. Mr. McKeough:** Why not 85? This is the question the hon. member's colleague asked; why not 85?

**Mr. MacDonald:** Well, okay, why not 75 or 185? But certainly more than 45!

**Hon. Mr. McKeough:** This is the same question that the member for—



**Mr. MacDonald:** No, but you are stuck at 45 and you have done nothing about it, even though the Smith report suggests you should go to 60 per cent.

**Hon. Mr. McKeough:** Right, I am just asking the same question.

**Mr. MacDonald:** My answer to the question of why you stop at 80 is that I am one of the people who still believes that you ought to retain some of the financial responsibility at the local level, because if the piper is being paid wholly from Queen's Park, I think important consequences flow in from that. At the moment, the Liberal Party agrees with us on that. They have not agreed on some occasions in the past.

**Mr. R. F. Nixon (Leader of the Opposition):** The hon. member agrees to that; he came around to our point of view.

**Mr. MacDonald:** Oh, no. We never played around with the 100 per cent gimmick that you toyed with as you jumped back and forward.

**Mr. Nixon:** Why you were a 5 per cent a year man to 70 per cent.

**Mr. MacDonald:** Exactly, 45 and you phase up until you get to the 80 per cent.

**Mr. Nixon:** Somewhere around 65 per cent, maybe.

**Mr. MacDonald:** However, Mr. Speaker, do not let me get sidetracked.

Interjection by an hon. member.

**Mr. MacDonald:** Something around 80, the hon. Minister is right—this would be a genuine relief at the local level, not this piece-meal palliative kind of reproach.

Secondly, there is no real justification for leaving health and welfare as a burden on local property tax. That should be removed. Finally, the foundation programme which would genuinely set a standard for everybody across the province of Ontario, everybody is entitled to something approaching that standard with an equality of financial burden.

Quite honestly, I do not know what consideration the government has given to our foundation plan. I will give them credit that they have not wholly dismissed it in the fashion that the Liberals have, and I quietly suggest to the Liberals that, in basic principle, this is what Robichaud has done in New Brunswick, and this is what the Tories have done in Nova Scotia.

It is rather an interesting commentary that the great rich "province of opportunity", with all of its means and, presumably its stranglehold and brains up here—we have been importing so many of our brains from the Maritimes for years—we have got their share of it.

They still had enough left that they are pioneering. They are ahead of us in terms of introducing equity in the tax structure. However, now is not the appropriate time to go into the details of this. I think this provides a fundamental solution and all that the Minister is applying is a little bandaid to a very serious situation.

**Mr. Nixon:** Mr. Speaker, I want to say something about this bill, and just before I list the three points that I feel are relevant to the consideration that the Minister has been giving this, I would like to say that I am delighted that the leader of the NDP agrees with us, in the Liberal Party, that an increase in support for education is one of the means whereby real tax relief at the local level can be accomplished.

Further, I am glad that he is prepared to compliment Premier Robichaud and the leadership that he has given in the Maritimes in this regard, because the problems that New Brunswick faced before the advent of the present Liberal administration were almost insoluble. It was only the imaginative approach that Robichaud and his administration undertook, that that province is now back on the road to real recovery and advance.

It is obvious, Mr. Speaker, that the problems of the required general unification of municipal services and education is not the answer that we need in the province of Ontario in detail. But there is no one in this Legislature who would disagree with the view that the government holds—that local taxes are too high and, therefore, we must have some means whereby they are reduced.

I would say to you, sir, that the means that they have used in this connection, with Bill 91, are surely less than the most effective for the problem that is before us. Essentially, they are extracting \$150 million through provincial taxation which the Provincial Treasurer (Mr. MacNaughton) himself says is unfortunately regressive and then using those funds extracted from the taxpayers to pay them back—and I would not call it payola, although others may—to restore, in the view of the administration some semblance of progressivity in the tax situation.

This is a very difficult thing to do. For one reason, there are the costs of administration involved with extracting the money in the first place, and the complexity of returning it with any degree of equity that has been pointed out by previous speakers. As a matter of fact, the problems in getting some of this money in the hands of the tenants has been acknowledged by the Minister and he has been quick to assure us, re-assure us in fact, in the earlier part of the debate, that the administration was prepared to take fairly far reaching steps to see that this was done.

But it was not until his speech at the Inn on the Park just a few days ago that he revealed that, in fact, he was going to hire 30 more experts, counsellors, task force operators or whatever he wishes to call them—investigators probably—who would add themselves to the weight of the bureaucracy which he already controls in order to assist the “little man” in his fight for some fairness in equity in the outmoded tax structure that has been built up by this Minister and his predecessors.

It is not, Mr. Speaker, for want of warning, because surely he has had warnings from the Opposition, both Opposition parties, municipal councillors and those versed in the difficulties in the field itself, about the problem that is going to accompany the passage of this bill.

Probably the most effective warning he received was in the privacy of the Cabinet chamber, which was revealed by the April 17 issue of the *Don Mills Mirror*, and I quote from page 14 of that issue, in which the headline, Mr. Speaker, was “Rebate Payment Fight Failed”. And I would read the first two paragraphs from this article:

York Mills provincial government member Dalton Bales made a determined and single-handed effort to have subsidies under the government's proposed basic shelter Act paid directly to the tenant.

It is common knowledge at Queen's Park that the Labour Minister in the Roberts government tried to persuade Cabinet colleagues to accept his idea. That was outvoted.

It is nice to know that the Minister of Labour (Mr. Bales) in his capacity as a private member, was more forward thinking in his advice that he was prepared to put forward in the Cabinet council. It is unfortunate that the opinion went against him in the vote that was apparently taken there, incredible

though that may seem, and that his views did not prevail.

But the fact is that there is going to be considerable difficulty in seeing that these savings are passed on to the tenants, and not just with those tenants who do not have the advantage of a long-term lease at the time the provisions of the bill are enacted. There is no doubt that the effective comment at the end of the article in today's *Toronto Daily Star*, which reports the Minister's announcement about these 30 task force operators, is the key to the problem that all of us foresee.

And it indicates in this article, in the *Toronto Daily Star* of April 29, that the Minister added that landlords would continue to set rents. This, of course, is true, we do not favour rent control, and as long as the landlords set rents, it will be within their power in the months that lie ahead, to see that any savings that have been passed on to them by virtue of the passage of Bill 91 will, in fact, be absorbed by increased rentals and the advantage to the tenant will soon be lost.

Mr. G. A. Kerr (Halton West): How would the hon. member do it then?

Mr. Nixon: I will tell the member in a moment how we would do it, because we do have the alternative.

I would say, Mr. Speaker, that the same is true of the savings that are going to be passed on to the homeowners, because there is no doubt that, as tax requirements and municipal requirements go up under the archaic provision of overlapping grants that this government uses, and which has been so seriously criticized by the Smith report and other objective observers, that these increasing costs are going to very swiftly absorb not only the average \$58 rebate, but much more in subsequent tax years.

I would predict to you, sir, that it will be about 1970, perhaps in the months just before the next provincial election, when this bill will be upgraded rather substantially with a larger rebate so that there will be an additional chunk of money available. Perhaps even I would call it payola under those circumstances, that the government will attempt to use to buy the next election.

Mr. Speaker, the only way in which we can support this bill is by recognizing it as an interim solution, a means whereby the regressivity of the provincial tax situation is relieved until such time as the overall reform that has been called for by the Opposition parties, and has been alluded to by the Provincial Treasurer himself, is accomplished.



We realize that this is going to involve the federal-provincial fiscal conference later in 1968. It must involve a true and searching examination of the recommendations of the Smith report, and those parts of the Carter report that apply to this jurisdiction, and beyond this, a true reappraisal of our responsibilities with regard to municipal governments. And we have the Smith report available to us.

The Provincial Treasurer has indicated that some sort of a forum is going to be provided, whereby those people in the municipal field will be able to give their views publicly to the representatives of the government and, hopefully, the representative from the Legislature. So surely we can look forward to true reform of the tax situation seen *in toto*, for the sort of approach that will make this kind of piecemeal approach unnecessary.

Really, the thing that gives this bill the strength that requires that we as an Opposition party must support it, is the fact that the Smith committee recommends it. They do so rather obliquely, in my view, setting out all of the warnings associated with a programme of this type. But surely it is for us to call upon the government to undertake the far-reaching reforms that will make this kind of a hand-out unnecessary.

It cannot be a part of a modern, progressive system to take the money out of one pocket of the taxpayer, mess around with it a little bit ourselves, remove our various percentages for administration and put what is left in the other pocket. It is not a modern approach to the tax situation. There is no doubt in my mind that we could provide the assistance that is needed, not only to reduce municipal burdens for taxation but to give true equality of opportunity in education, if we did approach this problem through the provision of more financing for education.

I tell you, Mr. Speaker, that the Smith report calls for the separation of tax billings associated with education. In my view it would be quite possible to pass on the savings through reduced education taxes to homeowners and tenants and, in this way, provide the assistance that is so obviously needed. I would say further that with an approach far less complex than the one that is in this bill, we would be able to pass on the savings with a greater weight to the assistance of homeowners and tenants at the expense of those corporations which meet a large share of education costs through the mill rate locally. This problem is recognized by us on this side and I would say to you that the

answer is far simpler than the answer that is contained in Bill 91.

So I would say to you, Mr. Speaker, that we support this bill as a stopgap measure, because we recognize the need for immediate relief to local taxpayers—both homeowners and tenants. We say that it should be eliminated by an overall reform of the system and not become entrenched as sort of a hidden-bonus situation that can be dragged out of the legislative archives every four years for the political advantage of the party in power. It must not take on those aspects, it is a stopgap measure and, with that recognized, we support it.

**Mr. Speaker:** Is there any other member wishing to speak on this bill?

**Mr. C. G. Pilkey (Oshawa):** Could I ask a question through you, Mr. Speaker? Two questions really. When will this basic shelter grant be available to the municipalities?

**Mr. Speaker:** May I just say that if the member wishes to ask those questions, the Minister may or may not deal with them in his remarks, but normally that would be a committee function. But I am sure the Minister will have no objection to the member placing it at the moment, and, if he wishes to reply to it in his remarks, he may.

**Mr. Pilkey:** I wanted to know because this would reflect on the remarks I might make.

**Mr. Speaker:** The Minister will not answer the question until he makes his final remarks, if it is answered in the procedure for second reading; this is not committee. Does the member wish to make remarks now on second reading?

**Mr. Pilkey:** Well, I could still make my remarks during the—

**Mr. Speaker:** Committee proceedings.

**Mr. Pilkey:** During committee.

**Mr. Speaker:** The Minister has the floor.

**Hon. Mr. McKeough:** The answer, however, is, we hope, September.

**Mr. Pilkey:** Pardon?

**Hon. Mr. McKeough:** September, we would hope. That is the answer to that question.

**Mr. Pilkey:** Could I make my remarks now?

**Hon. Mr. McKeough:** Mr. Speaker, I have enjoyed this discussion which has gone on



over two days. I think many of the remarks have been very appropriate. I found myself in the position of agreeing with much of what has been said and I must tell you that we have examined much of what has been said prior to the bill coming into the House. It has all been said by many people before. It has, perhaps, been repeated here today.

I could not help but think, Mr. Speaker, as I sat and listened to these remarks, that what really seemed to gripe them over there more than anything else is that we were honouring an election commitment. I meant to keep track, Mr. Speaker, but I believe there was one speaker who did not mention that we had kept an election commitment. I do not think we make any pretense about this—it was a commitment of the government prior to the election. It was a commitment which has been kept and that is why I am here. You people will never have that responsibility or worry. You do not have to worry whether your commitments are kept.

Interjections by hon. members.

**Mr. J. B. Trotter (Parkdale):** Hon. members opposite think they are there forever.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** It is just a fact of life.

**Hon. Mr. McKeough:** This commitment, Mr. Speaker, has been kept along with so many other commitments which have been made over the years.

Some of the questions which were raised, Mr. Speaker, I think would best be dealt with in committee. They were questions as to mechanics, rather than as to principle, and I will not attempt to answer or comment on all the points that were raised. The background, as has been pointed out, of course is the Smith committee report. I must say to the member for Downsview, through you, Mr. Speaker—and I think someone did correct him—that this was not one paragraph, it was a chapter. I think if you read Smith, you would come to the conclusion that this was a cardinal, principal recommendation, rather than just something which he tossed off.

**Mr. Singer:** The Minister emasculated the whole thing.

**Hon. Mr. McKeough:** It was not a paragraph, anyway. It was not an oblique reference.

**Mr. Singer:** If the hon. Minister takes it as an overall plan he has missed the theme.

**Hon. Mr. McKeough:** Yes, right.

**Mr. Pitman:** There were three volumes.

**Hon. Mr. McKeough:** That is right, three volumes, and on the financial aspects of transference of funds to municipalities, he made certain recommendations, as we all know—a number of different things. This happened to be one programme; the administration of justice was another programme. And in total, as hon. members are aware, this programme, together with the assumption of the administration of justice, assumes about one-third of the burden which Smith suggested should be transferred from the municipalities to the province. So it is not an insignificant recommendation.

**Mr. Singer:** Is the government going to take over the other two-thirds next year?

**Hon. Mr. McKeough:** Well now, Mr. Speaker, money is not growing on trees this year, any more than it will be next year.

**Mr. Singer:** Well, that is what we want to know. What is the government going to do next year?

Interjections by hon. members.

**Mr. Speaker:** Order! Speak to the bill.

**Hon. Mr. McKeough:** Yes, we are sticking to the bill, Mr. Speaker—trying to stick to the bill. The government accepted this recommendation, which was a cardinal recommendation, I would think—one of the major recommendations of Smith. I think it should be remembered, because somehow or another, Carter crept in in the early part of this debate.

Carter, of course, interestingly enough, practically makes no mention of municipalities. This, I think, is one of the defects in Carter's report—he recognized the problems of the federal government, but I do not know that he went very far towards recognizing our problems.

**Mr. J. Renwick (Riverdale):** That is the defect of the Smith report—in not recognizing the problems of federal government as well.

**Hon. Mr. McKeough:** The member may be right. However, in this context, Carter is of very little help to us—to find out how we can relieve some of the burden on the municipalities. Carter did not give us that answer. Smith has attempted to. Now, we are not—

**Mr. S. Lewis (Scarborough West):** Smith's election gimmick.

**Hon. Mr. McKeough:** Smith's election gimmick. Well, that is interesting. At a cost of something in excess of \$2 million, I believe, and four years' work, and it comes out as an election gimmick.

**Mr. Lewis:** And this was in the last four months the report suddenly emerged—

**Hon. Mr. McKeough:** That is the hon. member's opinion. I think members opposite have genuinely asked us—if I can use the words of my friend, the member for Peterborough—as to what is the entire direction, I think that is the way he put it, the entire direction of the government. I am not here to discuss that today. Smith made a number of recommendations, as he know, and the entire position of the government, I think, will be made known when the white paper is brought in. When that will be hon. members will have to ask the Provincial Treasurer. That is the entire direction of this government. This is one part of it. I think it is a very sensible first step. We talk in terms of tax reform. Tax reform is necessary, unfortunately it costs money. This programme costs money. I think that if fitted into the package that Smith proposed—and frankly I think that it will fit into a package which might ultimately be developed by the government in the white paper. If it does not, it can be withdrawn. Time will tell whether it does fit in.

I do not think that we are going to get hung up on this programme, to use your phrase. I do not think that we are going to get hung up on this programme, Mr. Speaker, any more than on a number of other programmes. I had an interchange with the member for York South, and I think that he recognized what I was saying. I know what you mean by 80 per cent of the cost, but we could just as easily be hung up by saying, let us go for 85. These are problems in every system of transferring of funds, as opposed to a redefinition of responsibility which, I think, that in some ways might have been desirable.

Smith did not do that, other than in the administration of justice. I am not so sure even that that solves the problem, because the question would then be: when are you going to take over some more responsibilities? So, I do not know when we will ever solve this problem completely. The member for Peterborough was, I think, concerned that we would be hung up on this programme. I suppose that it is safe to say that there is not a provincial government in the country that is not hung up at this time by municipalities

legitimately needing more money, and more transfers from the provinces to help them in what they are trying to do. I think that it is safe to say that the pressures on municipal governments for programmes is probably greater than at any other level of government.

A number of alternatives were suggested by various members. My friend came back to the 80 per cent of the cost of education, and I thought that that was rather conclusively dealt with last October 17, but perhaps it was not because—

**Mr. Nixon:** What about the amalgamation of school boards? Why did the government not deal with that last October 17?

**Hon. Mr. McKeough:** Well, we are not talking about school boards so far as I know.

**Mr. MacDonald:** Maybe the Minister should deal with this bill?

**Hon. Mr. McKeough:** No, I really should not. But let me say this: I suppose you could have put this same \$150 million into school grants, and achieve a reduction in the real estate tax, but you would not have gotten, and the leader of the Opposition recognizes this, at the regressive features of the tax in the way that this bill does.

Someone else, I think it was the member for Essex-Kent, suggested that the money could have been added very easily to the unconditional per capita grants. But again, you would not have gotten at the regressive features of the real estate tax in the same way that this proposal does. Smith, of course, would have done away with the unconditional per capita grants, as we recognize it, although I think that he suggested replacing them with something really very similar.

This particular measure was devised by Smith more than any other to get at the regressive features which are inherent in a tax on real estate. My friend from York South mentioned the municipal foundation plan. I will say to you that that idea intrigues me very much. If it makes you feel any better, I will tell you that I have some people looking at it. I do not know when we are going to come up with some answers. And I point out to you that Smith looked at this area for four years and did not come up with that sort of a plan.

I would like to have a good look at it and see what we can learn from Mrs. Bryden's suggestion. I have great confidence in her ability because I know that it is a well-researched document. We are looking at it, and I suspect—and this gets into another

whole argument—that an effective foundation plan will may rest upon a number of things; probably a better assessment practice first of all, and probably upon larger units of administration, but I do not want to bring that in now.

I suppose that I am suggesting county government or something, but I suspect that a foundation plan, if not impossible to administer now, at any rate would be much easier to administer and to arrive at the results that you are talking about—under some sort of scheme, or larger units. But we are looking at it, and it does intrigue me.

**Mr. Lewis:** I hope everyone got that—NDP self-government for half the province.

**Hon. Mr. McKeough:** I have not quite announced that yet.

**Mr. MacDonald:** I wonder if the Minister would permit a comment?

The *Globe and Mail Magazine* commented that the reason why the Smith report did not proceed with the considerations of far-reaching tax reforms was the net incidence of the tax burden—how much money you get from the government compared with how much is paid in taxes. They came up with the highly erroneous conclusion—as I have detailed—that you have to get beyond \$7,000 before a taxpayer was paying out more than you got from the government. This is the reason that they did not really tackle the problem of tax reform.

**Hon. Mr. McKeough:** Well, they are dissecting your suggestion, and I hope that some day we can talk about it again at some length.

The hon. member for Yorkview (Mr. Young) suggested some sort of coupon that would go with the assessment notice, as I understand. Hon. members are talking about one form of direct payment. That would be a direct payment as opposed to the indirect payment, which we have adopted for a number of reasons. Without going into all the mechanics, I can tell hon. members that we looked at what they call coupons. I think that we called them something else, but we were looking at much the same thing.

There are problems. There is the basic problem of movement. There is the basic problem that in Metro here, the assessment notices go out over a six-month period. There are all the problems of movement within the province, and there are all these problems in a direct payment scheme. We looked hard at a direct payment scheme—I do not attempt

to deny it. We came up with a scheme which we thought would have worked. But I think that, as has been indicated, we would have doubled the staff of the department. It would have cost five or six times as much to administer as this scheme, and would have been a bit of a bureaucracy created in the department. It departed, of course, from the central problem—that is to relate property taxes to a property tax reduction, or a reduction to the property taxes. This scheme does this directly.

I think that I said this morning, that it would have been nice, I suppose, to mail cheques in the month before Christmas. I would go so far as to say my picture might have been on them, but it really does not get at the problem, which is property taxes.

**Mr. MacDonald:** Accumulate them for four years and pay them out before the election.

**Hon. Mr. McKeough:** Pardon?

Accumulate them; all right. It departs from the central problem, and any form of direct payment would depart from it. Well, Mr. Speaker, there were other suggestions along the same line.

I think that the method that we have chosen is really quite a simple one. There are not the problems of administering it that, perhaps, at first glance there might seem to be. We worked closely through this exercise with the clerks and treasurers.

I do not know just where Scarborough got their figure of \$45,000 from. Even the 67 rates which were mentioned as being applicable in Pickering—I understand that it was 87 rates in Pickering—but the credits can be calculated in the matter of an hour. We will calculate them for you. Now, Pickering has a problem calculating 87 different tax rates. But another hour's work will calculate the 87 different credits. I think that it really does not add that much.

There will be some problems from correlating the assessment role to the tax collector's role, but none of these should add to the administrative costs of the municipalities, in any sizeable amount. We do not think that it will cost very much at all.

Now, insofar as the cost of short-term money is concerned, the member for Scarborough East raised this question. I should tell his friend from the newspaper that I am not from a one-horse town. Interestingly enough, the city of Chatham had private legislation dealing with exactly this—the permission to make interim levies before there was general legislation. In fact, they still



operate under the private legislation, I believe. So we had done this in Chatham for a number of years before my time, and it has worked rather well. Ideally, of course—and I do not think that anybody would argue this point—ideally what should happen is that money should come into the municipalities from the taxpayers as it is needed.

Then, I suppose, you would be asking for a levy every day of the week, which is pretty impractical. Or once a week, or every two weeks, so that the business of instalments has been developed. But I do not think that we should depart too far from the principle of levying approximately when the levy is needed. We take the view, in this particular piece of legislation, insofar as borrowing is concerned, we think that the municipalities are not badly treated. This transfer amounts to about 15 per cent of the average tax bill and, therefore it can be said that the money is going to be needed in December and part of November by the municipalities. So if we return the money in August or September, as we have indicated, they are really going to be a couple of months ahead of the game.

It is not, to come back to my friend from Downsview, it is not rent control in any form. I do not think any of us advocate rent control—it should not be confused with rent control.

**Mr. Singer:** I did not say it was, I said you could not make it work, unless you did have it.

**Mr. Singer:** I did not say it was, I said you could not make it work, unless you did have it.

**Mr. Singer:** All I was saying, Mr. Speaker, was that if you were going to create in the minds of the tenants the opinion that they were going to get any benefit from it, then you had to have some form of rent control, otherwise all you have been telling the tenants is really not effective, it is not going to protect them.

**Hon. Mr. McKeough:** It is not, as I have just said, and you have said, rent control in any form. It is not what goes on under this particular piece of legislation; it is not to be confused with improvements which might, as have been suggested, be made in The Landlords and Tenants Act.

I am not responsible for that Act. The law reform commission, as I understand it, is studying it. And really the relationship of the landlord to the tenant is exactly the same before this bill was talked about or introduced, and it will be the same afterwards—

until there are improvements made in another area, if, in fact improvements are needed.

Someone said today that the landlord could turn the heat off a month ago, he can turn it off a month from now, and this bill does not confuse, or at least, does not change that situation.

The member for Windsor-Walkerville (Mr. B. Newman) indicated that I, perhaps, gave the impression in Windsor that I was not 100 per cent sure that this bill was going to work well. I am not saying it is a perfect piece of legislation, and that it cannot be improved; I am convinced it will work.

We announced, as the leader of the Opposition said today—at least I mentioned it today, it was not an announcement that we have been working on this for a couple of weeks, really thinking about it for a month or so. It is nothing more than a task force, to advise citizens on a variety of matters related to the bill. They have not got a name, a particular name. It is nothing more than an extension of the people who are in the department. Undoubtedly the leader of the Opposition is going to have a complaint in his riding.

He is going to write, they are going to write to the leader of the Opposition, or they are going to phone the leader of the Opposition's wife. That may well happen and there will be an exchange of correspondence back and forth and, in some instances, that exchange can straighten things out. Sometimes there are phone calls and this is—

**Mr. Nixon:** These experts all come from Chatham?

**Hon. Mr. McKeough:** No, no.

And this is one more step—and this would happen now if we had the staff—if it would be helpful for somebody to go out and sit down with, in that particular case, with the landlord or with the tenant, try and explain it to them because there is a big job of education to be done here. Then I think this will be helpful for all of us to get this across.

**Mr. Nixon:** This is not a permanent group, is it?

**Hon. Mr. McKeough:** No, no. I said this morning that I thought they would peak about the first of January because you see it will not really be a meaningful infraction until the first of January. The landlord has till December 31 to do this, it will peak up very quickly and I would hope peak down very quickly. I would think the longest will be, perhaps, two or three months.

**Mr. Singer:** What was the scheme the Minister of Labour had?

**Mr. Nixon:** The government is not very good at peaking down.

**Hon. Mr. McKeough:** I must have missed that Cabinet meeting, I guess, because I really do not recall it.

**Mr. Speaker** I was delighted to hear that both parties opposite were supporting the principle of this bill. We welcome that endorsement, we would say, I would say, it is not the whole answer. I do not think we are going to have the whole answer in the white paper. This must be a continuing forward movement, not only by the government, but by parties, as new techniques are found to really, raise taxes on the most equitable and fair basis as it is possible to find at all levels of government.

I can only point out to you, as we have been pointing out, that with the adoption of this measure the province will be paying about \$1.2 billion of the total estimated municipal and educational expenditures of \$2.5 billion, 48 per cent. I think the hon. member for York South referred to it as a bandaid, well, perhaps, if that is the way he chooses to describe \$150 million that is his privilege but if \$150 million is a bandaid, I hate to think what a real support is going to cost.

Nothing can be done in this area without massive transfers of funds. This is the biggest amount we have been saying, and it is the biggest single transfer of funds from the province to the municipalities.

I do not think it is the end. I think they need this kind of help and we think this is a big step forward in providing them the kind of help which they need.

Motion agreed to; second reading of the bill.

### THE PLANNING ACT

**Hon. Mr. McKeough** moves second reading of Bill 89, an Act to amend The Planning Act.

**Mr. F. Young (Yorkview):** There are some few remarks I want to make in support of this bill in general. I think it is a good move for the Minister to make to change the Act so that he can have areas larger than 10 acres under subdivision control, which, I understand, is the meaning of this.

This has been a vexed problem in many parts of the province and I think all of us

from time to time have been receiving correspondence and briefs from some of the municipalities that are very concerned because they were finding that along the main concession roads, 10-acre lots were being carved out and people were moving out to get this breath of fresh air from our cities, and to, at the same time, invest in some real estate which they hope at some future date might be valuable to them. The result is that we are finding that many of these 10 acre lots are growing up in weeds and seriously affecting agricultural economy because land prices are going beyond what they ought to go with proper planning, and much of this land is taken out of agricultural pursuits.

As a matter of fact I noticed in one of the briefs which came to us from eastern Ontario, just north of Oshawa, that three of the townships there which combined in a brief and had 2,000 of these 10 acre lots taken out of production, and transferred to speculation and to rural living. Now this, of course, does mean tremendous disruption for the whole planning process. It means that all along the highway new accesses are being built, that the speed limits are bound to be affected sooner or later, as all these lots are built upon, and when the whole danger in travelling along these roads is augmented.

So I would say, Mr. Speaker, that by and large we think that this is a good move on the part of the Minister; it is one that has been long overdue and we hope that he will supplement this now, by seeing to it that pressure is brought to bear upon all the municipalities in all the province, particularly those which can be affected this way in southern Ontario, that he will bring that pressure to bear to see that official plans are placed upon these municipalities.

Now there is no question that this matter of voluntary plans is much better, but the experience of other countries—Britain and the European countries—has been that they finally had to say to the upper level of government and to the municipalities, "You put your own plan on with our assistance and we will give you all the assistance possible, or else we will impose that plan". Generally when that ultimatum is given, and the importance of planning is impressed upon the local authorities, they just do not need the final step, they will go ahead voluntarily under the guidance of—in this case, the provincial government—to see that that plan is implemented. So I hope the Minister will follow this up and see that there are official plans so that this legislation can be meaningful in the areas that it is designed to affect.

**Mr. Lawlor:** Mr. Speaker, on this bill, I have reservations and I trust, some rather cutting things to say about each of the things in turn, particularly with respect to subsection 2, section 3 of the bill.

In any event, in general may I say, Mr. Speaker, that the whole concept of The Planning Act might very well be taken under review in our history. The Act is extremely difficult to read. Going from amendment to amendment, and subamendment within the amendment, it comes to resemble The Income Tax Act after it has been in force for several years and I would recommend to the Minister that it might be sent over to the law reform commission and some cognizance be given to setting up at this stage a review, since he is initiating himself, as a new Minister, to reform that Act with respect to the very structure and linguistics of the thing.

Apart from that, I think it is fair to say that the whole purpose and intent of planning as it initially came to be in this province, has lost its focus and its direction. The planning has gone off in numerous directions under municipal control, and we have a plethora of binding obligations and petty restrictions. This sort of thing ought to be eliminated from The Planning Act.

It was designed initially, I suggest to you, to protect the small property holder from seeing great apartments rise, blocking out his rights to light and air, to give protection in neighbourhoods and to have overall sensible features—and now it has degenerated into municipalities passing bylaws for bird baths. With that in mind I would ask you to take both of those reviews under consideration.

As to section 1, I do not know the purpose of the section at all, Mr. Speaker. Looking at section 216 of The Assessment Act, that section states:

An assessment commissioner or assessor, or other person in the employ of a municipality, may not give out certain information obtained in a confidential way to any person not likewise entitled in the course of his duties to acquire or have access to the information.

And it imposes a penalty for so doing. I wonder why the Minister feels it is so necessary to introduce members of the planning board making them privy to the information involved here. I would have thought that would have fallen within the terms of the section itself. Certainly, they are people who have responsibilities of a municipal, official

nature to perform and I would have thought that that information would have been available to them.

There is certainly nothing in the Act that excludes it, and why the Minister feels it is necessary to further burden the law books of this province with this section, and its further subsections, in order to introduce this particular category of persons within the ambit of the confidential information, quite escapes me. However, there may be some legal case in the matter that has made this step necessary.

Now as to clause 2—that has been long overdue. It may be, perhaps, explained on the principle that the province, in order to establish its planning procedures, had to deal with anything under 10 acres in the first instance; leaving the larger units to be dealt with subsequently. This is now being done, but for years it has been a great loophole. And when the Minister in the previous debate says, "Why 80 per cent?", I always said to myself, out practising law—why 10 acres—why not 25 acres?

What is the point of the thing? Many people were buying up fairly substantial tracts of land and dividing them up into these 10-acre pieces, withholding certain portions and erecting fairly elaborate houses on them in order to make up for the land areas involved and also escaping any obligations whatsoever to the local municipality as to the designated plans and to the restrictions that planning required and so on. This has gone on long enough; and, insofar as this is all being jettisoned at this stage, we are fully in accord with it.

Where my main objections come, Mr. Speaker—

**Mr. Speaker:** Perhaps, before the member gets into his main objections, so that we do not lose the thread of his discussion, the private members' hour is upon us and I would ask the member to adjourn the debate.

Mr. Lawlor moves the adjournment of the debate.

Motion agreed to.

## NOTICE OF MOTION

**Clerk of the House:** Notice of motion No. 29 by Mr. Bernier.

### RESOLUTION:

That, in the opinion of this House, the government of Ontario should call upon



the federal government to provide north-western Ontario with television news coverage originating in Ontario at either Kenora or the Lakehead, rather than from Winnipeg as is the case at present.

**Mr. L. Bernier (Kenora):** Mr. Speaker, while it may appear slightly parochial, this particular resolution, I would remind the members, is directed or affects over one third of this province, and as you know it is my privilege to represent the great riding of Kenora in this Legislature.

Because of its proximity to the Manitoba-Ontario border, and its almost central position in the Dominion of Canada, Kenora is often referred to as "the bridge between the east and the west". Unfortunately it has also been called "the gap between the east and the west", or simply "the cold forbidding north".

Naturally the 250,000 residents of that region find these descriptions extremely disturbing for nowhere in Ontario will you find such intense pride in this province as in the riding of Kenora. I am sure I can include the riding of Rainy River in these remarks. Its closeness to the Manitoba border further intensifies this pride, Mr. Speaker, for just as there is competition between neighbouring municipalities within this province, so friendly rivalry has developed between the border areas of Ontario and Manitoba.

Because Kenora is more than 1,000 miles distant from Toronto, the acknowledged heart of this province, and because the distance between neighbours is more often measured in dozens of miles, rather than city blocks, the residents of Kenora depend on radio, television and newspapers for their information, entertainment and continuing education.

In an area where movie theatres are few and far between, where people seldom have a chance to view live drama, and where house guests from any great distance are a rarity, the television personality is a welcome visitor in the homes of that area. Mr. Speaker, although the actual statistics were not at my disposal, I feel certain that the figure for the average hours tuned per week to television in my riding is one of the highest in Canada.

The Kenora area is served by six television outlets. When I say "Kenora" I refer to northwestern Ontario. These are: CBWAT—channel 8 in Kenora; CBWAT-1—channel 9 at Dryden; CBWAT-2—channel 12 at Sioux Lookout; CBWAT-3—channel 10 in Red Lake; CBWCT—channel 5 in Fort Frances; and CBWCT—channel 7 in Atikokan.

Those familiar with the broadcasting industry will immediately recognize all six stations as being CBC television affiliates. All six are also satellite stations which indicates that most, if not all, of their programme content originates at an outside source and is fed to the satellite station by a microwave relay. The signal is then beamed to the local audience through low power computer transmitters.

The present programme source for these satellite stations is CBWT channel 6. The Winnipeg-based CBC television affiliate and CBC's mid-western headquarters programme content, other than news and public affairs coverage, is identical to the CBC television fare received in homes across western Canada.

Now, Mr. Speaker, here lies our problem. As any member of our Queen's Park press gallery will verify, the dissemination of accurate information is the broadcast station's most important single responsibility. We all depend upon our radio or television station for up to the minute news, sports, weather and public affairs reports and all those broadcast services which can be categorized under information.

Few of us realize how important to our daily routine that information is until we are forced to do without. At the present time, the riding of Kenora and other sections of northwestern Ontario live in a television vacuum. Mr. Speaker, I could point out here that we have quite adequate radio facilities covering that particular area, except the northern section. And I would point out that our weekly and our daily newspapers are certainly known throughout the entire province.

Fortunately it is not a complete TV news blackout; Winnipeg's coverage of the national and international news is quite satisfactory. But whereas a truly community station devotes 45 to 50 per cent of its news time to items of local and provincial interest, the television audience in northwestern Ontario is denied this important information.

I had originally intended to illustrate our problem by playing back a tape recording or a voice track of an actual news broadcast received in our particular area. However, the rules of this House would not allow such a procedure. I have therefore asked that other noisy northerner, the hon. member for Fort William, to act as my television news announcer.

The hon. member will read an exact transcript of the CBC 6:30 edition of metro news received on the evening of March 28, 1968. Now I would ask the members of this Legislature to listen closely for news items that might be of specific interest to the television viewers living in the towns, villages and rural areas of northwestern Ontario. Mr. member, if you will.

**Mr. J. Jessiman (Fort William):** The following is a transcript of CBC television news, March 28, received over northwestern Ontario's satellite facilities in Hudson, Ontario, and I quote:

Good evening; first the headlines. A hero's funeral is being planned for the Soviet cosmonaut who was killed yesterday in a plane crash. Major violence has broken out in Memphis, Tennessee, following a civil rights demonstration. The Manitoba chamber of commerce has expressed concern at the greater taxation in the province and the portion of taxes that is being collected from the business community.

First, the metro news. The Manitoba medical service at its annual meeting is clearing the way for doctors to give up control of the service. Dr. Norman I. Coran is heading the executive which will have the power to recommend the appointment of other members. Early last winter the executive committee of the Manitoba medical association announced that they were giving up control of MMS by July 1.

And on and on.

The dispute between Winnipeg's school board and its teachers reached the floor of the Legislature today. New Democrat Saul Cherniak rose on a point of personal grievance to criticize the school board for what he called its inflexible attitude in refusing such matters as parking and secretarial services with the teachers. The Speaker of the House, Mr. Brittain, refused Mr. Cherniak's request for an emergency debate on the issue but the NDP member put his view forward on a special motion. Mr. Cherniak was asked if he was siding with the teachers of Manitoba in the dispute.

The Manitoba chamber of commerce meeting in Brandon has expressed concern both with the rise of the present taxation and the portion of taxes allocated to business and industry. The 57th annual convention of the chamber has passed a number of resolutions dealing with taxation, etc., all of Manitoba.

An investigation is underway by the Canadian University Press into the dismissal of the editor of the Winnipeg student newspaper, *The United*. The editor, Ron Robinson, was dismissed by the student council as a result of an issue deemed to be objectionable and insulting to the dean of the university. The University of Winnipeg has plans for an expansion programme to meet increasing enrollment. At present there are 2,400 students. Plans for construction would enable 6,000 to be accommodated by 1975. Two Winnipeg men appearing in magistrate's court have admitted keeping a common betting house and have been remanded for sentence until Tuesday. Town council said the pair has been running the largest local bookmaking business ever found in Winnipeg.

It names the two gentlemen.

**Mr. D. C. MacDonald (York South):** What are their names?

**Mr. E. A. Winkler (Grey South):** How much tax were they paying?

**Mr. Jessiman:** I continue quoting:

The Crown attorney told the court that it is estimated the business handled \$2,800,000 in wages annually. The annual meeting of the children's aid society of Winnipeg has been told that the number of adoptions last year increased by 50 per cent over the year before. Homes were found for 637 abandoned children but the president of the society said one serious problem remains. He says many capable and desirable couples who would like to adopt are being turned away because they are not, or do not belong to a formal religious denomination. The government and Opposition leaders in the Legislature joined today in congratulating the Manitoba centennial corporation and in particular its chairman, Nathan Steincolf for a job well done. The New Democratic leader, Mr. Paulley, said he was deeply impressed with the centennial arts concert hall which was officially opened last night.

**Mr. MacDonald:** That is not too bad a broadcast!

**Mr. Jessiman:** This is all Manitoba. I could continue on for another half hour if the hon. gentlemen wish, but I am sure that the point is well reached.

**Mr. J. Renwick (Riverdale):** Just give the NDP quotes.

**Mr. Bernier:** Mr. Speaker, if I may continue, of the 11 so-called news items in that particular broadcast, not one was directed to the Ontario audience. This neglect of northwestern Ontario is a rule rather than the exception by the CBC. Now I invite the individual members who might question the validity of my argument to listen to the half-dozen tapes that I have in my office.

This newscast originates in Winnipeg, Manitoba. The hon. Walter Weir, Premier of Manitoba, and Gildas Molgat the leader of the official Opposition and Mr. Paulley the New Democratic Party, are more familiar names in Kenora homes than are the hon. John Roberts, Prime Minister of Ontario, or Mr. Robert Nixon, the leader of the Opposition in Ontario and Mr. MacDonald leader of the New Democratic Party.

In the heavily forested, mineral rich area of this province, the television audience of northwestern Ontario hears more of planting conditions of the prairie provinces than they do of proposals for regional government at the Lakehead, or the amalgamation of the various school districts in Ontario. And nothing short of a major catastrophe can induce CBC reporters and cameramen to come to our area to give adequate coverage to local news happenings.

As another example, Mr. Speaker, during the provincial election campaign, we in the Kenora riding and in the Rainy River riding watched the results televised on our television sets. It started at Windsor and Toronto and Ottawa and moved right up the entire province up to Sudbury. And where did it stop? At the Lakehead.

They failed to even recognize northwestern Ontario, the Rainy River riding and the Kenora riding. Mr. Speaker, this situation is completely incongruous with a policy statement attributed to the CBC and set forth in the Fowler report of 1965. I quote from page 75 of that report:

The basic aim of the corporation is to treat the language and geographical segments of the country as equitably as possible, while keeping in mind the special needs of some areas.

On the same page, we find this comment by the committee on broadcasting:

There are still pockets of Canadians who have no services at all. Many of them are scattered in small and isolated communities all across the country which can be given service only at a much higher per capita cost than the more settled parts of Canada.

But their very remoteness and isolation in themselves lend added importance and value to broadcasting services.

Mr. Speaker, the riding of Kenora is located closer to the province of British Columbia than it is to Queen's Park. Therefore, Kenora must be considered as being remote, or if you prefer, isolated, if only from the seat of provincial government.

Improved television news service is essential if the people of northwestern Ontario are to properly communicate with, and thereby identify with, their home province. Any added cost or inconvenience encountered in providing adequate news service would be more than offset by the importance and the value of this service.

When asked if the news service in the Kenora and northwestern region of Ontario originated in Winnipeg rather than Ontario, the Canadian broadcasting corporation replied, and I quote:

The area covered is in the central time zone, and if serviced from the east, they would receive their news and other programmes one hour earlier than normal time. A 6 p.m. news would be telecast in the area at 5 p.m. local time, whereas the news originating from Winnipeg is one hour later and would be telecast at 6 p.m. local time. It should be noted that all national newscasts that originate from the east are telecast in the Kenora area, and are updated where necessary at Winnipeg so that the programmes will be seen at the proper time in the central time zone stations.

The only other news originating from Toronto is a local or metro news, and past experience proved that this was not acceptable to the northwestern region of Ontario.

On the other hand, Winnipeg, in the same time zone, is closer to this area and its problems of service and considerations are given to news that affect the area.

To supply the area with network programming and regional programming at the correct times with the proper control, due to time zones and microwave facilities, it is necessary to feed from Winnipeg to the northwestern Ontario region.

Mr. Speaker, I can appreciate the technical problems facing the CBC. However, it is not a question of when or where the local television news will originate. It is a question of need, and I sincerely hope that adequate need has been demonstrated to the members of this Legislature. The local news service provided by CBWT in Winnipeg is unsatis-



factory. As noted in the CBC's letter, past experience has indicated that news originating in Toronto was also not acceptable to the northwestern region of Ontario.

Therefore, Mr. Speaker, I recommend that existing facilities at either Kenora or the Lakehead be improved so that the local television news be of local origin and that provincial news comes from within this province.

Mr. Speaker, the people of northwestern Ontario, almost to a viewer, ask for improved television news coverage. It is essential if the people of that area are to become members of the Ontario family and to develop a sense of community pride. You will be interested to know, Mr. Speaker, that I have the assurance of the federal member for Kenora-Rainy River, Mr. John Reid, if and when he is re-elected, that he will give this resolution his whole-hearted support at Ottawa.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, it gives me a great deal of pleasure to rise this afternoon and speak on this resolution by my friend from Kenora. It is not very often that we can co-operate all the time in matters like these, especially on the floor of the Legislature. I would like to commend him and his *alter ego* on the other side of the House, the hon. member for Etobicoke (Mr. Braithwaite). I think they have something going for them here. I hope it will never be known that they were better news reporters than they were politicians and representatives.

I must mention, Mr. Speaker, at this time, that I see there are very few Ministers on the front bench opposite. I know and hope that this is not any indication of their lack of interest in northwestern Ontario.

**Mr. R. F. Nixon (Leader of the Opposition):** Nobody from the north.

**Mr. T. P. Reid:** I might add at this time, Mr. Speaker, that the Liberal leader and myself and the member for Port Arthur (Mr. Knight), just returned from northwestern Ontario last night, after a tour of four of the five ridings of northwestern Ontario where this particular problem was brought to our attention.

**Mr. Nixon:** It is a serious matter.

**Mr. MacDonald:** Just convince Ottawa of that.

**Mr. J. E. Stokes (Thunder Bay):** Convince the Liberal federal member in Thunder Bay.

**Mr. T. P. Reid:** Yes, they were asking me, Mr. Speaker, who the member for Thunder Bay was. They had not heard from him in a long time, and they wondered who was representing that riding down here, and I said if they had any problems I would be more than pleased to look after them, when they find their sitting member.

**Mr. MacDonald:** They know who is representing them.

**Mr. T. P. Reid:** Now, Mr. Speaker, we have a problem in northwestern Ontario in the communications field. I believe there is no question of this whatsoever and it has very important psychological ramifications for the people of northwestern Ontario. They cannot feel that they are part of Ontario, if they do not realize or have the news of what is going on in Ontario.

As I visit my riding practically every weekend, I am constantly questioned, "Well, what are you doing down there, what is the government doing?" I can always answer that with a simple "nothing," but they would like to know really what is going on down here.

**Hon. A. Crossman (Minister of Reform Institutions):** What was the answer to the first question?

**Mr. T. P. Reid:** And they always ask me how my friend from the Lakehead, the member for Fort William, is doing. They have not seen him and they have not seen the member for Kenora and I do not feel that I should have to be a one-man news service for northwestern Ontario. But as I say—

**Mr. Jessiman:** On a point of order, Mr. Speaker.

**Mr. T. P. Reid:** —it has been pointed out, I think very well, by the hon. member for Kenora—

**Mr. Speaker:** Order, please. The member has a point of order?

**Mr. Jessiman:** Yes, I have, Mr. Speaker.

**Mr. Speaker:** Will you state your point, please?

**Mr. Jessiman:** I repudiate what the member for Rainy River just mentioned. The fact is that I have been home every weekend with the exception of one since being elected and there is no other member from the north who can stand up to that record, not one, including the member from Fort Frances.

**An hon. member:** Did the hon. member tell them the news?

**Mr. T. P. Reid:** Perhaps that suggests the fact, Mr. Speaker, that his constituents have not realized he has been there when he is there, but I apologize to the hon. member and—

**Hon. Mr. Grossman:** Where has the hon. member been when he has been telling his wife he was at work?

**Mr. T. P. Reid:** Ah, thanks! I am not married. But I hope the hon. Minister has not been telling his wife that he has been out with me.

**Hon. Mr. Grossman:** Then the hon. member has no excuse to go home.

**Mr. Speaker:** Order, please. Stick to the resolution.

**Mr. T. P. Reid:** Thank you, Mr. Speaker. In some areas of northwestern Ontario, namely, in particular, the western end of the riding of Rainy River, the town of Rainy River itself and, of course, Kenora, and points west and north, the only station available is CBC, and as you well know, some of the programmes are of very little interest to anybody, let alone the residents of northwestern Ontario. And it is rather discouraging and disheartening to turn on the CBC and hear nothing but Winnipeg news.

Now I am sure that the hon. member for Kenora and myself do not wish to leave the House with the impression that the residents of northwestern Ontario are interested in nothing but their own small parochial concerns, but they would like to know what is going on in their own province and I believe they have a right to do this. This, of course, Mr. Speaker, is just an aspect of a larger problem of supposed isolation of northwestern Ontario.

To give you an example: Last week I had the pleasure of going to Ottawa to tape a TV programme with the two members of the opposition parties. We were informed at that time that there would be a good possibility that this programme would not be beamed into our area, it would have to be sent to Winnipeg and they would have to make the decision in Winnipeg whether this programme should be shown in northwestern Ontario.

I am sure, Mr. Speaker, and I hope this is not the case, but their attitude is, and

seems to be, that northwestern Ontario does not merit any special programming time.

**Hon. Mr. Grossman:** That is the way a Liberal government works.

**Mr. T. P. Reid:** Pardon me?

**Hon. Mr. Grossman:** That is the way a Liberal government works.

**Mr. T. P. Reid:** Speak up! Is that right? So that this particular programme, which will be of particular interest to the people of northwestern Ontario—there is a great possibility that this programme will not be shown in our area. Or, as has been pointed out earlier on in this discussion, during the last provincial election and indeed often in the federal elections, the residents of northwestern Ontario are not aware of what is going on. As the results come in, especially on the night of October 17, when so many of the election results were close—people were interested and yet they could not follow this election on TV.

**Hon. Mr. Grossman:** All right, I never got any results in my riding on the local TV either.

**Mr. T. P. Reid:** They tell me that the hon. Minister was a foregone conclusion and that they did not need them anyway. But it any case, Mr. Speaker, as I said, that is a very worthwhile resolution. The people of northwestern Ontario should be able to receive the news of the province in which they are resident. They should be kept aware of the things that are going on in their own Legislature here in Ontario, and I wholeheartedly support the resolution. Thank you.

**Mr. Stokes:** Mr. Chairman, I rise to support the essence of this resolution that was introduced by the hon. member for Kenora. I think it is absolutely essential that members representing northern ridings take every opportunity at their disposal to bring to Queen's Park and Ottawa an awareness of the need for an adequate means of communication in the north. I do not intend to be as provocative as the previous speaker, but I would like to remind him that CBC coverage, both for radio and television, is a federal responsibility, a responsibility that they have abdicated over the years. I could document it here quite vividly. As you know, the particular riding that I have the pleasure of representing, Thunder Bay, is represented federally at the present time by Mr. R. K. Andras, the sitting member for Port Arthur.

He will not have that pleasure after the next election. As a result of redistribution, we will have our own member there and I am sure that they will get adequate representation, particularly in the line of communication in radio and television.

I would like to call your attention to the kind of problem that we do have in northwestern Ontario, not only so much for the fact that it is oriented to what is taking place in Manitoba in a good many cases, but particularly with regard to reception for the ridings of Kenora and Rainy River. The biggest problem is the great distances between the facilities that have been set up by the CBC for both radio and television. As a result there are a good many areas of the north which have absolutely no contact whatsoever with the outside world. One particular area in my riding is a place called Geraldton, where they have a satellite set-up between Geraldton and Longlac. If you are outside the periphery, which is 50 miles, you get absolutely no reception at all. Consequently, a town of 1,000 people, Beardmore, gets no reception from the satellite or from the existing privately-owned station in Fort William, and, due to the geography of the area, they get very little reception of any kind, so they are almost completely cut off. In the area that does get this reception, it is cut off after the 11 o'clock news so anybody on shift does not get a chance to see any television reception at all. They do not even see a late movie.

**Mr. Nixon:** What do they do for entertainment during those long nights?

**Mr. Stokes:** They attend NDP meetings.

Interjections by hon. members.

**Mr. Stokes:** Well, I think something that is absolutely essential in northwestern Ontario is a viewpoint of Ontario. We do not get any feedback from Ontario at all, in a good many of the remote areas of the north. We get a viewpoint on the national network from Quebec, or the Maritimes, or Newfoundland, or the Prairies, or British Columbia, but we get no viewpoint whatsoever of what is going on in Ontario, our own province, particularly what is going on at Queen's Park.

I am not speaking specifically of areas close to the Lakehead where we do enjoy reasonably good reception. But in a good many of the remote areas in Thunder Bay, Kenora and Rainy River we get no viewpoint of what is taking place in southern Ontario, let alone northern Ontario.

**Hon. Mr. Grossman:** That is why they elect hon. members opposite. Because they are not told what is going on down here.

**Mr. Stokes:** I think it is absolutely essential that we have that kind. Now—

**Mr. MacDonald:** We will tell them that in Oshawa.

**Mr. Stokes:** —I have the annual report here for 1966 and 1967—

**Mr. MacDonald:** Or Brantford!

**Mr. Stokes:** —for the Canadian broadcasting corporation, and they say by 1967 some 98.6 per cent of all Canadians could receive CBC radio in some form. About 95.8 could get CBC television; many of these people get partial CBC network radio and television service through privately-owned affiliates whose contribution to helping CBC carry out its mandate has been great.

But there are still many Canadians who do not yet get radio or television service—and they want it as fast as possible. Now these are the people that this particular report happens to be talking about; a good many of them are those that my friend from Kenora has been talking about, and indeed, my friend from Rainy River.

Now, they have spoken about these satellites but until the federal government takes a realistic view of what is required in the north, they do not seem to be too concerned. I have several letters here sent to Miss Judy LaMarsh, who was the Secretary of State, and answered in the House of Commons on behalf of the Canadian broadcasting corporation.

It is quite obvious that the people in my area, at least, have become quite disturbed with the people in Ottawa due to the lack of concern of that giant corporation, and I think, possibly, it would serve some purpose if I read a letter which I received from one of my constituents located in Beardmore, and a copy of it went to Mr. R. K. Andras, who has done nothing in the last two and one-half years to relieve the situation. He writes Miss LaMarsh:

Thank you for your letter of January 28, 1968, in which you state the corporation was giving serious consideration to the economic and other factors involved in giving Beardmore area CBC television coverage.

Since then I have received a copy of a letter to Jack Stokes, MLA, from R. L. Warner, dated February 2, 1968, in which



Mr. Warner states that a realistic solution to the problem was being sought and we would be advised of the results over the next month. I wish, first of all, to refer to the economic factors and at this time feel there should be no question regarding the financing of a satellite in this area. I base this opinion on a statement you reportedly made in the House of Commons on or about January 27, 1968, to Mr. Ralph B. Cowan, at which time you offered him \$5.48, saying this amount represented the annual cost to each Canadian of running the CBC.

Basing my estimates on this figure, and using an average number of 1,000 residents over the past ten years, the residents of Beardmore have paid approximately \$54,000 into the CBC. If this figure includes CBC radio, which we do have, you could subtract \$24,000 and still come up with a round figure of \$30,000 for which a small repeater or satellite could be built.

We would appreciate having something done immediately to rectify the situation here. The hockey finals are coming up, and since the cable has been installed here in town, it is impossible to receive any type of signal from CKPR, channel 2, or CBC channel 13 on outdoor antennas.

It has been suggested to me by different citizens of this community that we could expect a waiting period of two years from the date on which Mr. Assad installed the cable in Beardmore before we could get any action from the CBC.

They have used as examples first, Ontario: cable installed; approximately two years later, Hearst received CBC coverage; Geraldton, Ontario, cable installed; approximately two years later the community received CBC coverage.

In view of the above information, we, the residents of Beardmore, are looking forward to immediate action from the CBC to provide us with television coverage.

Now that is just one of the many instances of the neglect of the federal government to bring adequate television and radio coverage to the remote areas of northwestern Ontario. I think that it is incumbent upon the provincial government and this Legislature to impress upon the Canadian broadcasting corporation and those responsible for administering it that it is absolutely essential for us to be able to communicate with one another much more effectively than we have in the past, and to be much more aware of what is going on, not only on the world

scene, not only on the federal scene, but even on the Ontario scene. It is quite possible that some people do not know what the member for Fort William is doing down here, because in some of the remote areas it does not get any coverage. This applies to a lot of the ridings in the north where they are not serviced by a daily newspaper. Where we have a lot of rock, television and radio reception does not extend over hundreds of miles, as it does in the relatively flat and low land of southern Ontario.

It is absolutely essential that we get a complete network of satellite repeaters for the television and radio coverage. As my hon. friend from Kenora said, we have about 300,000 people in the north, and you cannot keep them in isolation for very long before you are going to hear an awful lot of repercussions. We have been doing whatever possible, as members of this Legislature, to bring the message to Queen's Park in this discussion and, in correspondence, to the Canadian broadcasting corporation and its officials. I think that it is very timely that the hon. member for Kenora worked to introduce such a resolution. I heartily endorse it and I commend it to you.

**Mr. Jessiman:** Mr. Speaker, my ill-informed Liberal-Labour member from Fort Frances—and I was so pleased that his leader got back in time to listen to him. We missed him. In bringing us the news that his big brother, the hon. federal member for Kenora, was partly responsible for this communication to the north and the breakdown of communication—I was very pleased that our member from Fort Frances brought this to our attention. He has ample time to correct us, I am sure; he has been there for quite some time.

The neglect of the north has been with us for quite some time, federally, in our lines of communication. There is quite a group of representatives of the north in Ottawa, and this is where the control of CBC is and we are fully aware of it. Mr. Speaker, I am sure that in the not-too-distant future there will be a change in communication, when Mr. Stanfield makes the big change in Ottawa.

Interjections by hon. members.

**Mr. MacDonald:** There is some time left? I must say that the general topic that this resolution raises is—

**Mr. L. M. Reilly (Eglinton):** I think that the next speaker was the member for Port

Arthur. He indicated he would like to speak briefly on this subject.

**Mr. MacDonald:** Very good, I turned around and saw nobody rising, but if anybody wants the floor, he may have it.

**Mr. Speaker:** I have no list, so we will have to take them as they rise.

**Mr. R. H. Knight (Port Arthur):** Thank you very much Mr. Speaker. As the last of the five northwestern Ontario members, I have certainly followed the discussion in relation to the need for more adequate television coverage in northwestern Ontario by my colleagues from the north. I would like to begin by dissociating myself from the snipes and the little shootings that have gone on back and forth, because I do not think in that frame of mind. I think that we are talking about something that is very positive and very important, when we talk about communications. The one way that the people who live in the vast outlying areas of this province can keep informed and keep encouraged and keep interested in and about this great, progressive province is through the means of radio and television.

Now that the people in the area, through their members, are taking a very aggressive approach to obtaining the proper means of communications, here is a chance for this Ontario Legislature—which is made up mostly of members from southern Ontario—to show to the people of northwestern Ontario that they do listen and they do support our education and our information for our people up there. I certainly do endorse this resolution from the member for Kenora, and I do endorse most of the remarks, except the derogatory ones, from my colleagues, and for that reason I am on my feet supporting it with all I can.

I think it should be clarified, though, that the cities of Port Arthur and Fort William and the immediate surrounding areas are in no way affected. We have very good local coverage on CKVR, channel 2, at both 6 o'clock in the evening, and at 11:15, when local newscasts are given that concentrate on local and area news as well as provincial news. So we are referring mainly to the area to the west of the Lakehead, through to the Manitoba border, since that area mainly to the east is serviced by capable television of one type or another.

So, I certainly hope that this entire Legislature will support this resolution, which should be a resolution to bring home to the

CBC and the government in Ottawa just how dire this need is so that action may be taken effectively and quickly. Thank you very much.

**Mr. MacDonald:** Mr. Speaker, this resolution stresses that the government of Ontario should call upon the federal government to take some action, and I think that in its basic thrust it is correct. It is a federal government responsibility for TV communication and radio communication. Therefore we should look for more effective action than has taken place in the past if we are going to provide any equality of opportunity for people throughout the north and the northwestern part of the province, and also provide some closer and more intimate ties between that important part of the province and the rest of Ontario.

I think that the historic factor is acknowledged—the one person who has done more to start the ball rolling in the right direction in that part of the northwest that is known as Thunder Bay was Douglas Fisher. He, for years when the Diefenbaker government was in Ottawa—

**Mr. T. P. Reid:** Oh, no!

**Mr. MacDonald:** Well, the hon. member may say oh, no, but it indicates that the hon. member for Fort William does not know many things, including this. Because Doug Fisher pounded at this issue in the committees in Ottawa and in direct communications with the CBC. I am not saying that the answer that we have gotten is the whole answer, but at least it has resulted in two or three satellites; one that I have seen is east of Geraldton in the Longlac area. Another, I believe, is down in the Manitouwadge area, and another in the Wawa area.

But unfortunately northwestern Ontario, as these five stalwarts in that part of the country will tell us, is really a country in itself in size, and therefore many communities which happen to lie more than 50 miles away from the satellite are still not getting the kind of television that Canadians today are entitled to expect.

This brings us back to a federal and a CBC responsibility, because one of the main objectives of a national broadcasting system is that that broadcasting system should make certain that in areas where private TV and private radio is not willing to go, service should be provided by the public system so that Canadians do have an equality of opportunity.

However, Mr. Speaker, if you will permit a slight broadening of the topic of this resolution and a focusing of the responsibility back at the provincial level, I would like to raise another aspect of it. And that is what we in the province of Ontario—I do not say this critically, because I think we have to face certain basic geographical facts—but what we in the province of Ontario and more particularly the provincial government might do to establish more intimate ties between the northwestern part of the province and the rest of the province.

The geographical fact, of course, is that the Rainy River area, even to the Atikokan area—though it is beginning to get within the Lakehead orbit—but certainly Dryden, Red Lake, Sioux Lookout and the Kenora areas are more in the orbit of Winnipeg. In terms of social life, in terms of newspapers, in terms of radio, in terms of TV, their whole lives are wrapped up with Manitoba.

I suspect that no serious effort is going to be made either on Manitoba's part or Ontario's part to shift the boundary, because quite frankly I suspect that Manitoba has enough economic problems without having to take on the economic problems of northwestern Ontario. At least, that is my personal snap judgment.

Therefore, if the boundary is going to remain, I suggest to you that there is a responsibility on this government, in ways that I will not presume at the moment to detail, for establishing a more intimate relationship with Toronto, if you will, the political and economic centre of the province and the northwest.

There has been one development that I personally was very fascinated with because of my past connections with press and radio and TV in various capacities down through the years. And that is in recent years some of the radio stations at the Lakehead, through ownership ties, have formed links with Kenora and, I believe, Fort Frances and also, I think, Dryden through a separate station. This has resulted in a feed-through—if that is the most appropriate phrase—of news and information and commentary that might at least get as far as the Lakehead but normally would get no farther if you did not have this local private system.

I think there is always danger in ownership of multiple outlets but I think the dangers are minimized when you have a geographical area as large as this. Certainly there are these compensating factors in having a system that links the whole of the north-

west so that you get a feed-through from the Lakehead into all of the other areas in the whole of northwestern Ontario. That is a start.

Quite frankly, I have not had an opportunity to study in detail whether or not the possibilities in that local network are being exploited to the full. I think that is something that might be looked into, either by the people who are responsible at the moment, or even by the government in conjunction with other things that might be done.

But as long as northwestern Ontario is a part of the province of Ontario, and that is for the foreseeable future, I think there is a responsibility in the development of some closer communication, not only in radio and TV but indeed in other ways, so that they can feel that they are really a part of the province of Ontario. And I suggest, we do not need to say to this government that they should put pressure on Ottawa, I think that is something that they might sit down and discuss in Cabinet, or through such other agency as the government deems appropriate to start the ball rolling.

**Mr. Nixon:** One of the most interesting articles I have read recently had to do with the emerging possibilities for another kind of television satellite, not the type that is built on a high hill in northern Ontario, but the type that is parked in an orbit 300 miles above the surface of the earth which would have tremendous scope in order to rebroadcast television programmes for the agency that controls and operates the satellite.

One might imagine that the numbers of such satellites could be indefinite and very large but the experts say that there are only a limited number of positions from which suitable controlled broadcasting can take place, and that Canada has assured herself of at least one of these orbits which should revolutionize television broadcasting and radio broadcasting for our nation.

I understand that the educational television branch of The Department of Education in Ontario has been dealing with the federal authorities in assuring this province that we would have at least a part of this facility for our use.

I understand further that each one of these satellites can have up to 10 or 12 distinct broadcast channels, so that they can be made available for the educational authorities which, as you know, sir, are provincial, as well as for the national authority—the CBC in



this case—for the interests of the country as a whole.

So it seems to me that there are technological breakthroughs which are going to be very significant for large areas of Canada and particularly our province—those areas in the north which have been discussed this afternoon and which have not had access to the kind of television communication that we would hope for them all.

And it may very well be that the day is not far away when the hon. member for Fort William can communicate by television with all of his constituents and his friends in the hinterland, without going home every weekend as he protests that he does. And this is surely something that is going to be significant, not only for the political life of the province in the broadest sense—and I hope the best sense—but also for the improvement of education facilities. Too often in our efforts to provide equality of opportunity, we have neglected the technological advances that have been made available, not only in this nation but elsewhere.

So I would hope that the government would accept its provincial responsibilities in seeing to it that the satellite that should be put in orbit within the next four to five years by Canada, does contain the type of facility that we can use as an educational authority,

so that at least this aspect of our responsibility, which lies directly with us, can be taken up to the advantage of our northern citizens.

**Mr. J. R. Smith** (Hamilton Mountain): Mr. Speaker, I would like to rise and say a few words on this particular resolution.

One thing I am very interested in is the native people of this province and I might deviate somewhat from the topic, but I would just like to add that the CBC might be wise to take into consideration the possibility of programming languages in Cree and Ojibway for the northwest region and the Moosonee area.

I think our native peoples have a rich cultural heritage and very often they do not receive the full advantages that are available to the French and English speaking citizens of this country.

I think the CBC is to be commended on its fine programming in the Eskimo language which exists in the Northwest Territories, and perhaps a similar form of Cree and Ojibway programming and news coverage might be considered for northwestern Ontario.

**Mr. Speaker:** Is there any further member wishing to speak on this debate?

It being 6 of the clock, p.m., the House took recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, April 29, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, APRIL 29, 1968

The House resumed at 8:15 o'clock, p.m.

**Mr. Speaker:** First of all I would like to explain that I was partially responsible for keeping the bell ringing. I did not know that the French classes were out and I did not know who was taking them. I sent an assortment of pageboys and attendants and they came back shortly with news that the French class was out, but I had undertaken with those who ran the French classes that I would endeavour to hold the House to 8:15 on the first night if they needed it. I did not have to because it was done, but I was holding it till 8:15. The House has my apology for the wait.

Also I neglected to announce this afternoon that at approximately 2:15 tomorrow, before the House opens, there will be a slight ceremony in the east lobby. It will be a short ceremony because the former Speaker does not wish too much made of it. The Prime Minister and the leaders of the parties and certain others will participate in the unveiling, preparatory to hanging of the picture of the immediate past Speaker of our House. Any member who is free and wishes to come along and join us tomorrow about 2:15 in the east lobby will be most welcome.

**Mr. F. Young (Yorkview):** Mr. Speaker, I would call the attention of the House to a very important group in the gallery, the group from Westview Centennial secondary school from the riding of York. A very important group.

**Clerk of the House:** The 53rd order. The House in committee of supply; the estimates of the Department of Health.

## ESTIMATES, DEPARTMENT OF HEALTH (Continued)

On vote 803:

**Mr. Chairman:** As was suggested at the last sitting of the committee, we will take the subsequent votes in this department item by item, and on vote 803 there are some 31 odd items. So we will deal with vote 803.

Item 1 agreed to.

On item 2:

**Mr. J. B. Trotter (Parkdale):** On item 2, I would like to ask the Minister, why travelling costs are so high, \$549,000? Just what area does that cover and how many people would be involved?

**Hon. M. B. Dymond (Minister of Health):** This is the total travelling expenses for the whole division, and it will be noted that there is a travelling expense item under every vote. The first item, the executive directors, is \$6,500, and three members of the staff are called upon to travel from time to time. It is quite possible that they could be travelling anywhere in the province and many times in the course of a year.

**Mr. Trotter:** I know there are some members of the staff, but this amount is \$549,000 and there must be some reason for it. I notice in the public accounts of the year before under this same vote—now I admit the set-up has been changed in the public accounts so there must be some reason. For example, last year under the public health branch the travelling expenses were \$48,514. There may have been more under the breakdown but it is just hard to explain, all that money—\$549,000. How does that break down?

**Hon. Mr. Dymond:** The total last year was \$446,000. The activities of the public health services are greatly expanded this time because in addition to the activities that we were involved in last year we have, for instance, the air pollution control programme, which will call for a great deal of travelling. And there is the nursing homes branch; there is the homes for special care branch, both of which call for a very great deal of field work travelling throughout the province.

**Mr. Trotter:** Approximately how many employees would be involved in that travelling?

**Hon. Mr. Dymond:** Approximately 400, my staff advises me.

**Mr. J. L. Brown (Beaches-Woodbine):** On item 2: I would like some idea of the nature

of the travel expense who does the traveling? Is this a supervisory staff member that goes about providing supervision? Does it include, for instance, the travel that occurred recently in Collingwood with buses and cars emptying out a nursing home. Is it this kind of travel? Exactly what kind of travel is it?

**Hon. Mr. Dymond:** I think we cannot talk in terms of one, Mr. Chairman. I have said there are approximately 400 members of my staff involved in this one branch and they embrace senior consultants in public health, dentistry, education, inspection and nursing. They include the northern Ontario public health service; the staff of the environmental health branch who are involved in air pollution control; the civil service health service, where they are responsible for maintaining care for the civil servants in every building where there is any sizeable group of civil servants employed; they involved members of the public health engineering staff; the occupational health engineering staff, the food protection staff, the people from the special health services branch which include those who are involved in the drugs and biologicals programme, the epidemiology division, the decontrol division; those involved in the communicable disease control; those in the maternal and child health division; those in the medical rehabilitation and chronic care division; the nutrition service and those involved in TB prevention where a great deal of travel is necessary because of the mass surveys and field services for TB prevention.

**Mr. Brown:** Mr. Chairman, could I get a breakdown on the cost of transportation for the northern Ontario office which I understand is located in Toronto?

**Hon. Mr. Dymond:** The hon. member wants the cost of the whole operation; is that the breakdown he wants, Mr. Chairman?

**Mr. Brown:** No, the travelling expenses for the northern—

**Hon. Mr. Dymond:** No, I cannot possibly break that down without having my staff do a great deal of research and breaking it down into those items.

**Mr. Brown:** Mr. Chairman, certainly having the administrative office for northern Ontario located in Toronto must pose some organizational problems and it would be a great surprise to me if the department has not considered the cost of transportation for administering northern Ontario from Toronto, as compared to the cost of administering northern Ontario from northern Ontario.

**Hon. Mr. Dymond:** I would point out, Mr. Chairman, that it is only the administrative head who is here; the field staff are in the field from the office doing the routine. There are seven branch offices in the northern area served by this unit and we find that it is desirable and essential that the director of the service be here, close to the consultative heads with whom he must have liaison on a fairly steady on-going basis.

For the chief and the regional medical officer and four consultants, travel expenses were \$8,000; the field staff are located in the northern Ontario offices, there are 24 of them, and their travelling expenses were \$45,000 for a total of \$53,000. There is an estimated \$2,000 increase for the upcoming year; that makes the \$55,000.

**Mr. Brown:** Mr. Chairman, is this travel done by public transportation, is it done by plane or by rail or car? Has there been a comparative study to evaluate the relative costs of various types of transportation in this department?

**Hon. Mr. Dymond:** It is done mainly by eight cars owned by the department, Mr. Chairman, and because of the places where they must visit, public transportation is rarely available. They use the type of transportation that gets them there most readily, most easily, most speedily and most economically.

**Mr. Brown:** Mr. Chairman, what is the cost per mile?

**Hon. Mr. Dymond:** The public service, I believe, allows 14 cents a mile for the first 7,000 and it drops down progressively. It is the same allowance as set down by the public service.

**Mr. Brown:** Mr. Chairman, I was not asking for what they allow for privately owned cars, I was asking what does it cost to transport the staff of this department for each mile that they are transported.

**Hon. Mr. Dymond:** I do not think we have been in this area long enough to cost this, Mr. Chairman, but this is possibly a part of the operation that is to be undertaken by this new branch, which we established under the first vote, at the direction or at the suggestion of The Treasury Department, the systems and procedural people. This will be part of their function, to cost these various procedures in which we are involved.

**Mr. Brown:** Thank you.

**Mr. I. Deans:** (Wentworth): Mr. Chairman, on item 2, I wonder if the Minister



would break down where the additional \$2 million is going to go this year? That is a sizeable increase and under maintenance there seem to be increases all the way through.

**Hon. Mr. Dymond:** The greater part of that \$2 million, Mr. Chairman, is involved in the expanded air pollution control programme.

Item 2 agreed to.

Item 3 agreed to.

On item 4:

**Mr. Brown:** Item 3, please.

**Mr. Chairman:** Item 3 was carried.

**Mr. Brown:** All right, let us go on to item 4. In the health league of Canada, do they submit to you a request for a grant, and is the amount granted equivalent to the request?

**Hon. Mr. Dymond:** They do make a request, Mr. Chairman. The amount granted is not the equivalent of the request. They always ask for more than we give them.

**Mr. Brown:** What was the request for the coming year as covered by this estimate?

**Hon. Mr. Dymond:** \$2,500, but as much more as we in our wisdom would see fit to grant them.

**Mr. Brown:** Could I ask the Minister to share that wisdom with the Legislature?

**Hon. Mr. Dymond:** We believe, for what we ask them to do, Mr. Chairman, \$2,500 is a reasonable grant. We ask them to use this in a programme to persuade or to encourage adult immunization. This is an area that is a difficult area to break into. Hon. members, I am sure, will remember that even when we had reached the place where nearly all the child population had been immunized against poliomyelitis, we were still getting cases among young adults, particularly. This was largely because of the fact that many adults believed that childhood diseases could not touch them and as a result they neglected the immunization which was available.

We enlisted the support of the health league of Canada to assist us in this programme, and we believe that with the \$2,500 grant we give them for this they can do a pretty fair job.

Item 4 agreed to.

Item 5 agreed to.

On item 6:

**Mr. E. P. Morningstar (Welland):** Would health units come under this?

**Mr. Chairman:** Item 6 is grants for community health facilities.

**Mr. Morningstar:** I have a remark to make on our health unit.

**Mr. Chairman:** No, that is a little later in the vote—Item 29, grants official, local health agencies.

**Mr. Makarchuk (Brantford):** Mr. Chairman, on item 6, grants for community health facilities. In my particular county we have a community-operated birth control clinic. This has been accepted by the community and by all the various religious groups in the community. They have worked together to make it an effective unit. The unfortunate part about it is the fact that the quarters have to be donated.

The staff which works in the unit is all volunteer staff and also the birth controls, the pills and so on, are being donated by various companies. I am just wondering, in view of the fact in many cases it is a needed community facility, if the Minister would consider providing grants to these institutions so they do not have to go with cap in hand begging the various corporations and begging various local officials or local medical people for assistance to help them operate the particular unit.

**Hon. Mr. Dymond:** Mr. Chairman, there is no need for any community to operate such a clinic where they have to go begging cap in hand, as the hon. member puts it. This was included, as was stated last year about this time, as an approved programme possible under the public health unit system. If the hon. member's health unit wants to become involved in a family planning clinic, this is quite possible. However, this vote is only to cover amounts for physical planning, not for programmes. But I would emphasize, when we come to this in item 29, that family planning clinics are quite possible and are supported by grants if the local health unit wants them established.

Item 6 agreed to.

On item 7:

**Mr. M. Shulman (High Park):** Mr. Chairman, last May it was announced by The Department of Health that new regulations

were announced. I do not believe that at that time the effective date for the regulations was mentioned. Could the Minister tell me at what date they became effective?

**Hon. Mr. Dymond:** Is that under The Ambulance Act, Mr. Chairman?

**Mr. Chairman:** Item 7, yes.

**Hon. Mr. Dymond:** It became effective—pardon me, there seems to be a little difference of opinion. Was the hon. member talking about the regulations that were announced as becoming effective last year or the ones that are to become effective this year?

**Mr. Shulman:** If the Minister will tell me when they both became effective, I can go on with the point.

**Hon. Mr. Dymond:** I cannot remember the exact date but the ambulance legislation has been in operation now for about nine months, I think. The programme is changing, Mr. Chairman—as was announced in the Throne Speech and as I announced in my opening remarks—on July 1, 1968.

**Mr. Shulman:** Mr. Chairman, what I would like to know from the Minister is this: There were new regulations in relation to making ambulances safer and more effective. At the time they were announced—and this is in May 1967—it was stated that ambulance services which do not receive municipal grants would be exempted. Is this still the situation or has the Minister changed that particular rule?

**Hon. Mr. Dymond:** That is still the situation, Mr. Chairman, but with the new regulation, or the new programme coming into effect on July 1, 1968, no ambulance will be eligible under the insurance programme unless it has an approved licence.

**Mr. Shulman:** What does an ambulance have to do in order to get an approved licence?

**Hon. Mr. Dymond:** It has to meet certain criteria, Mr. Chairman, the quality of the vehicle, the accommodation of the vehicle and the equipment, and the staff must be trained to reach required minimal standards.

**Mr. Shulman:** This is what I am interested in, Mr. Chairman. What training do the staff have to receive? Is there a set course laid down, is there a set period of time before someone can operate an ambulance?

**Hon. Mr. Dymond:** We established a course ourselves. It is being given at Camp

Borden, and is provided for operators and attendants. They have to pass a test to indicate their ability to meet the requirements, and we are devoting ourselves to encouraging and stimulating continuing education.

**Mr. Shulman:** Am I to understand that by July 1, of this year, no one will be allowed to be an attendant or drive an ambulance unless he has taken this particular course?

**Hon. Mr. Dymond:** No, I would not say that. This is our hope. No, Mr. Chairman, I do not want to lead the hon. member to believe that we are certain that everyone will be skilled. It is not quite so easy as it may sound to get everyone persuaded. They are coming in great numbers; there is a very substantial response to this. I do not believe that we can give you the numbers who have taken the course, but it is our hope that the great majority will be ready July 1. It is our firm intention that all shall be prepared as quickly as possible.

**Mr. Shulman:** Mr. Chairman, I am a little confused. Am I to understand that we are persuading these people or do we have a regulation that by a certain date, they must be trained? I wish that the Minister would clarify that.

**Hon. Mr. Dymond:** The regulation is that ambulance personnel who wish to participate under the insured service will have to meet the requirements, and one of those requirements is that at least one member of the staff shall have to be qualified by a recognized period of training. Now, this does not mean to say that everyone must take only our course. Certainly other organizations for many years have been running courses, well recognized courses, and as long as one attendant has qualified under some recognized course this will be accepted. We would like them all to have our course as well, but if they are qualified under a recognized course this will be accepted. I am advised, sir, that 100 have already been trained under The Department of Health's course or will be by the end of this month.

**Mr. Shulman:** What did the Minister mean by one attendant? Does he mean one attendant at all times in an ambulance? Or one attendant working for each company?

**Hon. Mr. Dymond:** No, one attendant on each ambulance. Usually there are two, a driver and an attendant, and one of the two must have been tested under a recognized course of training.

**Mr. Shulman:** Am I to understand, Mr. Chairman, that if ambulance operators do not wish to participate in the plan they will still be able to operate in Ontario without taking or following any of these regulations? Is this correct?

**Hon. Mr. Dymond:** Theoretically, yes, but I can hardly understand any ambulance operator wanting to run a service that is available as an insurance service and expecting that his clients will pay for it privately. If they pay for it privately, well, I do not think that we can demand that he be trained in the programme. But we would want to assure ourselves at least that his vehicle was safe and that his equipment was quite adequate.

**Mr. Shulman:** Mr. Chairman, I am going to read a letter into the records to indicate why the Minister should reconsider and make it compulsory for all ambulances that are used in this province to be up to par and far more than par. This letter would be rather humorous if it were not so tragic. It is sent to me from the riding of one of our Ministers, from Georgetown. It came to me a few weeks ago and it is so—

**Mr. J. W. Snow (Halton East):** I have not been informed of my appointment as a Minister.

Interjections by hon. members.

**Mr. Shulman:** No, it is not Mr. Davis. Mr. Chairman, this letter reads as follows:

Dear Dr. Shulman:

I am amazed at the situation in ambulance companies in Ontario, particularly volunteer groups such as the Georgetown volunteer ambulance group composed of a group of well-intentioned people, no doubt, but unqualified and inexperienced—

Now that I see who the member is, I understand the letter a little better, Mr. Chairman, however, I will go on.

On July 5 last year, I was rushed at about 2 p.m. from the Georgetown hospital to the Toronto General hospital to undergo emergency heart treatment by Dr. Heinbecker following a massive pulmonary embolus. I lived, why I do not know, and perhaps to be able to report this if nothing else. I could have been dead, and no one would have known why. In the ambulance were two volunteers and a registered nurse from the hospital.

I was half conscious and half out as you can imagine; my husband was going to come in the ambulance with me but the doctor suggested he drive behind as he would have no way of getting back home to Georgetown otherwise. The ambulance took off and the only care and attention the doctors instructed I needed was oxygen. Just out of Georgetown, around Norval, I became aware of the conversation which went like this: "What's wrong?"

"I have no more oxygen."

"How come?"

"I do not know."

"What should we do?"

Then they began to argue. I was getting short of breath so I tore off the oxygen mask and cried out that they should get some quick. I then ordered them to go back to Georgetown. They turned the ambulance around and went back to the hospital. The head nurse gave them two more tanks and said to the RN, "Are you quite sure you can handle it? Do you want me to go instead?" The RN said, "No, I can handle it, I am okay" and off we went again. This time, somewhere between Georgetown and Brampton, the same thing happened again.

I huffed and puffed and asked where we were. They answered, "Coming up to Brampton". I said, "Get me into the Brampton hospital and get some oxygen quick." They said, "Yes, that is a good idea, that is what we will do". So we went to the Brampton hospital where they received two more tanks of oxygen from the nurse at the emergency entrance. As we were pulling out of the Brampton hospital parking lot, the conversation went like this:

"These are different tanks, I don't know how they work."

"Let me see. I can't work them either."

"Let me try again. No, the oxygen is not coming."

So, for the third time I took off my mask, and ordered them to go back to the Brampton hospital. I had told them not to proceed again until they learned how to manage the oxygen and knew what they were doing, and she was sure nothing else would go wrong. So back we went to the hospital; the nurse came out again and showed them how, and away we went. I then passed out but I came to a few times and on the Queen Elizabeth I asked them where we were. They said they did



not know but we finally did arrive in the emergency at the Toronto General. Whether or not we ran out of oxygen again on the way I do not know as I was unconscious.

And she goes on at some length about her husband who had been waiting for some long time for her.

No one knew what had happened. I was in no condition to tell; I was there and barely alive, although Dr. Shean told my husband he had never seen such a blue person live. Dr. Heinbecker told my husband I was 40 per cent de-oxygenated, and he had little or no hope for me. I was in intensive care for eight to ten days and was half unconscious the whole time and still completely unaware that I had undergone heart surgery or any surgery for that matter.

Later, I asked a lawyer friend if I could sue the people involved, and he said, "no, you lived". Had I died, I could have sued but of course no one would have known about it. This then is the climax of my story. Five weeks later I reported to the counsellor in charge of ambulances and he immediately checked on it and there was still the same faulty oxygen system in the ambulance. No one, of all the people involved, thought it worth reporting or looking into the delay of the trip. Neither of the attendants, not the RN, not the head nurse, not the doctor, not the hospital, no one had bothered to check; then I started asking questions.

The doctor was noncommittal; the head nurse was furious that I should question anything. "How dare you, you should be thankful for having an ambulance there with these wonderful volunteers." My point is the lack of concern, cohesion and co-operation. These are all supposedly responsible adults. My husband finally spoke to the administrator of the hospital. He said he knew nothing about it but that he would look into it, but I was not really the hospital's responsibility. We then got in touch with the ambulance people and they said I was not their responsibility, I was the hospital's responsibility because there was an RN sent along and she was in charge.

What if I had been unconscious completely or what if a child had been in the same position? There would have been a death. I had a relapse in the fall of 1966 and one night while in hospital I awoke

to find this same nurse on the midnight shift and she said: "Do you remember that trip? It was sure awful for me."

This is signed by Mrs. Dorothy Burns, and the point she is making is that the ambulance situation, at least as it applies to Georgetown, is certainly not adequate for a province like Ontario. And obviously this situation does not apply only to Georgetown, because I have here the Kirkland Lake newspaper for two weeks ago, and they seem to have a similar problem in Kirkland Lake.

A young boy of 18 died up there because of a series of medical confusions; and a part of it was the long delay involved in getting the boy to where he should receive the care which he needed, and I quote from the newspaper. There was an inquest held which was even worse than the medical care, but that will come up in another estimate.

Before the five man jury retired to consider its conclusion, they asked to hear the ambulance driver who told the inquiry of the stops along the way. The ambulance stopped for gas in North Bay and later on to repair a filter in the engine for ten minutes. Again it stopped while the driver came back to help the nurse administer the oxygen, and it finally made a wrong turn in Huntsville, having to retrace its steps to the hospital.

Surely the driver should never ever come back to help the nurse give the oxygen to the person in the ambulance. They should know their jobs. The person in front is there to get the sick person to hospital as quickly and as safely as possible. The attendant in the back is there to look after the patient and supply the oxygen. To stop an ambulance in an emergency, for the driver to come back and assist the nurse, indicates a certain lack of training.

For this reason, I am suggesting to the Minister that perhaps there would be no harm, and I could go even much much stronger—perhaps it is common sense, perhaps it is essential that the regulations which he is spelling out should be regulations applying to every ambulance in this province and to every person who is going to act as an attendant in those ambulances. We should be passing regulations which everyone must comply with, because this is just plain ordinary common sense. So I would ask the Minister in light of these added thoughts to reconsider and make these regulations mandatory for all.

**Hon. Mr. Dymond:** Mr. Chairman, after hearing this I can assure you, sir, and

through you the hon. members that we will. I learn that the Georgetown ambulance, although a volunteer ambulance, is a licenced ambulance and I would expect from that, that the staff were trained. I have to say to you, sir, as a physician, I think a certain amount of responsibility very definitely lay with the patients' physician. I think I would be very loath to let a patient so seriously ill as this patient obviously was, leave in an ambulance until I had personally made certain that all the patient was likely to need between Georgetown and Toronto was available to her and that those who were in charge of her care were skilled enough to carry out the care. It is not for me to stand here in Toronto and say what a doctor in Georgetown should have done.

There is one further point: I would hope that every hon. member in this House, if they hear of a matter of this kind, would draw it to our attention immediately. We cannot be breathing down the neck of every ambulance driver, nor can we have somebody riding on every ambulance, but if we hear about matters of this kind immediately they come to light, then we can take active steps at the time—or to use an old Scottish saying, strike the iron when it is hot, because then it will do some good. It is our intention that after July 1 the licensing will become mandatory and this will demand, of course, that at least, again I repeat, one attendant on the ambulance at all times will have had recognized training. The other two types of courses that we recognize are the St. John's Ambulance certificate or the Red Cross certificate. They have been in the business actually longer than we and we accept their training because it is of a high quality indeed.

**Mr. Chairman:** The member for Wellington South.

**Mr. H. Worton (Wellington South):** Mr. Chairman, I would like to ask the Minister regarding a community in my riding where the hospital board ordered a new ambulance, what is the time for receiving their money for this; is it left over until next year; do they have to finance it, or when could they get it?

**Hon. Mr. Dymond:** It will be in the hospital's budget appropriation. If they do take delivery of the ambulance before July 1, it will not be under the insurance scheme but provision will have been made for it and it will be in the hospital budget.

**Mr. Worton:** They will not have to wait until next year?

**Hon. Mr. Dymond:** No, no.

**Mr. Worton:** It is done immediately they submit a bill?

**Hon. Mr. Dymond:** Yes, within reasonable bookkeeping.

**Mr. Chairman:** Item 7? The member for Wentworth.

**Mr. Deans:** Mr. Chairman, if I may be permitted a few comments on this item. Out of the letter that the member for High Park read, I took a paragraph—perhaps not even a paragraph, a little statement—that said: "You should be thankful to have an ambulance there at all." It is about this that I want to talk.

To have adequately trained personnel is necessary, but to have ambulances available is more necessary. At the moment, it is getting increasingly more difficult to get an ambulance when you need one. I was fortunate, or perhaps unfortunate enough to be in a line of endeavour that required ambulances to come in attendance from time to time. If, after calling an ambulance, you got one within 20 minutes you would consider yourself very fortunate. An hour was not an unusual length of time to wait, and I can recall one incident in particular where a young boy had been electrocuted while climbing up into a power station and it was 45 minutes on a Sunday morning before we were able to get an ambulance there to transport him from where he was to a hospital, badly burned and injured from the fall.

I do not have it with me at the moment, but I received a letter from a gentleman who was involved in an accident in Wentworth county. He waited one hour and 15 minutes for an ambulance to come. It seems obvious to me that the ambulance service is inadequate to say the least, and it is a very necessary service and we must ensure that ambulances are available to every community. We cannot afford to have people lying dying on the streets waiting while ambulances come to get them. At the moment the majority of ambulances are being run by funeral parlours.

**Mr. Shulman:** Perhaps this is why they drive so slowly.

**Mr. Deans:** My colleague says perhaps this is why they drive so slowly. I would not have said that, but it is a thought.

It seems to me that in this province we ought to have ambulances running out of the hospitals, ambulances staffed by competent

people. We must ensure that people are not lying on the streets waiting to be picked up to be taken to hospital. This is not the case at the moment, and I would strongly urge the Minister to investigate this entire matter, to bring back a bill into this House so that if necessary the province will provide ambulance service throughout this province in order that the sick may be transported properly.

**Mr. Chairman:** Item 7. The Minister.

**Hon. Mr. Dymond:** Mr. Chairman, I would like to advise the hon. member through you that the province has been in this now for a year and while we recognize that the service is not yet perfect, it is a very great deal improved to what it was a year ago. We have already purchased 13 ambulances through this department. We have 16 more on order, but unfortunately strikes and hold-ups of one kind or another have delayed the delivery. We are waiting for them. When we have those—we have 14; we have 16 more on order—there will be a total of 30 ambulances. This, added to ambulances that were available, has made a very real difference. We still have some way to go. I do not believe that further studies are needed. I think we have completed our study of the whole province now.

One of the very essential factors in a good ambulance service is good communications, and I understand that a radio band has been allocated to us for ambulance service. I am not sure if this covers the whole province yet or not. It does cover the whole province, I am advised. This is one of the essential steps. And we do know, as the hon. member has pointed out, that one of the great weaknesses is this lack of response. When the communications system is put into good working order, then we believe even this weakness will be removed.

I think all of us are aware that it is either a feast or a famine. The patient either lies waiting apparently interminable minutes, or sometimes more, for the ambulance, or three or four all come at once. By a good system of communications we believe that this can be obviated and at least this weakness will be corrected.

We feel that with the introduction of the ambulance services as an insured service, we will have enough by way of good physical equipment and trained people that we will have broken the back of most of the problems. I would emphasize that in the ambulances which the department has bought, we have, I think, demonstrated quite beyond a

shadow of doubt that the so-called Cadillac—and I use that in a very loose sense, not with any specific reference—is not an essential to good service. We have had developed three or four different types of moderate-cost ambulances—three different types of ambulances which fall in the moderate-price range—and we have found them very satisfactory, very comfortable, and very serviceable.

**Mr. Deans:** Mr. Chairman, if I might continue this for a moment, I wonder if the Minister would tell me where the ambulances are located and what type of structure they are running out of? Are they set up in a unit, independent of any other type of an organization? Are you training the people personally—are there trained personnel there on a full-time basis operating these ambulances, or is it at present part-time people coming in when they can?

**Hon. Mr. Dymond:** They may be hospital-based, they may be based on the public health unit, they may be based on other public organizations, Mr. Chairman, but they are available 24 hours a day and service is available 24 hours of every day seven days of every week.

**Mr. Deans:** Just one final question then. May I ask the Minister his opinion? Do you feel that ambulances based in hospitals provide better service? Is it more feasible to have the trained personnel right in hospitals running the ambulances, or do you think it is efficient to locate them as they have done in many cases in separate buildings attached to such things as I have mentioned—funeral parlours and fire departments? Surely it must be better to have a nurse available? What I am getting at is this: Is it not better to have a trained, professional person travelling with the ambulance, and if so, would it not be easier to do this out of the hospitals that exist at the present time?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): What if you are 100 miles from a hospital?

**Hon. Mr. Dymond:** Mr. Chairman, we emphasize the hospital-based ambulance but it is not the only one, it is not the only place. One of the reasons is economy, because there are always staff occupied at the hospital on a 24-hour basis, and when they are not driving the ambulance, or working on the ambulance, they can be applying themselves to other essential tasks within the hospital. I would have to say to the hon. member that



there have been some very excellent ambulance services operated by fire departments. My hon. friend for Oshawa (Mr. Pilkey), is not here, but I have often cited the experience of that city which, in my view, has one of the best-operated ambulance systems that I know of in our province.

However, every municipality does not have a full-time fire department and I do know that quite a number of the members of the fire department are not altogether happy with it, not that they do not like the work, but they sometimes feel that it just is not their cup of tea. This does not detract from the fact that they have done, and are doing, a very excellent job. We have found ambulances based on the public health unit where, too, again we found people available for the greater part of the day—but not so readily available for 24 hours of every day as we find in the hospital.

So I have to emphasize that our preference is that the ambulance be hospital-based. But as my hon. friend behind me here said just now, there are some places more than 100 miles from a hospital and an ambulance based there would not be very much good to the individual. I might take this opportunity, however, to point out that we will be utilizing air ambulance transportation more and more in the northern and outlying parts of our province, through the co-operation mainly of The Department of Lands and Forests, and in other cases by chartered airplane or helicopter.

**Mr. Chairman:** The member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Chairman, some of the things which I had in mind have already been said but I think we are pleased to hear the Minister state the kind of progress that is being made, and the kind of progress that he envisages over the next period of time. I think one of things that is vitally necessary here is for the Minister to insist on high standards of performance and really push those standards.

I had three experiences with ambulances over the last few months. Last November, in my own riding, on Wilson Avenue, a man slumped over the steering wheel and the horn started to blow. This was in the rush hour. The neighbours crowded around and saw that he was in trouble and immediately phoned for an ambulance and, of course, their emergency call went out. But the thing that rather startled me was that the fire department got there, then the police department got there, and they still waited for the

ambulance service. Finally the police started along Wilson Avenue to meet the ambulance and to escort it to the scene of the accident, where the man, in effect, had a heart attack.

Now this kind of situation is bad. The neighbours who first put in the call said it was three quarters of an hour between the time they called and the time the ambulance got there. Checking with the police later they said it was not quite that long—35 minutes was more realistic—but in any case the thing that struck me was that you had two public services, the police and the fire department, both of whom got there well before the ambulance, and the ambulance was most needed, although the fire department did some service in that situation.

The second situation involved my next door neighbour, as a matter of fact. I was wakened up one night hearing the siren of the police and they came next door. Just a moment or so later the fire truck arrived, and some time after that the ambulance came, but it was 15 to 20 minutes following the arrival of the fire department that the ambulance arrived. The same thing happened on the same street about four weeks later in the same sort of sequence.

I think, Mr. Chairman, the thing we have to recognize in this civilization is that we have discovered the techniques of how to protect the property we own—the fire trucks are there; the firemen are on stand by; we do not hesitate one moment to hire firemen and hope that they will never have anything to do. We are quite willing that they can sit there for ever if we do not have a fire, but we want them there in case of emergency. Unfortunately they have a lot to do and we have a lot fires, but there is not a town in this province that does not have pretty adequate fire protection in that sense. So the property is protected from fire, but when it comes to human life, the human being and an accident to that human being—such as failure of the heart or any other organ, or when the person is run into by a motor car on the highway—when some accident of this kind occurs we just have not yet perfected the techniques for bringing the same rapid help to the human being that we have to the property concerned.

It seems to me, Mr. Chairman, that this is a job which the Minister faces, and faces, I think, with some degree of realism, but we hope that he and his department will really press now for adequate standards of training, of vehicle construction and maintenance, and equipment, and also bring this time factor

into harmony with the other public services that we have. I think if we can look toward that time of resolving this problem, then I think we will have this triple service of fire, police and ambulance service which will be efficient and effective. As a matter of fact, as the Minister has mentioned, in my own municipality we have some ambulances working out of fire stations and they have been very effective, and there are others working out of other institutions, but again I press upon the Minister this whole matter of standards in these fields.

**Hon. Mr. Dymond:** Mr. Chairman, I find myself in the unusual position of agreeing with my hon. friend in almost everything he says. I am a bit surprised, though, that in Metro Toronto an ambulance was so slow, because it is a very well organized service—they have excellent communication. However, one can draw some consolation from the fact that the police and the fire department did get there. All of those officers are very well skilled in providing first aid, but this does not minimize, of course, the need for an ambulance to transport a very seriously ill patient to a place where perhaps a higher degree of skilled care can be provided for him.

I would emphasize, as the hon. member has done, that our objective of course is to have a service that will be as highly reputable as the police and fire departments have become over the years in our province. Both of them have records of which they, and we, as Canadians can be very proud and it is our hope and intention to do everything possible to have an ambulance service that will be as highly thought of as are our police and fire services.

**Mr. R. H. Knight (Port Arthur):** Mr. Chairman, the introduction of the ambulance task force under Dr. McNally and The Department of Health last year, I must say has done much to improve the ambulance service in the Lakehead area and I think the hon. Minister, Dr. McNally and the department are to be highly commended for it.

I had the opportunity of having a personal discussion with Dr. McNally last year when he came to the Lakehead for the introduction of this new system and at that time I tried to impress upon him the need for stationing a helicopter rescue ambulance in the Lakehead area. Just briefly, what I told him was that it is the crossroads of Canada with so many ships arriving there, so many planes flying over and tourists and hunters visiting. It has become such an active area and communities are so sparsely settled there and so far away

from one another that there are vast areas between communities where accidents could occur and where only a helicopter could really save a life.

I am wondering whether the hon. Minister is aware of the resolutions that came from northwestern Ontario last year requesting an ambulance rescue helicopter, and further, I would like to ask him whether he could just give a little bit more in detail about what his department's proposals are for air ambulance service in northern Ontario. For example, will any part of the \$700,000 indicated in this item go toward the implementation of this air ambulance service? I would also like to know when he plans to begin this type of new air ambulance service in northern Ontario.

**Hon. Mr. Dymond:** Mr. Chairman, first of all, in answer to the hon. member's last question first: None of this \$700,000 is to be expended on establishment of any kind of air service such as the hon. member mentioned. This is only to finish out the fiscal year. At the present time, we are committed to a system of subsidization of municipal services which have grown out of our entering into agreements with municipalities. This \$700,000 finishes that programme, because by July 1 of this year this becomes a totally insured programme which, as I stated, will be turned over for operation to OHSC. Dr. McNally will still be the director of the service.

I cannot go into any detail for the hon. member about what we are going to do in the north by way of air ambulances. I am rather loath to invest a great deal of capital moneys in vehicles that will stand and be used only rarely. We would rather enter into agreement, as I suggested earlier, with The Department of Lands and Forests, and/or private charter organizations, where we can have available to us vehicles that are likely to be more readily used for other purposes and yet rapidly adaptable to ambulance service. It is my understanding that the new planes which The Department of Lands and Forests adds to its fleet now, or old planes further replaced, are so constructed that they can be stripped down very quickly and at least in part used for the transport of stretcher patients.

We may have to buy some air transport, I do not know. We still have some things to learn about the needs in northern Ontario for ambulance service. But I do not think we are going to encourage the wasteful investment of money just because we want to say we have a helicopter standing here,

there or where-have-you 24 hours a day. I do not want any vehicles standing if some other arrangement can be made, having in mind always the rapid transportation of patients when the vehicle is needed and to wherever it must go.

**Mr. Knight:** Mr. Chairman, we can take it for granted then, through you to the hon. Minister, that his department is carrying on consultations now with The Department of Transport and The Department of Lands and Forests for some kind of co-operative effort to make this air service available? I would hope also that the possibility of using a helicopter or helicopters in this service is also being taken into consideration and I also take it that he cannot at this time give us any approximate date as to when this type of service will start—six months, a year, two years?

**Hon. Mr. Dymond:** Mr. Chairman, if the need were to arise, I would hope tomorrow for an air ambulance. We could arrange for it. We have been able for many years, at least ever since I have been Minister, to arrange with the air rescue service of the RCAF through Trenton to go and pick up seriously ill people wherever they were and we do use this and it is readily available to us. But it is not always quite as rapidly available because the plane nearly always has to come from Trenton and if it has to go from Trenton to your part of the country or farther northwest or northeast, then of course there is a good deal of delay. But it is my understanding that with The Department of Lands and Forests we could arrange the transport of sick patients on very short notice.

**Mr. Knight:** Mr. Chairman, the hon. Minister referred to Trenton. I just wonder if this service is available now through The Department of Lands and Forests. Have the authorities in the Lakehead, Kenora, Schreiber, Marathon and Geraldton and other such areas been notified that this service is available? Is it commonly known to the public?

**Hon. R. Brunelle** (Minister of Lands and Forests): We have been doing this for 30 or 40 years.

**Hon. Mr. Dymond:** I think they all know it. We have never had any trouble getting an air vehicle when we needed it. We have to establish the need, of course, but there has never been any difficulty. We have never been turned down, to my knowledge. I

hasten to add that for any long trip we usually call on the air rescue squad at Trenton. I may have a personal thing about this, but I think their vehicles are heavier; whether they are any better I do not know.

For long trips we have been in the habit of calling the air rescue service of the RCAF. But for more or less local trips, we have been using The Department of Lands and Forests vehicles, ever since I have been Minister and I understand much longer than that. I do not know whether they have any helicopters. The Minister tells me they lease helicopters. There is quite a bit of controversy about the value of the helicopter for ambulance services. I know the "Whirly-Birds" on television show it and they think it is great stuff, and it may be. But from my standpoint I would rather be in a plane than a helicopter.

**Mr. Young:** Mr. Chairman, right on this point if I could just suggest—

**Mr. Chairman:** We are still on item 7.

**Mr. Young:** There is some discussion here on helicopters as the vehicles for lifting the sick from place to place. I would just like to suggest to the Minister there is a name here which he might use. If this service is in fact inaugurated in any way, shape or form, to any extent, he might term it the medicopter service.

**Mr. J. E. Stokes** (Thunder Bay): Mr. Chairman, I have a few brief observations I would like to make with regard to air ambulance service for the north. I think, Mr. Chairman, the hon. Minister of Lands and Forests would agree with me that it is absolutely essential that we have alternate methods of getting sick people out for medical attention with the least possible delay. Due to the weather conditions in the north from time to time it is possible that we do have planes that are grounded for sometimes 24 or 48 hours and obviously we cannot wait for the weather to lift before we get people out. It has been a continuing problem in the north where communities are located anywhere from 100 to 150 miles apart, and there is a major problem with regard to providing ambulance services for the small communities and in addition providing services for the travelling public on the major arteries in northwestern Ontario, Highways 11 and 17.

People who have gone to considerable trouble and expense to get their own ambulance are very jealous about letting it out of



their hands to look after the travelling public. If a very serious accident should occur say 20 or 30 miles from where an ambulance is stationed and operated by a municipality, they are loathe to send it out for the reason that it might be necessary to use it for their own purposes while it is away serving the needs of an accident, say involving the travelling public, 30 or 40 miles away.

I was wondering if the Minister would not consider working some kind of an agreement out with the Ontario Provincial Police whereby one of their patrolling vehicles—which are on the highway constantly on a 24-hour basis, and their detachments are about anywhere from 30 to 50 miles apart—could be a fully equipped ambulance. Most of the Ontario Provincial Police are graduates of the St. John's Ambulance course. They have two-way radio, they have all the facilities. The only extra expense that it would entail would be providing a station wagon or some such vehicle that could be used as an ambulance whenever the need arose. Everything seems to be ideal for it. They are patrolling the highways constantly; they are well qualified to administer emergency medical treatment; they would be equipped with two-way radios; they could be equipped with the extra necessary paraphernalia such as resuscitators and anything that is needed in an emergency ambulance service.

I would like to impress upon the Minister, through you, Mr. Chairman, the absolute need of having an alternate means of transportation. Air ambulance is fine, helicopter ambulance is fine, but in the north it is not always possible to airlift people out due to extreme weather conditions. Particularly during the spring and fall during the breakup, it is not possible to land planes on the lake, and as yet we do not have any airfield of any significance. We hope to get them in the near future, but I think that it is absolutely essential that we consider other means of getting the sick to hospitals, and to centres where there are doctors where they can receive medical attention. And I would hope, Mr. Chairman, that the Minister would take that suggestion of having the Ontario Provincial Police patrol in fully equipped ambulances to provide an alternate method of getting people to medical attention.

**Hon. Mr. Dymond:** Mr. Chairman, I have to advise the hon. member that we already tried this, and after hearing their side of the story, turned it down. Their job naturally is

law enforcement. Usually when there has been an accident, they would normally have two functions: to investigate the accident, and to transport the injured. In our view the prior consideration would be the transportation of the injured; I presume that in a policeman's view, the prior consideration is his first and prime job. They have been very helpful to us, however, by the administration of first aid, and by using their two-way radio facilities in getting help.

In order that we may be sure that every area of the province is covered, it has been divided by the ambulance service people, and each ambulance or each service has been given an area of influence so that it can be adequately covered 24 hours of the day. Now that the service becomes an insured benefit, I think that there will be less likelihood of the parochial attitude which has existed for a long time—and I think existed with some justification. Many municipalities have for many years subsidized their ambulance service, and many municipalities that established one have made the first capital investment and have provided the maintenance for the operation, oftentimes at a substantial loss. They have been rather jealous to keep the service for the people whose tax money they were using to provide it. However, now that the service becomes an insured benefit this will be ruled out, and indeed it will be essential—and this is inherent, indeed it is outlined clearly, in every agreement signed that the outlying area of territory will be covered at all times by the ambulance.

I would like to point out, too, to the hon. member—and this is a matter, I know, of very great interest to the people in the north—that we use every possible type of transportation be it land, air, water, rail or road, whatever type of transportation that is available, and will meet the needs of the situation. We try to make use of all of them. We find that the provincial police force has been particularly useful to us in this instance because oftentimes they can find for us some alternate method of transportation that may be needed in particular situations.

**Mr. Chairman:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman, we are all familiar, I imagine, with accidents where two or three private ambulances appear on the scene at the same time. I think that it is probably for this reason that the hon. member for Wentworth was able to tell us about incidents where ambulances

were not available for perhaps one hour. The ambulances were away somewhere else, perhaps two or three of them on the same call where only one was needed. I think the whole key to the situation is that the police should have the reins in their hands. Whether you leave the private ambulances in private hands, or not is perhaps unimportant. But if the ambulances are tied in firmly so that the police headquarters knows where the ambulances are and can allot them, then I think that these delays would be effectively eliminated, and I would suggest this to the Minister.

**Mr. Chairman:** Item 7 carried?

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, on item 7 on grants, the Minister mentioned that he was phasing out his grants to municipalities. There is a number of ambulance services in our area that I am familiar with. Some of them have been getting grants from municipalities, some are asking for grants, and I do not know how they are going to maintain their units if they do not get grants. I am wondering, when you say that you are phasing out the grant system, in what way then is the government actually going to keep these private ones in business—through subsidies or in what way? I do not think that I follow that, Mr. Chairman. Could the Minister enlighten me on that?

**Hon. Mr. Dymond:** The present programme will be phased out for the municipal subsidies because it has not been generally successful. It has been successful where it has worked, but many municipalities did not become involved in it. However, in the operation there will be a figure allowed for capital replacement; it will be like any other operation. The operator will enter into an agreement with the hospital services commission. A budget will be worked out, just as in the case of the private hospital, and in that there will be an allowance. Where the ambulance is hospital based, then the equipment will be replaceable out of the insurance fund just as any piece of hospital equipment now is.

I am just advised that there are 24 hospital-based ambulances. There are 19 municipal services, there are 96 private operators, and there are seven volunteer services. One may feel a little saddened at the volunteer services coming down to such a small figure because they have done a good service, but the hon. member for High Park pointed out that there have been at times fairly obvious weaknesses—certainly I do not think through any will or wish or lack of interest or enthusi-

asm on the part of the volunteers—but for several reasons they have not been as adequate or as successful as they might have been.

**Mr. Ruston:** Yes, there is no doubt that this is going to cost us all more money because we do know that a number of these volunteer systems have been operating. I might tell that in the Amherstburg, Anderdon and Malden and Amherstburg area they have three ambulances. They man one 24 hours a day and maintain their funds only by private subscriptions. But this will be phased out and it will be one more of the items that we are taking over. Of course it is going to cost us money; that is what I had in mind.

Item 7 agreed to.

On item 8:

**Mr. Shulman:** I usually rise to complain about the money being wasted, but this time I am going to speak in the reverse. I am intrigued by this very tiny figure for Connaught laboratories of \$15,000. Obviously the laboratory is not run on \$15,000. Where does the money come from to run the laboratory, and what is this \$15,000 for?

**Hon. Mr. Dymond:** The laboratory, of course, Mr. Chairman, belongs to the University of Toronto and they are a self-sustaining operation. This is a special grant that used to be statutory and this has been paid by the government of Ontario for some 30 or more years. It was involved in a grant which the Connaught laboratories got, I believe, in the first instance from the Rockefeller foundation. Indeed it is 38 years old; in 1930 an agreement was entered into by the Rockefeller foundation, the University of Toronto school of hygiene, and the research division of Connaught laboratories. Under the agreement, the Rockefeller foundation established an endowment fund of \$600,000; the University of Toronto was to allocate from funds, accumulated as a result of the operation of the Connaught laboratories, the sum of \$350,000 to \$400,000 to pay for the extension of the building, and the government of Ontario was to make an annual grant to replace the interest on the above funds, the grant to be kept at \$14,250.

In June, 1939, an agreement was made whereby the government would pay a further \$1,000 annually to the Connaught laboratories for research in toxicity of compounds for the industrial hygiene division. This is a special grant, therefore, and recently they have been

investigating for us work on new antigens; for instance, polio in 1950, and the Quint vaccine in the past two years. That is all that this very small grant permits of, Mr. Chairman.

**Mr. Shulman:** Mr. Chairman, does The Department of Health give any further funds to the Connaught laboratories for any of their other work, such as vaccine?

**Hon. Mr. Dymond:** In the second item down, Mr. Chairman, item 10, you will see that we buy \$800,000 worth of their products. It has been between \$700,000 and \$800,000 every year since I became Minister.

**Mr. Shulman:** Well, should this matter be properly discussed? I have some questions—would you prefer I wait until item 10?

**Hon. Mr. Dymond:** Yes, if you would, please, Mr. Chairman.

Items 8 and 9 agreed to.

On item 10:

**Mr. Shulman:** Mr. Chairman, under item 10, just two brief questions. When will Connaught laboratories or The Department of Health begin to supply free measles vaccine to the physicians of this province? As it stands now, measles vaccine is, of course, available through clinics, but for those persons who now go to private doctors—and they represent the vast majority of the people in the province—it is an extremely expensive procedure to receive vaccination for their children against measles. Now, I understand Connaught is producing this vaccine. When will you begin distributing it?

**Hon. Mr. Dymond:** Mr. Chairman, there is no need for any individual to pay for this; it can be available to them through the public health officer, but our hands are tied in this matter. We are part of a massive experiment—not an experiment but a study project—and until the food and drug directorate of The Department of National Health and Welfare is satisfied with the results of this, we are not permitted to make this available for more widespread distribution than has now been approved by the food and drug directorate.

**Mr. Shulman:** Are not all the public health clinics distributing this now?

**Hon. Mr. Dymond:** They are not distributing it, Mr. Chairman, but they are administering it. It is being distributed to public health units and they in turn can administer it to the individuals.

**Mr. Shulman:** I hope I am misunderstanding you, Mr. Minister. Am I to understand that there is still some doubt as to the value of this vaccine and this is why it is only being given to those poor people who go to the clinics, and why we are not giving it to those more wealthy people who go to their private doctors?

**Hon. Mr. Dymond:** There is no question about it. But this is a rule that the food and drug directorate has laid down, Mr. Chairman, and we have found, as we look back on the experience of the years, that the conditions they lay down before they will accept these substances for widespread and free-wheeling distribution, have been sound; and we are perfectly happy and willing to co-operate with them in every way. We are quite convinced that they will release this and will permit the more widespread distribution of it in their own good time. And we believe this is a sound decision because, I repeat, our experience with their actions over the years has proved this.

**Mr. Shulman:** Mr. Chairman—

**Hon. Mr. Dymond:** The same principle, of course, was followed in the early days of all these products. The most recent, of course, was Salk vaccine.

**Mr. Shulman:** I must remind you that this is quite a different situation entirely; the situation now is that you are not restricting the widespread use of it; the only difference is that you are making people pay for it. There are thousands and thousands of vials of measles vaccine sold weekly in this city, at a cost from anywhere from \$4.70 up to \$8.00 a vial. You are not restricting the availability of it, you are just making people sweat to pay for it. I think that perhaps there may be some misunderstanding. Are you sure that the federal authorities have requested that the availability be restricted?

**Hon. Mr. Dymond:** Is the hon. member speaking of the killed or the live vaccine?

**Mr. Shulman:** I am speaking of the live vaccine, the attenuated live vaccine.

**Hon. Mr. Dymond:** No, this is not what I was talking about, I was talking about the attenuated vaccine—the killed vaccine. The hon. member should, I think, understand that we have laid down a programme in keeping with the advice given to us by our advisors in epidemiology or immunization, and this calls for the inoculation of three shots of the killed vaccine followed then by an injection



of the live vaccine. Or in the case of the pre-school children or sickly children, pre-school children in specially selected cases are given live vaccine.

**Mr. Shulman:** I must inform you that both killed and live vaccine are being sold. The majority of the vaccine that is being sold is attenuated live vaccine, but both types are being sold. And this is not the point at all. The point is that people should not have to pay for it, it should be distributed through Connaught laboratories the same way that all the other vaccines are distributed. So let us get back to the major point. Why do people have to pay for it? Surely this is not at the request of the federal authorities.

**Hon. Mr. Dymond:** No, no, Mr. Chairman, I am just trying to tell him, that this part is not requested, but this is not part of the provincial programme. It is not part of our programme to distribute at no cost, the live vaccine. Now, we have laid down a programme of immunization, which, I repeat, on the basis of the advice given us we have accepted because we believe that it is good. If there are doctors who do not wish to follow our procedures or our recommendations, the vaccines are available to be purchased by the patients and by the doctors for their patients. But we are not distributing this, sir, because it is not in keeping with our provincial programme at the present time.

**Mr. Shulman:** Mr. Chairman, to the Minister through you, of course we understand he is not distributing it because it is not in keeping with the programme. I am trying to point out to the hon. Minister that it should be distributed because it should be in the programme.

**Hon. Mr. Dymond:** Mr. Chairman, this is purely a matter of philosophy. In our view it should not at the present time be distributed. Now, this is on the basis of advice given us by some of the leading experts in this field—and I mean experts, men and women who have spent many years of their lives in this area of medical care. And we believe that the advice that they have given us is sound. We have never had any reason to question it, and in our view, this that we are doing now is the right thing to be done. I have had this opinion confirmed in the last six months at least three times. Because each time there is a flare-up of this kind of attitude on the part of some doctors, I have gone back to my advisors each time, and asked them in the light of this which has been said, "Do you

still stand by your former views?" In each case they have reviewed their thinking and they have given the same advice again.

**Mr. Shulman:** Well, Mr. Chairman, I think—

**Mr. Chairman:** I think that we are getting close to having this worn out—

**Mr. Shulman:** No, not quite, the Minister has stated at some length what his policy is, but he has not stated why his policy is this. Is this what he has been advised? Would the Minister be so kind as to explain the thinking of these great experts as to why they do not want the measles vaccine distributed to the children of this province?

**Mr. Chairman:** Well, we are getting very close to—

**Hon. Mr. Dymond:** No, Mr. Chairman, the hon. member knows full well that this is a ridiculous question. How in the wide world would I know what my advisors are thinking? I know that we choose them for their ability and we choose them because of their knowledge, and because of their experience. When I reach the point where I am not willing or prepared to take the advice of those better skilled in the various areas of medical care than I am, then I think that it is time that I was leaving this chair, sir.

**Mr. Shulman:** Yes, well we agree on that, Mr. Chairman, but one final comment on this particular matter. It is not proper in this province or anywhere else to give one treatment to people of one certain financial class, and another treatment to people of a different class, and that is what you have set up under this programme.

**Hon. Mr. Dymond:** Oh, no, Mr. Chairman, I have pointed out—the hon. member is simply listening to what he wants to hear. I have pointed out that our programme is available to every person in the province of Ontario. If they do not choose to avail themselves of it that is not our fault; it is readily available to every person in the province. Nobody in the province has to buy it. It is available to them though the public health service.

**Mr. Shulman:** The Minister has contradicted himself. He has said here—I wish that the Minister would make up his mind.

**Hon. Mr. Dymond:** Mr. Chairman, I have already said that it is available through every public health unit.

**Mr. Chairman:** Item 10.

**Mr. W. Ferrier (Cochrane South):** In this item I notice that there are sanitary investigations. Now there is a small community in my riding, of some 200 people, and there has been a problem with the water and the sewage of this little community, Porquis Junction, for quite a number of years. The septic tanks are—

**Hon. Mr. Dymond:** Would the hon. member leave this to environmental health consideration?

**Mr. Ferrier:** Would the Minister mind explaining what the sanitary investigations are then in this vote?

**Hon. Mr. Dymond:** On item 27; would the hon. member leave it—they tell me there is no specific item. Go ahead, let us have it.

**Mr. Ferrier:** Well, the local health authorities do not seem too concerned about making an investigation of this situation. I am wondering if an investigation could be made of the water supply and sewage situation there. And I also would like to know if a health hazard does exist, if the Minister can order a municipality to take action to provide proper sewage treatment and to make sure that the water supply is pure and clean.

**Hon. Mr. Dymond:** Mr. Chairman, would the hon. member tell me if this is a public water system, a public sewage system, or if the people are dependent on wells and septic tanks?

**Mr. Ferrier:** They are dependent, Mr. Chairman, on wells; the sewage systems are their own systems of septic tanks and this kind of thing.

**Hon. Mr. Dymond:** Mr. Chairman, I find it difficult to understand why the public health people have not been keen to investigate it and I can assure the hon. member if he would let me have the details of the locality, then I can assure him we will have it investigated.

**Mr. Ferrier:** Thank you.

**Mr. Makarchuck:** Mr. Chairman, earlier the Minister said he was willing to listen to his experts. I do not purport to be an expert, but I understand the Ontario medical association stresses the fact, or has mentioned that they feel that an adult immunization programme, particularly for tetanus and polio is not what it should be in the province. There has been a death. They recommend that there should be vaccination given to adults. This is a polio-

tetanus toxoid. It should be given to adults every five years and also a re-vaccination for smallpox. Is the Minister prepared to do anything about this particular recommendation from his experts?

**Hon. Mr. Dymond:** Mr. Chairman, we have been advocating this for many, many years. The substance is available at no cost to any doctor in the province of Ontario, and we wish more adults would avail themselves of these immunizations. They are available and we have been stressing the value for a long, long time.

If adults, who are capable of thinking and deciding for themselves, do not take advantage of these things that are offered to them, I know of no way that they can be forced upon them, unless something were to develop which would pose a hazard to the public health, and I cannot see that growing out of the refusal to accept these immunizations.

**Mr. Makarchuck:** Mr. Chairman, the same recommendation suggests that the Americans—I think the United States department of health or the American college of surgeons—has a public education programme which they recommend should be used in Ontario. Is the Minister prepared to use this particular programme to acquaint the public, or to educate the public to the dangers of tetanus? I might add in my own particular area, we had a person who died from tetanus as a result of receiving an infection.

**Hon. Mr. Dymond:** I did state, Mr. Chairman, you will recall, in the grant to the health league of Canada that this is why we give them the grant specifically, to encourage adults to take advantage of immunization, and the programme is going on through public health education all the time.

**Mr. Shulman:** Mr. Chairman, on item 10, the Connaught laboratories, approximately three years ago, began a pilot programme in connection with blood tests by sending self-contained units with a sterilized needle. This received a great deal of approbation from the many doctors I have spoken to and—

**Hon. Mr. Dymond:** I am sorry, Mr. Chairman, I did not catch what the hon. member said to begin with.

**Mr. Shulman:** The Wasserman tests.

**Hon. Mr. Dymond:** Oh yes.

**Mr. Shulman:** Self-contained units. The experiment was tried out and it received a great deal of approval from all of the doctors

I spoke to on the subject. For some mysterious reason they have now stopped this programme and gone back to the old system. Will the Minister explain why this has been done?

**Hon. Mr. Dymond:** We still have them, Mr. Chairman. I do not know why they have lost their popularity.

**Mr. Shulman:** They have not lost their popularity. We cannot get them.

Your experts must be in a little confusion, Mr. Chairman.

**Hon. Mr. Dymond:** I have to say again, Mr. Chairman, this is a personal view. I never thought very highly of them. I actually thought they were a useless kind of thing, but still I am only one.

**Mr. Chairman:** Does the member have any other questions?

**Mr. Shulman:** Well, I have not had an answer to this one. Are they available?

**Mr. Chairman:** Would you like to proceed and perhaps the Minister could answer when he has checked further?

**Mr. Shulman:** Well, I am through on this particular vote.

**Hon. Mr. Dymond:** This apparently was a trial run, Mr. Chairman. I am advised that kits with needles were tried only in 100,000 cases. They are no longer available. We did not continue it.

**Mr. Shulman:** I know that, Mr. Chairman—

**Hon. Mr. Dymond:** We may have to look into the matter again.

**Mr. Chairman:** I think you have your answer. He said it would be looked into again.

**Mr. Shulman:** He will look into it again?

**Mr. Chairman:** Yes.

**Mr. Shulman:** And he will let us know?

**Mr. Chairman:** I think you have had your answer.

**Mr. Shulman:** Will he let us know?

**Hon. Mr. Dymond:** If the information is available, but surely the hon. member knows that we cannot decide this sort of thing overnight, Mr. Chairman. Look back and see what the reasons were from—

**Mr. Shulman:** I know it cannot be decided overnight. They apparently made 100,000 of these. They worked so well that they—

**Hon. Mr. Dymond:** I think the hon. member has made his point, Mr. Chairman.

**Mr. Chairman:** The member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, regarding sanitary inspection, in view of the fact that nitrates in ground water could cause severe poisoning or have caused harm, particularly to younger people and children, what inspections are done by your department to ensure that there is no high concentration of nitrates in the water, particularly around large farm operations or packing plants, and so on?

**Hon. Mr. Dymond:** Mr. Chairman, I do not know where this comes into this vote.

**Mr. Makarchuk:** Sanitary inspections.

**Hon. Mr. Dymond:** Item 11, maternal and child health. However, if we—

**An hon. member:** Item 10.

**Hon. Mr. Dymond:** Back on item 10, are we?

**An hon. member:** We never left it.

**Hon. Mr. Dymond:** If we are asked to test wells of this kind, we will do it, but failing the request to test the water, we have no right to go on private property and test it. If it is a public water supply, it becomes the responsibility of OWRC.

**Mr. Makarchuk:** Well, Mr. Chairman, once again your experts say that there is a possibility that nitrates may reach dangerous proportions in some areas. Are you going to wait until there is a sickness, or a fatality in the area before you do anything about it, or are you going to catch this thing in time?

**Hon. Mr. Dymond:** I think, Mr. Chairman, that it is the medical officer of health. Let us remember, sir, that the health of an area, any area in the province, is the responsibility of the local unit. We are here behind them in the event they need consultation, advice, direction, guidance, help, in any way, shape or form. But the responsibility for the health of the people within the sphere of influence of the unit is with them—with the local people.

I am quite sure that our medical officers of health and all the members of our health units are quite capable of looking after the



health in their own areas. I have had no particular problem directed, to my knowledge, to the attention of the department. When they have asked for advice through the senior medical officers, the regional medical officers, it has been given. If they in turn need further help, they turn to us and it has never been refused.

**Mr. Chairman:** Item 10?

**Mr. Makarchuk:** Mr. Chairman, am I correct in assuming that no instructions have gone out to the medical health officers in the various locations in the province regarding the dangers of nitrates in water?

**Hon. Mr. Dymond:** Well, Mr. Chairman, I have not found it necessary to instruct our medical officers of health. They are all highly skilled specialists in their field and I think they are all quite aware of the dangers and are quite prepared to do the job that is allocated to them.

**Mr. Chairman:** Item 10?

**Mr. Makarchuk:** Mr. Chairman, if we can dwell on this again for a while. Earlier the Minister said that he had listened to his experts. Now, the Ontario medical association says that nitrates in ground water have reached dangerous proportions in some areas. How much more of a warning does the Minister require on this particular subject?

**Hon. Mr. Dymond:** When this was brought to our attention first this was long before I was in the department. I am advised that in 1956 all our medical officers of health were circularized on this matter; it was drawn to their attention. We have found no further reason to remind them of their responsibility in this since.

**Mr. Chairman:** Item 10—are we still on 10?

**Mr. Makarchuk:** Yes we are, Mr. Chairman. I understand the Minister has been negotiating with the Canadian pharmaceutical manufacturers association and the Ontario pharmaceutical association regarding prices of drugs to hospitals and institutions, also regarding the mark-up of drugs in retail pharmacies. Could he give us an indication what mark-up he has negotiated, particularly with the retail pharmacies? Or has he negotiated any pricing?

**Hon. Mr. Dymond:** Mr. Chairman, negotiations are still going forward.

**Mr. Chairman:** The member for Sandwich-Riverside.

**Mr. Burr:** Mr. Chairman, I understood the Minister to say that in 1956 all the health officers were circularized and warned against nitrates appearing in well waters, but there may be new health officers since 1956. Is it not time to warn them again? And also if the local health officers take the same attitude that the Minister took a few moments ago and say that they cannot go on to private property, they may be completely unaware of certain areas where this problem is getting worse. I should think they could make a routine check and ask permission of the people who have these wells if they might check their water. There would not be any constitutional difficulty. I think this is a serious matter.

**Hon. Mr. Dymond:** Mr. Chairman, we do not train the medical officers of health; that is done by the universities and the school of hygiene. Every public health officer, every physician, is trained to recognize these things and to deal with them, particularly if he has specialized in public health. I am quite certain that the medical officers of health are fully aware of this. If, in their wisdom and judgment, it is necessary to make a check of any well I am quite certain they will find ways and means of doing it. They have the power, actually, under The Public Health Act, to go on any property, if in their view there is something which constitutes a hazard to the public health.

I do not think, indeed, I have not heard of any untoward occurrence in this area at all that our medical officers of health have not been able to recognize and to deal with.

**Mr. Chairman:** Item 10?

**Mr. D. A. Paterson (Essex South):** Mr. Chairman, may I determine whether this is the subsection where one might discuss spraying with insecticides and herbicides?

**Hon. Mr. Dymond:** No, Mr. Chairman, if the hon. member would wait until environmental health which is item 27.

**Mr. Brown:** Would the Minister, Mr. Chairman, identify the item "health education" under item 10?

**Hon. Mr. Dymond:** What do we do in the way of health education? This is largely done through pamphlets, through booklets, brochures, through lectures, talks, seminars, workshops, any recognized educational methods, Mr. Chairman.

**Mr. Brown:** Is this duplicating the health league of Canada work; or what particular section is it aimed at?

**Hon. Mr. Dymond:** I think it is aimed at complementing the work of all of the volunteer organizations.

Item 10 agreed to.

On item 11:

**Mr. Shulman:** A few days ago under vote 801 I was asked to save this particular delightful little book for vote 803. What I am referring to is the second report of the perinatal mortality study in ten university teaching hospitals, Ontario, Canada, published by the Ontario peri-natal mortality study committee and published by The Ontario Department of Health.

An hon. member: That is the one he did not know about.

**Mr. Shulman:** Yes, this is the study the Minister did not know existed but, as he explained, he does not read everything that comes out of his department.

The thing that is disturbing to me about this particular study is that we are spending, or rather the government is spending, some millions of dollars in this particular department in research. Under an earlier item there was some \$4.3 million going to research—under this item there is another \$75,000, part of which is obviously going to research, and some good work is coming out of all this. A part of it is going merrily down the drain, but some good is coming of it and when, by some strange chance, this department does discover something worthwhile, they do not even let the Minister know about it.

Not only that—not only do they not let the Minister know about it, they do not let anybody else know about it. I tried to get a copy of this book the other day at the legislative library, they did not have one. We tried to get one—a number of people tried to get one—

**Mr. E. Dunlop** (York-Forest Hill): The great medical library.

**Mr. Shulman:** The legislative library for the benefit of the less knowledgeable back benchers on the other side is supposed to contain material that is published by the various departments here. However, this member would not be aware of that.

**Mr. Dunlop:** You think it is supposed to contain it all?

**Mr. Shulman:** Yes, it is supposed to. Well, they had not heard about it. The various other members on both sides of the House had not heard about the study; the Minister had not heard of it; a copy of the study was not even available to the Minister's office.

**Hon. Mr. Dymond:** The hon. member had better stop coming over to that. The hon. member's presentation of a secret confidential report, I think he dubbed it, threw me off stride. Of course I knew what he was talking about. Had he told me the title of the book he had in his hand I would have known what he was talking about.

**Mr. Shulman:** I am afraid the Minister is once again confused because I did not mention secret or confidential. The secret, confidential report which I am delighted the Minister brought up—and I hope he will go back to *Hansard* to refresh his memory once again—was not mentioned by me. This was another report. Just to refresh his memory, this is the report he denied categorically existed. It was brought up by my colleague from Scarborough West (Mr. Lewis) who mentioned a secret, confidential report, so once again let me refresh your rather faulty memory, Mr. Minister, through you, Mr. Chairman, I did not at any time use those words, I did not say "secret", I did not say "confidential"—

**Hon. S. J. Randall** (Minister of Trade and Development): What is the matter with you? Ask the question politely.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): A man who gets kicked out of his job.

**Mr. Shulman:** Let me refresh the Minister's memory—I asked him had his department—we might as well go back to the beginning again as the Minister is so confused—had his department done any studies on the dangers of smoking to pregnant women—and he said "no".

**Hon. Mr. Dymond:** Mr. Chairman, this is quite right. My department did not do the studies—the professors of obstetrics and gynaecology at the various universities did the studies.

**Mr. Shulman:** I again asked the Minister—and I refer him again to *Hansard*—if his department distributed such a study and he said "you cannot embarrass me, I do not read everything that comes out of my department"—well this is all unimportant, really, the point being—

Interjections by hon. members.

**Mr. Shulman:** Here is a vastly important discovery, something really of crucial importance, and I am going to read it into the record because it is of crucial importance. It is of crucial importance not just in this Legislature, or in this province, but literally all over North America and all over the world. It is something that I do not believe was discovered anywhere else and I want to read it into the record because it is of such great importance and the Minister, for whatever tenuous reason, deserves some little credit for being connected with the department that discovered it. I quote—page 27—

**Mr. V. M. Singer (Downsview):** Oh, read the whole book.

**Hon. Mr. Dymond:** Yes, read the whole report.

**Mr. Kerr:** "Dear Dr. Shulman."

**Hon. Mr. Dymond:** 267 pages.

**Mr. Shulman:** As a matter of fact—

**Mr. Chairman:** On item 11, please.

**Mr. Shulman:** It says:

Among non-smoking mothers 4.7 per cent of births were premature by weight. In contrast the proportion of premature births was 7.4 per cent for mothers who smoked less than one package per day and 11.6 per cent for mothers who smoked one or more packages a day. A similar relationship was observed between smoking and immaturity.

For the less medically trained members of the Conservative Party let me explain that this means that if a woman who is pregnant smokes, her chances of having a premature birth is some two and a half times greater than for the woman who does not smoke. I go on again to quote from a table on page 126 which shows that the peri-natal mortality rate among the non-smokers is 24.3 per 1,000 births, while with the smoker who smokes one package or more a day, the peri-natal mortality is 50 per cent higher—36.3 per 1,000 births.

This is very important because this means that if a woman is pregnant and is a heavy smoker, her chances of having a dead baby or a premature baby are much, much greater if she does not discontinue smoking for the period of the pregnancy.

Now there are two things I am going to ask the Minister here. The first is, for goodness

sake, you made a great discovery, publicize it, let the rest of the world know about it; it is important, you should be proud of it. And secondly, just as important—

**Mr. Makarchuk:** He does not have much to be proud of.

**Mr. Shulman:** Yes, it is true, he does not have much to be proud of, but when he finally does come up with something he should publicize it, and he should take credit for it. But equally important, for goodness sake, learn what your department is doing. This was distributed by your department, sent out by the special health services branch, Ontario Department of Health, Parliament Buildings, Toronto, Canada. You have a duty to your department and this Legislature to make sure the money is being properly used. For goodness sake, read the things that are being distributed. You should be ashamed!

**Hon. Mr. Dymond:** Mr. Chairman, if the hon. member would spend more time keeping up with his profession and less playing Dick Tracy, Perry Mason and Joe McCarthy all wrapped up in one, he might make a greater contribution to society.

May I remind the hon. member, may I remind you, sir, particularly, and the hon. members in this House, that we have distributed 750 copies of this report in the past year and also 750 copies of the supplement. We did publicize it; we put an advertisement in the *Ontario Medical Review*, an organ which I hope is read by the great majority of practising physicians in the province to let them know that this was available. All they have to do is write for it. I certainly would not be watching and guarding against waste if I were to distribute this book to seven million people in the province, because it would be completely meaningless to a great many. It would be of use only to those women of child-bearing age in the first stages.

And I think it is so presented that it would be difficult for a great many of them to understand its implications. It is the patient's doctor who needs to know this. But, Mr. Chairman, this is nothing new. It is not a great earth-shattering finding. We have known for ten years at least. If the hon. member had been reading his medical journals or that California study—I think at least ten years ago they pointed out this sort of thing. Even before I gave up practice I recommended that every pregnant woman stop smoking as soon as her pregnancy was determined, and if she was nursing her baby I absolutely forbade smoking.



I may not have had very sound scientific basis for this but I know that it was being done by good practitioners. And if the hon. member would refresh his own memory and review some of the old literature he would find that this has all been covered already. Of course, this information is made available to those who will be helped by it and again, I repeat, sir, it has been advertised as available to any physician or any person who can make use of it.

The pertinent sections of it will be incorporated in our own departmental publication which is distributed, I hope, to every mother. It is available to every hospital and to every doctor; we encourage and advise and recommend distribution to every pregnant mother as soon as her pregnancy is established in order that she may read it. It is written in language which a layman can read and understand and appreciate. The pertinent extracts, I repeat, will be taken from this and other studies and put in that book.

**Mr. Chairman:** Item 11?

**Mr. Shulman:** Just a minute, please. I am not quite through. The statement by the Minister almost strikes me speechless, because it shows such an absolute lack of understanding of the problem. No one is suggesting that these books should be distributed to pregnant women. These books do not do anything except show tables and figures. Let me explain to the Minister, since he obviously does not understand why this study was undertaken, that this is a study of 25,000 pregnancies, and the reason this study—

**Hon. Mr. Dymond:** Mr. Chairman, may I put the member's mind at ease? I instigated the study when I became Minister.

**Mr. Shulman:** Well, if the Minister instigated the study and subsequently forgot about it, I have even greater fears for that particular department. But to go ahead: This study consisted of a study of 25,000 births and the reason this study was undertaken was because there were suspicions that perhaps smoking was dangerous to the fetus.

**Hon. Mr. Dymond:** No, no, Mr. Chairman, the hon. member—would he stop interrupting—Mr. Chairman, the hon. member is misleading this House; it was not the purpose of the study at all. The purpose of the study was really aimed at trying to reduce the maternal and infant mortality to the lowest possible rate. I am still not happy with it, and this was actually why the study was

initiated. This is one of the factors which they believe is a contributing factor.

**Mr. Shulman:** Mr. Chairman, after ignoring that minor interruption—perhaps I should not ignore it—let us just come back then and settle this one. Why did the Minister start this study if it was not for that particular purpose? What was the reason the Minister asked that 25,000 women be checked as to the amount of smoking they were doing, if he already knew, as he says, and if studies have already proven this? Is he telling me that all this money was wasted, and the Minister ordered a study when he already knew the results in advance?

**Mr. Chairman:** Surely the member should realize the Minister should know why he instituted his own study.

**Mr. Shulman:** We should hope he does, but obviously he did not. First, in one breath he says, "we knew all this"—

**Mr. Chairman:** Such an allegation is nonsense in my opinion. The Minister certainly knew why he instituted the study.

**Mr. Shulman:** I have asked him why—but all right, we will go on to the next, which I was trying to put when I was interrupted. This was a study which was done, if the Minister does not know it, to find the facts. Now, after the study was done, no one is suggesting that 700,000 copies should be distributed. What he should have done is what other departments do.

When you find something that is of crucial importance to the public, you do not notify the doctors, you notify the public. You call a press conference, you make an excerpt, which this government is very good at in matters that are not important. They should have warned pregnant women because they are the people who should be warned. They take a \$5 advertisement in the *Ontario Medical Review* and say, "we advertised, we did our duty that way". But he does not understand his duty.

**Mr. Chairman:** I think the Minister has explained that quite thoroughly.

**Mr. E. W. Sopha (Sudbury):** Could I ask a question as a lay observer, Mr. Chairman—quite apart from this private tong warfare carried on in the jargon of the trade between these two. If it has been determined that there is a hazard to the health of the expectant mother through smoking during her pregnancy, which seems to me to be an

ultra-simple proposition—I have no difficulty in understanding that at all—and if that has been determined scientifically, what I do not understand, and maybe I am obtuse, is why the Minister is so concerned about communicating that simple proposition to the medical profession in the distribution of his inch-thick studies.

It would seem to me that on the principle of public good that the Minister might well buy some advertisements in the daily press, some time on television in preference to the rather silly advertisements we do see that are paid for out of the public coffers. One illustration, of course, is Ontario Hydro, who reach an Everest of idiocy in some of theirs. But there are two media.

Why does not The Department of Health merely convey the message to expectant mothers in this province and say, "We have reliable information that if you smoke during the period of your pregnancy, you are endangering the life of your expectant child, as well as running a risk, which you should not accept, of hazard to your own health."

May I ask the Minister, through you, why that message is not conveyed to the expectant mothers of this province who to me, unhappily, in respect of recent statistics, are diminishing in number during the period that this government is in power?

**Mr. D. C. MacDonald** (York South): That is the point of the question of the member for High Park.

**Hon. Mr. Dymond:** The answer is that we believe the doctor and the health people who are in close and intimate contact with these patients are in a far better position to give the advice to their patients. We think it is far more valuable and far more producible of good if the family physician or the attending obstetrician does the job directly with the patient, and tells the patient these things. And I can assure you, sir, that the great majority of good practitioners do this.

We do have something which may augment their efforts, I do not know. We have not done it and it might very well be worth considering. My own view is that it is far better to extract the pertinent information from this and put it in the book which is readily available. It is already in our book which I hope is given to every pregnant mother when she calls on her doctor on her first visit.

This, I repeat, is written in language that any layman can understand. We believe that

it is far more valuable through these channels than if we were to go on television. Again, it might not be; it might be worthwhile thinking of these other things. But we believe from our own experience that these are the methods that are worthwhile. Many pregnant mothers attend pre-natal classes and these are the things that are emphasized when they are getting instructions. Usually the pre-natal instruction is given them by public health or other nurses, and woman to woman can point out these things, although unfortunately a great many nurses smoke, as do a great many women.

But I believe that we can dim the sensitive ear to the point where it loses its effectiveness; whether or not we have done that I do not know, because I do not think that the educational programmes against smoking are as valuable or as productive as they might be. What the reason is, I am not sure. However, the views that the hon. members have expressed may well be worth thinking of. Up to the present time, we have felt that the channels we were using were more productive of good and useful results than other means.

**Mr. Sopha:** I am not startled as a layman to hear that smoking creates a hazard to the human fetus. I would be startled if I heard that eating beets would give you ingrown toenails. It does not surprise me. I am not bowled over to hear it, because any kind of dreadful harm might come from that noxious weed that people inhale. But I was curious to know if the study was made in California, and it was productive of results. Unquestionably they smoke a great deal more in California, than they do here. If they determined this in California, what did you have to repeat the study in Ontario for?

**Hon. Mr. Dymond:** Mr. Chairman, this was given to a group of scientists with one objective in view, sir, and I repeat, to reduce the maternal and infant mortality to the lowest possible rate in Ontario. To do that, the scientists who undertook the study considered 840 items. Smoking was only one of them, or the effect of tobacco smoke was only one of them. There were 839 other items on the study card. This was just part and parcel of the total study aimed at reducing the maternal and infant mortality rate in Ontario.

**Mr. Sopha:** What does that book contain, more results?

**Hon. Mr. Dymond:** Oh, yes, yes.

**Mr. Sopha:** The hon. member for High Park has been emphasizing the smoking. Is that the study of pre-natal care? What is it a study of?

**Mr. Shulman:** There is no other factor.

**Hon. Mr. Dymond:** It is a peri-natal mortality study.

**Mr. Sopha:** Well, it may be. We would be delighted to hear that there are other scientific findings there, in respect of hazards to the health of expectant mothers. Are there any more or less startling than the one that you have just told us about smoking?

**Hon. Mr. Dymond:** Frankly, I could not tell you, Mr. Chairman, because I have not read all the tables in it.

**Mr. Shulman:** Ask me, Elmer.

**Mr. Sopha:** Well, does somebody in your department read it?

**Hon. Mr. Dymond:** Yes, yes, someone in the maternal and child health division of my department is studying this very continuously.

**Mr. Sopha:** All right, I just want to ask this final question. That book to me looks as if it is about an inch thick, and no doubt costs a lot of money. If somebody reads it in the Minister's department, I would like to ask if there is some startling piece of information that could have an influence upon the public health, the health of the people in this province. Does somebody at some time rush into the Minister's office and say, "Look what I have learned, we should make this information available, let us do something about it"?

**Hon. Mr. Dymond:** I am quite sure that if there were something as startling as I believe the hon. member would like to indicate, that that would happen, or that would just about happen. They might not rush into my office, but they certainly would draw it to my attention.

**Mr. R. F. Nixon (Leader of Opposition):** They would make an appointment.

**Hon. Mr. Dymond:** I can assure you that I would be advised of it.

**Mr. Sopha:** Well, one wonders. A lot of people have expressed this view as a result of the experience of living. All you have to have to come to this pessimistic view that there is one thing about the medical profession—it seems that with that priestly cult, that every time somebody makes a break-

through in medical science, every time there is a breakthrough made, the history of the profession reveals that, co-extensive with the breakthrough in matters of health, somebody else of repute in the profession begins to condemn it. To make a breakthrough in health means vilification. So it was with the man who invented the smallpox vaccine. He was hauled before the Royal college of physicians, and threatened with loss of his licence.

Another eminent doctor for ten years asked doctors to wash their hands between operations. He was treated as a pariah. All the time Sir Alexander Fleming was doing the research on penicillin, he was an apostate. Now a man in South Africa transplants the human heart, and doctors all over the world condemn him. As a layman it makes you wonder. We lawyers do not treat our colleagues like that, we welcome the advance of knowledge. I am wondering what kind of a vice it is—and I am using that word "vice" in its best sense—what kind of a vice is it in that profession? Is it jealousy or what, that as soon as somebody finds out something, important segments of the profession begin the process of vilification and abuse, and the process ends up with the fellow becoming a pariah.

I would like to be satisfied in respect of this and the \$4 million that we voted earlier, that everything that this department does that could have a beneficial effect on the health of our seven million citizens would be made available on the widest possible basis. I return to this business of smoking by pregnant mothers. You can hardly turn on the television in the evening when some dulcet virtuoso does not inform you that, in smoking you are in danger of contracting lung or throat cancer or both, and all sorts of other things, but I have never heard—and I have had a few pregnancies around my house, too, let me tell you. I have had a few, four of them and fortunately the children were born well and healthy and they did not smoke, they have not started to smoke. But to be serious about it, I do not see anything wrong with asking those people who warn against the danger of carcinoma of the lungs—is that the technical phrase?—from smoking. I do not see what all the trouble is, that he cannot be asked by The Ontario Department of Health under the authority of the hon. Matthew B. Dymond, to add to his message, "Pregnant mothers, we ask you for your own sake and for that of the child that you want, not to smoke during pregnancy."



Now, what is so complex about that? I do not understand all the fuss there is about this; a simple proposition like that would certainly give the people of this province the value for their tax dollar that is going into research here in considerable amounts.

**Hon. Mr. Dymond:** Mr. Chairman, I am quite sure that after this debate tonight every mother or potential mother will know it and it will not have cost The Department of Health a penny.

**Mr. Chairman:** The member for Wentworth.

**Mr. MacDonald:** Do you now concede the value of the matter being raised?

**An hon. member:** Do you admit that it is silly?

**Mr. Deans:** Mr. Chairman, that is the sad part of the whole, that advertising should have to be done in this fashion—

**Mr. Chairman:** Order.

**Mr. Deans:** —that the Minister should rise and say that now that we have brought it into the open everybody will know about it, when the facts existed previously, when the opportunity to tell the people was there. What I want to say is that the Minister suggested that the doctors themselves are the people to tell the patients.

**Mr. Chairman:** That is what the Minister suggested.

**Mr. Deans:** Now, is it inconceivable that the damage to the unborn child would be inflicted in the early stages of pregnancy, prior to the mother attending the doctor—

**Hon. Mr. Dymond:** I do not think that they know that, do they?

**Mr. Deans:** Is this unrealistic to assume? And considering many mothers do not attend the doctor until the third month? And some even later, and some do not go at all?

**Mr. Sopha:** Well, some mothers do not know that they are pregnant until the third month.

**Mr. Deans:** There is some truth in that too. I wonder if the member for Sudbury is speaking from his family experience. Since this is the case, surely these facts should have been brought out. Surely, if we are going to conduct studies at public expense, the people who should be told of the results are the public who are paying for it and can benefit.

**Hon. Mr. Dymond:** Mr. Chairman, the most common hazard is prematurity, that a baby is born prematurely. I do not know at what time damage may be done if any, but I still maintain that those who are in close contact with the patient are best equipped to tell her this. The channels which I said we use we believe are the most productive channels. I think that I have indicated too that we certainly do not have a closed mind about this. We may well consider the other methods of advertising this kind of information.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, the Minister has indicated that he has not read the report, but that 832 items were studied. Well, I have read the report, and I hate to have to correct the Minister again, there were not exactly 832, there were 85, but he was closer than he usually is.

**Hon. Mr. Dymond:** Mr. Chairman, I said that there were 830 items on the study card, and I still maintain that there were 830 items on the study card.

**Mr. Shulman:** I have the 85 items here, Mr. Chairman, and if the Minister wishes I would be glad to read them to him.

**Mr. Chairman:** The member for Beaches-Woodbine.

**Mr. Brown:** Mr. Chairman, I would like to inquire what is the purpose of the maternal and child health section? What particular acts are performed by this particular area of The Department of Health under The Public Health Act? What do they do, what is the purpose of their function?

**Hon. Mr. Dymond:** Well, the purpose of their function is to keep watch over the maternal and infant health of the province, Mr. Chairman, to put it in a very few words. Specifically, a large part of their activity involves education—the dissemination of information concerning problems associated with pregnancy and the early years of an infant's life. We produce this one book which we hope is given to every expectant mother and which is concerned with the preservation of the lives of mothers and children, and the promotion of their optimum health.

The work is undertaken through the administration of specific programmes as well as through consultation and collaboration with other agencies, notably public health services, general hospitals, and other voluntary agencies. One of the very important features is

to keep constant watch over the maternal and infant mortality rates having the constant objective in mind that Ontario wants to get our rates down to the lowest possible figure.

**Mr. Brown:** Mr. Chairman, the incidence of use of this particular department or the information of this particular department—how broad a coverage does it have? Is it the intent of this public health division to come into contact with each pregnant woman in the province, prior to birth of the child, and that it will provide information on some sort of educational programme to that person?

**Hon. Mr. Dymond:** If the hon. member means do our staff expect to come into contact with every expectant mother, the answer is "no". We provide essentially a consultative service. We expect that it is the duty and the responsibility of the public health authorities in every locality of our province to take responsibility for this kind of programme in co-operation and collaboration with the practising physicians and with the hospitals. In the event that the public health authorities need consultation, advice, direction, then they can turn to our maternal and child hygiene section for that assistance.

**Mr. Brown:** Mr. Chairman, I would like to pursue this a little further. What I am interested in determining, if it is possible, is the direction and the goal of this particular service. It is evident—and it has been for a great many years—that the expectant mother is in a position to receive information which may be very helpful to the development of the child after birth.

We know that in the area of mental health and emotional disturbance, a great deal of damage is done if the parent is unaware of the nature of the care that needs to be given, the meaning of certain sorts of behaviour, the mother's own mental health, and so on. My concern here is that in a health estimate approximating \$400 million, some \$75,000 is spent in an area where a great deal of public education could be done for the parent before the child is born, focussed on providing information that could be helpful to that mother in rearing the child in a state of good physical and mental health.

**Hon. Mr. Dymond:** Mr. Chairman, I have to emphasize again, that our programme augments the many programmes that are going on across the province. We do not operate the programme ourselves. I repeat that ours is essentially a consultative service having an overriding concern for the area,

and having the objective to reduce the infant and maternal mortality to the lowest possible figure.

**Mr. Brown:** Mr. Chairman, perhaps I am not phrasing it correctly. What I am concerned about is the fact that we talk about the need for prevention—and certainly in both physical and mental health, the time to do the act of preventive work comes at a time before the child is born and before the child undergoes the negative experiences that lead to maladjustment. What I am raising here is the question why there is not more effort to provide information to the parent prior to the arrival of the child that would help in improving the level of care to children with a view to preventing later development of maladjustment.

**Hon. Mr. Dymond:** Well, this is asking if I have stopped beating my wife, Mr. Chairman.

**Mr. Brown:** That is a good question.

**Hon. Mr. Dymond:** Well, I have not started, I am scared to. I would point out to you, Mr. Chairman, that we are spending what I believe is necessary, and wide and constitutes a good programme.

**Mr. Brown:** Do I understand that you feel you are doing all that can be done to prepare mothers in the province?

**Hon. Mr. Dymond:** No, I am not saying that we are doing all that can be done, we are doing—

**Mr. Brown:** All that you care to do then?

**Hon. Mr. Dymond:** —what we believe constitutes a good programme.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, I have three more items under this vote. Some years ago—I believe it was about six years ago, perhaps it was longer—The Department of Health, in an effort to reduce maternal mortality and to encourage women particularly to attend physicians, set up a programme whereby \$5 would be paid to each doctor who examined a pregnant woman. He had to fill in a report which was then sent in to the department; this had a dual purpose: It was useful for research purposes with the information on it, and secondly it was an encouragement to have these women examined in some detail. An encouragement to the doctor to do certain examinations which in certain parts of the province he might not have done.

May I ask why this particular programme or incentive programme was discontinued?

**Hon. Mr. Dymond:** This programme was discontinued before I became Minister, Mr. Chairman, but I would point out to the hon. member, if he was practising then he will recall that the fee for an obstetrical case was \$45 or \$50. The fee today is \$110 for a general practitioner. A great majority of our people are insured and it would seem to me that spending an additional \$5 out of the public treasury is not going to do very much good. I was never convinced in my own mind—and I was a practising physician at the time—that this achieved the objective that the department had in mind for it. There was one thing it did. We were certain that every expectant mother at least had a blood test because I think this was one of the conditions imposed upon the physician before his bill would be paid. I cannot recall the statistics, but I do not believe that it did anything to reduce maternal or infant mortality. I do not think the figure was significantly changed by the programme.

On the other hand, it was a worthwhile study from the standpoint of the serology alone.

**Mr. Sopha:** What is the infant mortality, sir? How do you measure it? Per thousand births?

**Hon. Mr. Dymond:** Per thousand live births in Ontario; the neo-natal rate is 15.1. In Canada, it is 16.3.

**Mr. Shulman:** I am sure the Minister is aware—I would not insult him by asking—I am sure he is aware that there is a committee in the city of Toronto, the committee on maternal and infant mortality, which is made up of a professor of obstetrics and various other leading gentlemen in this field. I am curious as to whether the Minister has read the minutes of their meetings and the proceedings and suggestions they have made to reduce infant mortality and maternal mortality. If he has not, I am curious as to whether the experts in his department have read or heard of these various suggestions.

**Hon. Mr. Dymond:** This group, Mr. Chairman is an outgrowth of our own peri-natal study, and I think this has been established in many areas of the province, but all of us are still striving again, to achieve the objective for which the study was instigated in the first instance.

**Mr. Shulman:** I am afraid the Minister probably did not hear my question. My question was: Has the Minister, or anyone in his department, read the recommendations or received the recommendations of this committee?

**Hon. Mr. Dymond:** I have not read them myself but I presume our staff has. I would like to point out to the hon. member that my staff are very much on their toes, that they are quite *au fait* with all of the up-to-date literature and all of the up-to-date studies.

**Mr. Shulman:** We will soon find out.

**Hon. Mr. Dymond:** Well, I do not think we are deeply concerned, and I think my people will stack up against any that are around. They are members of the committee and they write the minutes, Mr. Chairman.

**Mr. Shulman:** He said they would write the minutes. Well, in that case—

**Mr. Chairman:** The Minister said the members of the staff were members of the committee and they write the minutes.

**Mr. Shulman:** They write the minutes. Ah, good. Well then, I am sure they are aware of the feeling of the head of the committee and I am certain they would have passed it on to the Minister. He is probably one of the leading obstetricians and gynaecologists this country has produced, Dr. Cannell, and he suggested that one of the leading ways of cutting the maternal mortality rate would be to have an amendment to The Ontario Coroners Act—and I draw this also to the attention of the Attorney General (Mr. Wishart)—which would make it mandatory to have every death during a pregnancy autopsied. I am not referring to fetal death, I am referring to death of a mother.

I happen to know this because Professor Cannell was kind enough to consult with me at the time that I was chief coroner, and I must agree with the suggestion that he and his committee have made and which I am now asking the Minister: Did he pass on Professor Cannell's suggestion and request to the Attorney General? And if he did, what was the Attorney General's response?

**Hon. Mr. Dymond:** Mr. Chairman, I have no recollection of receiving that. As far back as I can remember, Dr. Cannell has been a consultant to the department, but he has been a consultant in cancer more recently, since he assumed the responsibility of medical director of the cancer treatment founda-



tion. I presume his recommendation went directly to the Attorney General, but I do not know.

**Mr. Shulman:** Mr. Chairman, again I presume the Minister is missing the point. Has he received such a suggestion? Is he aware of it? His experts have written the minutes, are they aware of this suggestion? And what has his department done to institute this suggestion, if anything?

**Hon. Mr. Dymond:** Mr. Chairman, I will have to get that information for the hon. member. I have no knowledge of when this report was sent to me. I can tell you that it did not come to me recently, but when it came I cannot tell without going back and checking our records.

**Mr. Shulman:** Well, would the Minister mind asking his experts, because they are sitting right behind him and they wrote the minutes, so they should be fairly up on this.

**Hon. Mr. Dymond:** I will undertake to get the information, Mr. Chairman, for this House.

**Mr. Shulman:** I am sorry, Mr. Chairman, I did not hear your reply.

**Mr. Chairman:** The Minister said he would undertake to get the information for this House.

The member for Sudbury.

**Mr. Sopha:** The Minister gave us the comparative statistics for Ontario and Canada in infant mortality. I am wondering if he knows what are the statistics for, say, New York state, the state of Michigan, Sweden, Australia, New Zealand? Does the Minister, through you, Mr. Chairman, have the statistics for any or all of those jurisdictions?

**Hon. Mr. Dymond:** I just have them by province here. We have them available in our library, but we only have them by provinces here. I believe we are the 15th in the whole world, but this is in nations. I think Ontario is the 15th of all the nations reporting. I will have to get them for the hon. member. If he wants to, he can look them up in DBS. Yes, they are available, and I can get them for him.

**Mr. Sopha:** Fifteenth! I suppose you are are talking about the western nations? One would expect that the infant mortality would be higher in Somalia than it would be in Ontario?

**Hon. Mr. Dymond:** Actually, the Irish Free State, I believe, has the record for the world.

**Mr. Sopha:** The Irish Free State?

**Hon. Mr. Dymond:** The Irish Free State tops the world and I believe the Netherlands is second, or is it Scandinavia? Is it Scotland fifth? I used to know the first ten, but I cannot remember them now.

**Mr. Sopha:** I am very concerned about this, because—

**Hon. Mr. Dymond:** So are we.

**Mr. Sopha:** I am a minority around here, as I sit and listen year after year to the propaganda of birth control—bearing in mind, as I always do, I said last year, and got into terrible disputation with the member for York South about it, that I am one of those who decries the declining birth rate in Ontario. And the longer this government has been in office, the more the birth rate has declined.

There is a complete correlation, but our friends to the left here—I do not do them any disservice, and I am not unfair when I say that listening to them year after year they would be satisfied if there were one child in every family and that is it. But I am one of those who looks rather with sadness at the fact that the birth rate in Ontario is showing very marked decline. On May 16 I am going to have something to say about that in respect of certain areas, and I look at the member for Cochrane North, who comes from an area where the population is declining.

**Hon. Mr. Brunelle:** I am right with you.

**Mr. Sopha:** Fewer people are living in Cochrane North every year. So it is with Rainy River and Timiskaming. In those circumstances, I say quite genuinely that I am rather startled that Ontario takes its place as number 13. I am mindful, of course, that whatever the first in the universe, in any sphere at all, the Minister never hesitates. He never missed to rush in here and say that Ontario leads the way in the whole universe; the last word from Mars and Venus indicated they were not ahead of us. But to find out that we are 13th, a baker's dozen, you have to really pry the information out of him. It is like cross-examining the experts to get it.

Interjection by an hon. member.

**Mr. Sopha:** That is not much testimony to the efficacy of the spending of public money

by this department. My next logical question in examination of this subject would be, if Ontario is 13th at—what did you say? 15.1? Then what is the rate of mortality of the leading jurisdiction, Ireland? I would be interested to know what the spread is between the two of them.

**Hon. Mr. Dymond:** I may be wrong, Mr. Chairman, it is not Ireland now; Ireland has lost its place. I believe Sweden and the Netherlands and New Zealand lead. Sweden is 11.7. I have to say, too, while I would be very proud to be able to say that Ontario leads in this field, this is a field that has given me a very great deal of concern, I am very disappointed that we have not been able to reduce it.

Indeed oftentimes I have asked my colleagues why nations like Ireland and the Netherlands and Sweden, the Scandinavian countries, can achieve this with a much better record than we with all of the facilities and all of the scientific know-how, and so on, that we have here, and the opportunity to have better facilities if that would be the answer to the question. And I have not gotten an answer to the question yet. I can say that over the last ten years I have been Minister it has been reduced somewhat but certainly not enough yet, by any means.

Again I repeat, it was for this reason that we instigated or initiated this pre-natal study to ask the leading obstetricians and gynaecologists in our province to take this matter under very intensive study in order that they may come to some conclusions that would help guide us to an improvement.

However, there is another feature about this that we still cannot get sorted out. We cannot get agreement among the nations of the world, or jurisdictions of the world, on the method of computing the statistics. There are those who say that if the statistics were equally weighted they would appear differently.

**Mr. Sopha:** When you say infant mortality, at what period of time does the Minister mean? Right at the time of delivery?

**Hon. Mr. Dymond:** We consider the first year of life, but we also have a different approach than some other nations. We consider the first year of life, but other jurisdictions, other statisticians do not always accept this, and there are a variety of ways of determining the statistics.

We are hopeful that out of the world health organization among many other things

will come a uniform approach to determining statistics of this kind so that they will be more meaningful, and when compared with other nations will let us know exactly where we do stand. Neo-natal in our terminology is the first 28 days, and peri-natal is the first seven days plus stillbirths.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. Stokes:** Mr. Chairman, through you, I would like to inquire of the Minister if he has the figures for the mortality rate of our Indian population in the province, as opposed to the overall averages. It is of particular significance at this time when the federal authorities have indicated that they will be withdrawing, or will not be increasing the amount of money spent on the health care of the Indians.

I think it is absolutely essential that we look after the people in the north who are not able to help themselves, and I was wondering if the Minister had any comments to make with regard to this. I believe the rate is quite a bit higher among our Indian population than it is for the entire province, and I was wondering if the Minister would take under advisement some type of programme to augment what is already being done by the federal authorities.

**Hon. Mr. Dymond:** Mr. Chairman, I have not—

**Mr. Deans:** My question was very similar to that of the member for Thunder Bay and I would like to follow it up if I could.

In the conducting of the survey, did the Minister break it down into regions, into rural and urban, into northern and southern Ontario, to point out if the availability of health services had anything to do with the mortality rate?

And, secondly, in the Minister's opinion, does the availability of doctors and the availability of proper health care, have anything to do with the mortality rate?

**Hon. Mr. Dymond:** I do not have figures for the Indian infant mortality rate; this is a provision of Indian health services and we believe it is a federal responsibility. However, we are in discussion with them at the present time about this matter, and I believe that what the hon. member for Thunder Bay said was very relevant to our discussions. We are hopeful that we can come to an arrangement with the federal health services

so that we can have more supervision or more direct contact with the Indian and Eskimo population than we have had.

This study, I would have to point out for the hon. member for Wentworth, had to do with teaching hospitals only. This is not broken down, but we have broken down the total statistics for the province. We can have this broken down into regions and areas and probably relate it then to the availability of services. I would have to say very frankly though, without knowledge, or without factually documented knowledge, that I would think the availability of health care services would certainly have some effect on it.

**Mr. Deans:** Could I just follow that up for a moment then? Taking that into consideration, the last statement the Minister made, does he feel that the implementation of the Hall commission report would in any way improve this position since they recommended the building of hospitals and the training of doctors and nurses and the introduction of a fully comprehensive medical care scheme?

**Hon. Mr. Dymond:** This is not the answer, because the Hall study, like so many others, sir, falls short of assuring that we can get the doctors where they are needed, and get the health care people where they are needed.

We could go into this at length, but, as I stated earlier, there is no place under my estimates to discuss it. But it is something that I think might very well be debated on the Throne debate.

No nation yet has devised a way of directing doctors to go to the places where they are needed. The allocation of health care workers, as the allocation of many other disciplines, is something that has baffled all of us so far.

Let me put it this way—if our doctors were distributed evenly across the province, I believe that a reasonable standard of health care would be available to all of our people, but unfortunately they are not so distributed. Again I repeat, sir, I know of no nation in the world that has been able to get that very desirable distribution of the health care forces.

**Mr. Deans:** Could we not then in Ontario start some means of enticing doctors, whether it be by monetary gain or some other gain, to take their place in society, in the place they are most needed? If we were, for example, to start a fully comprehensive

medical care scheme, as has been suggested, could we then not use the public funds that we have to entice the doctors to operate in the areas where they are needed?

**Hon. Mr. Dymond:** Mr. Chairman, may I emphasize first of all, that there is no item in this vote or any of my votes to cover this and I recognize that it is impossible to give a brief answer—we have comprehensive medical services available now to anybody and everybody in Ontario.

**Mr. Deans:** To those who can afford them.

**Hon. Mr. Dymond:** I do not believe that it is money. I have said many times in this House that one of the greatest problems is to combat professional isolation. Many young doctors will not go to the outlying places because of the fact that they are alone. We are now looking at ways and means of delivering health care services, indeed this is one of the reasons that our research project committee recommended that we give the research grant to this group in St. Catharines because they were able to convince the research project committee that they could develop a study that would give some worthwhile information.

We have, as I think I have emphasized in this House, and the hon. member for Rainy River this afternoon mentioned it in commenting on the bill of the hon. Minister of Agriculture and Food (Mr. Stewart), we have had for seven or eight years now a programme whereby we provide bursaries to undergraduate medical students of \$1,000 a year to a maximum of four years. A condition of this is that he will give us back four years in service in a designated area. We even undertook to ensure that we would not send him to any designated area where he could not make a good living.

I do not think there is any question about the doctor's inability to make a good living if he has a reasonable number of people to look after. I do not think it is money that would help. It is a matter again of professional isolation, it is a matter of moving families, and many other things. But I do not believe it is money.

I can say to you, sir, however, that they are looking again at some other ways. I say very frankly to you that we have not encouraged the number to come into this programme that we had anticipated. We had hoped to have 20 a year, and this House has year by year voted an amount of money capable of providing this. Unfortunately the



undergraduate medical students have not come into the programme as avidly as we thought they would and now we are looking at another programme.

We are looking at the programme that has been reasonably successful for the armed services in the hope that we can adapt this to our use and to our needs here in Ontario. Whether this will work any better, I do not know, but I can only say that we must try this. We must try any way that we can devise, in the hope that we can get a better distribution of professional people.

**Mr. Chairman:** Is item 11 carried?

The member for High Park.

**Mr. Shulman:** I will yield to the member.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. Stokes:** I would like to go just one step further, Mr. Chairman. I think I have spoken three or four times on the need for doctors in the north, in my short time in the House here, and I was wondering if the Minister would consider appealing to the Ontario medical association? They seem to be a responsible body, at least they like to create the impression they are. If they knew the conditions that exist in northern communities. I was talking to the chairman of an improvement district board in my riding just last week. He has one doctor now, with whom they are very dissatisfied, and they are negotiating for three others. They cannot even perform a simple tonsillectomy or an appendectomy because they have no one to apply the anaesthetic.

You have a legal aid programme, under which you despatch members of the legal profession into these remote areas to give legal assistance to those who are unable to provide it themselves. I think that, possibly, with a carrot-and-stick incentive to the medical profession, you could prevail upon them to live up to their responsibilities to society to provide, at least during the first two years of their practice up there—and I was wondering if the Minister would consider implementing a programme such as that, whereby his department, or some government department, would not underwrite the complete cost of educating a doctor, with the stipulation that the first two, three, or four years of his practising life be spent in some designated area as the Minister has just mentioned.

**Hon. Mr. Dymond:** This, Mr. Chairman, is the essence of the programme we are con-

sidering now. At the present time the necessary we provide does not underwrite the full cost of the education, and as I say, we have been looking at the armed services programme, which has been in vogue for many years, in the hope that we can entice them to go.

Another phase of the programme is that the department will employ a cadre of physicians who can be sent on an emergency basis to fill in at places where they are sorely needed. I do not know if the hon. member meant that we should be trying to entice physicians from other lands, but the great problem is that most of them are worse off than we are. Every nation in the world, with the exception perhaps of Russia and Japan, has a scarcity of physicians. Every nation is complaining and I repeat what I have said on many occasions here, when I have gone to Britain and Europe, or when I have sent my staff to these places, they are met with the query, "Why do you come and take our doctors away?" We need them more badly than you do."

I would point out to the hon. member, sir, that every time I get a letter such as the one he mentions from his improvement district or anywhere I do refer it to the Ontario medical association and the college of general practice, and I think they do what they can to encourage someone to go. But again, all our efforts have not been nearly as fruitful as they ought to be, and I say to you without hesitation that I am quite certain there could be placed within a radius of 50 miles of this great city, a score of general practitioners within a few days, if they were available, and if they were willing to go to smaller places.

**Mr. Chairman:** Are we not just straying somewhat from item 11?

**Hon. Mr. Dymond:** We have strayed sir. We have strayed considerably, as I have pointed out already.

**Mr. Chairman:** Maternal and child health, on item 11.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, I would like to talk on child health and the fact that we do not have the doctors to look after them. I would like to question the Minister. A doctor friend of mine, who is from Europe, maintains that when he wrote his exams some eight or nine years ago, there were 8,000 practising European doctors who took the exam and only 2,000 were acceptable to meet the standards. Would this not be one way of having doctors

available, by doing something like the school boards are doing, going over and hiring them?

**Hon. Mr. Dymond:** Mr. Chairman, I would be very hesitant to consider a programme that provided second-rate medical care. There may be those among us who think that second-rate medical care is better than none at all, but I am afraid I have to argue with that view.

**Mr. Martel:** I was just wondering, Mr. Chairman, if they are second-rate, or if the demand had been met. It seems to me that when we have 8,000—if his figures were right, that, 2,000 out of 8,000 were acceptable—somewhere in that 6,000 remaining, that seems to be an awful high number of doctors, who were second-rate doctors, out of 8,000.

**Hon. Mr. Dymond:** I am afraid, Mr. Chairman, I could not think of any country where 8,000 would be writing the examinations.

**Mr. Martel:** I am saying 8,000 practising European doctors, not just from any specific country. He wrote in approximately 1959 or 1960, and he said at the time that he wrote these, some 8,000 doctors wrote the examinations and only 2,000 were acceptable.

**Hon. Mr. Dymond:** This, of course, is the problem, and this is what has brought the licensing bodies to the point where they have been of late, Mr. Chairman. The rate of failure—and let me emphasize again that the examination that is set is exactly the same examination that we who graduate, or are educated in Canada, or Ontario, have to write—the very great failure rate is evidence, in my view and I am certain that any right thinking person would agree, that preparation for the practice of medicine is not adequate.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, on this particular subject, I am sure we all agree we want only the finest and highest of medical care in the province of Ontario, but a matter of great disturbance to me is that we have in this city at the present time, men who are graduates of the Royal college of surgeons and who are not allowed to try the Ontario examinations. That is where the rub is. It is not the failure rate. You have got qualified men who are not given the opportunity to prove they are qualified. That is where the rub is.

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** I want to mention that point the member for High Park mentioned, Mr. Chairman. First there is this. Mr. Chairman, through you, I would like to ask the Minister, have they ever experimented with the idea, in order to send doctors, more or less on to the frontier or places where it is hard to get doctors to locate, of putting them on what you might call a retainer basis? Often a company will retain a lawyer. The lawyer will be paid the retainer, but any work he does for his firm, he is also paid for. I have often thought that if they gave a doctor a retainer—if you wish to call it that, or a bonus, or a fee, to go into a certain area, and then anything over and above that he earned, he kept. It is in effect, a bonus, to go and work in a place, or to practise medicine where normally doctors are not anxious to go. I was wondering, Mr. Chairman, if the Minister has ever thought of doing that, or if they have tried it?

**Hon. Mr. Dymond:** We have not tried it, Mr. Chairman, but this is part of the programme I just briefly touched upon a few moments ago. This is the part of the programme we are considering now in the hope that this will be worthwhile trying.

**Mr. Trotter:** I mentioned that because I know that suggestions have come from medical authorities that this might be one approach.

The second thing, I would just like to ask this question. The member for High Park touched upon it, it has come up many, many times in this House, but I do not know if there is any new light that can be shed upon this question as a result of the past year. But, Mr. Chairman, is there no way the Minister can see to it that the college of physicians and surgeons give the medical men from overseas at least the opportunity to try the exams in the province of Ontario?

**Mr. Chairman:** Order, please. I do not see where this relates to maternal and child health.

**Mr. Trotter:** Oh, yes, we are short of doctors, this is one of the problems.

**Mr. Chairman:** You could say this about every item in every vote.

**Mr. Trotter:** We have a high mortality rate for children in Canada or in the province of Ontario, and the reason why we have such a high mortality rate in the province of Ontario is not because the mortality rate is high

throughout the province. We have the best mortality rate anywhere in the world right here in around Toronto or the southern part of Ontario because we have the doctors, we have the hospitals that are required. But it is when you get into the eastern townships—I think the member for Glengarry might be aware of the fact that his area has one of the highest mortality rates in all of Canada because they do not have the facilities and the member for Glengarry should be on his feet here going after this Minister. In the picture of Ontario as a whole, you say we rank 13th in the world, but to say this of Ontario as a whole is not true and in this way I can defend the Minister to some extent.

The problem is that in certain neglected areas—and I emphasize the word “neglected”—as the north, the area of the Minister of Lands and Forests is one of these areas that cause the rate to become far worse than being 13th in the world. You are far worse up there. It is the same with the eastern townships. I go back to the fact that there are simply not the facilities available.

**Mr. Chairman:** Item 11 carried?

**Mr. Shulman:** No, not quite. Mr. Chairman, through you to the Minister, the Minister has to come back to tobacco just for a moment before we leave this vote.

The Minister has pointed out that there was a California study some ten years ago which proved the dangers of smoking by pregnant women. So I am going to ask the Minister: There are certain pamphlets that are given to pregnant women at the pre-natal clinics and they have been given for some lengthy time. These pamphlets point out various healthy ways that a woman can have a healthy baby. They advise as to food, they advise as to exercise, they give quite complicated advice. The question I have for the Minister is, since his department has been aware of the dangers of smoking for some ten years why do his pamphlets not point this out?

**Hon. Mr. Dymond:** Mr. Chairman, I do not know how many times I have repeated this, but this information is included in our publication, in the national publication of “Canadian Mother and Child,” and your own publication “The Early Years.” It is already in, and this is a book which we expect is given to every mother when she first visits either the pre-natal class or her private physician, if she is attending a private physician, or the clinic if she is attending a clinic.

**Mr. Shulman:** I guess the Minister did not hear my question.

**Hon. Mr. Dymond:** Yes, I heard your question.

**Mr. Shulman:** I am sorry, Mr. Chairman, I will repeat my question. There is a pamphlet which is given to every pre-natal mother. I think it is obvious that most of these women are not going to read books and many of them cannot. But there is a very small simple pamphlet which lays out the basic facts and this is one of the basic facts which is not laid out.

**Hon. Mr. Dymond:** Our experience has led us to use the book, Mr. Chairman. After using pamphlets for many years, we decided that a book was of far more value and we have been using this with a great deal of success now for many years.

Items 11 to 16, inclusive, agreed to.

On item 17:

**Mr. Brown:** Mr. Chairman, I would like to inquire as to which convalescent camps are included in this item 17?

**Hon. Mr. Dymond:** Mr. Chairman, did the hon. member say which?

**Mr. Brown:** Yes.

**Hon. Mr. Dymond:** Illahee lodge, seniors' convalescent camp operated by the women's auxiliary of the Hamilton civic hospitals, Ontario society for crippled children camps. The Canadian mothercraft school is separate, it is not a convalescent camp.

**Mr. Brown:** There are three camps?

Items 17 to 20, inclusive, agreed to.

On item 21:

**Mr. Shulman:** On item 21, I am going to give the Minister one specific case. There are others I will come to, but this is a recent happening under the situation of homes for special care, and if there is an explanation for this I want to hear it from the Minister because many people have been trying for many weeks to get an explanation. I will detail the case at some length.

The Cara Villa nursing home, which is situated at 150 Cedar Street in Collingwood has been in business for five years. The proprietor is Mrs. Janet Gurman, the registered nurse in charge Mrs. Rebecca Kenyon. I have interviewed them both. I may say a



Conservative member of the Legislature, who is present here tonight, is the representative of that area and I understand he has been through the nursing home and I will be glad to hear his comments on it as I have been told he commented on the excellence of that nursing home at the time he went through it.

This particular home has been used as a home for special care since 1964 by The Department of Health and has sent patients to the home from mental hospitals. In March the home had 20 special care patients, some of whom had been there as long as four years. The home had a staff of 15, including a registered nurse, two registered nursing assistants, five nursing aids, three relief nurses and other maintenance people, cooks, cleaning ladies, laundry women, maintenance men.

May I stress that never in the four years that the home was receiving patients from The Department of Health, have they had a complaint from any of the Ontario hospitals which supplied patients, Penetang and Orillia, or from any doctor coming to the home, or from anyone as to the care given to those patients.

In 1966, Dr. Nancy Armbrust, assistant county of Simcoe medical officer of health, attempted to revoke the licence of this home, claiming that she was not able to see the records. At the time that this was done, even then no complaint was made about the standards of the home. The proprietors of the home denied her claim, went to court and won. The Department of Health lost in attempting to revoke the licence. Apparently they did not forget this.

In December of 1967, Dr. N. Angel, head of the homes for special care branch, examined the home and made no complaints. That was just last December. He then sent the proprietor of the home a letter requesting that she send a \$5 certified cheque for a home for special care licence to Mr. Quinsey, social worker from the Ontario Hospital at Penetang. This cheque was sent.

Mr. Crooks, Dr. Armbrust's assistant inspector, inspected the home in January of 1968, not only found nothing wrong, but gave the home a duplicate inspection report showing that there were no complaints.

In mid-1967, The Department of Health requested many physical changes at some considerable expense. They requested a living room on the second floor, they requested a fire alarm system, they requested a fan in

one bathroom, they requested fire doors—all this work was carried out. A portion had not yet been completed, but all had been begun, practically all had been completed.

On Thursday, March 7, last month, Dr. D. Paul, a doctor in Collingwood, on Third Street, examined every patient in the home. All were okay. And let me explain why he happened to come on that particular day. It had been the custom for some years for the proprietor of this home, Mrs. Gurman, to take her yearly holiday in March and before she went away, she always had a doctor come and examine all the patients to make sure they were all fine. This was done on March 7.

It is rather interesting that for some weeks before, officials of The Department of Health had been asking Mrs. Gurman when she was going to take her annual holiday. She wondered why they were interested. She was due to leave March 8 at noon.

On March 7, at 4:45 in the afternoon, Mr. Quinsey phoned and said he wished to see her. She said she was just going on holidays as he knew, but when did he want to see her? He said, would 11 o'clock the next morning be all right? She said, well, I was going to leave, and he said, it is very important. So she said, all right, I will be here.

The next morning at 11 o'clock, a caravan arrived in front of the nursing home consisting of a bus and five cars, containing ten people. Among these people were Mrs. Lightbourn from The Department of Health, Mr. Quinsey, Mr. Richard, Mrs. Foster, a social worker from Orillia and six other people. They announced they had come to take away all 20 of the mental patients that had been sent there by The Department of Health. There were in addition, six private patients in the home, which of course they had no authority to remove.

The proprietor of the home of course became very disturbed. She did not know what to do, so she went to her phone and phoned the president of the Ontario nursing home association, Mr. Douglas Callender, of region five. He advised her to stall them if she could, that he was on his way with Mr. Oltman, the ex-president of the nursing home association and the man who was on the committee for homes for special care. He told her to try to entertain them till he and Mr. Oltman arrived and they would try and find out what was happening.

So, Mrs. Gurman invited the leaders of the troop into her living room and four came

in and she served them tea and asked them why they were there, and they said they were following instructions. Mr. Quincey said he had come for the patients and he did not know the reason.

About 12:30, Callender and Oltman arrived. They demanded to know the reason for this outrageous act and the men who were there said: "We do not know, we are following instructions from Toronto." So Mr. Callender got on the phone to Dr. Sharon in Toronto—I believe he is the deputy—and he said he knew nothing about it. He referred them to Dr. Martin, apparently in the homes for special care branch. Dr. Martin refused to give a reason for the action, but he said it was to be carried out.

Of the 20 patients, four were bed patients, two others could not walk, a number were mental defectives. They were all taken away. They were wrapped in blankets. Some were taken right out of tubs. One of them, a Mrs. Mary Wright, 87 years old, a mental defective, was incontinent. They were afraid she would soil the seat of one of the cars, so they walked her—they walked her—it was 45 degrees out. They walked her one block in slippers to another nursing home. She had not been outside for four years.

Now, let me just digress for a moment. In February, just one month earlier, the nursing home had asked that one of the patients be taken back, because she was unmanageable and they felt this woman still should be in the mental home and Mr. Richard said, "No, we cannot do it, we do not transfer patients in winter because they get pneumonia." They sure changed their minds in a hurry.

Another patient, Miss Emma Bowers, 91, taken out of a bathtub, taken out of the house wearing a nightie and housecoat and slippers. She was put in a wheelchair and wheeled for a block to another nursing home. With snow on the ground, 45 degrees. It appals me. Bed patients were carried out in arms. There was screaming. Let me tell you about these patients.

These are patients who are mentally defective or mentally deficient. Some of them had been there for years. Their whole security, their whole knowledge and feelings were tied up with the nurses and the proprietors of this nursing home. They were pulled away. They asked why. Some of them were screaming, asking to be left alone, and they were not. That was done by this department.

One of the officials from the nursing home association, an immigrant from Germany

said, and I would quote what he is reported to have said at the time: "This action puts anything the Gestapo did to shame".

Mrs. Gurman was naturally extremely upset. She was prostrated, actually. Under Dr. Paul's instructions, she left a day or two later for Florida because he said otherwise she was going to have a breakdown, but when she arrived there, she did have a nervous breakdown and she was put into a hospital there and remained there until the end of March, when she returned to Collingwood.

Dr. Tully, from homes for special care, came to this nursing home in mid-April, inspected the home, and subsequently Mrs. Gurman received a letter from Dr. Alison from The Department of Health, asking her to come for an appointment. Before doing so, she consulted with her local member of Parliament, the local MPP, but apparently he was unable to assist her in finding out why all her patients had been taken out.

On April 19 last, she came to see Dr. Alison at Queen's Park. She came accompanied by her lawyer, and Mr. Callender, head of the nursing home association. She was interviewed by Dr. Alison, Dr. Martin, Dr. McCormack, and a lawyer, a Mr. Walker. Mr. McMurtry, the lawyer, said, "Why have you done this?" They would not tell him. What was done with the patients? Well, four retarded boys were taken to the Ontario Hospital in Orillia, plus one woman. The whole purpose of this homes-for-special-care programme is to get them out of those hospitals, into more natural surroundings, into home-like surroundings. The damage that must have been done to those five is incalculable.

What about the nursing home? Leaving the most important, the patients, what about the nursing home? What this does—there is a staff on there—you cannot just say, "You are all fired, the department has taken the patients away without notice." You have to give a reason. This woman had a duty to them, she had a responsibility, legal as well as moral, she had to keep them on. She is very, very likely to go bankrupt as a result of this.

Why was it done? This is the mystery. Why was it done? Well at first you think there is a great mistake, except this is not the first time it has happened. This has happened before. We will come to the before. Starting in Warrendale, the policy of this department is to pounce, to seize, no notice, no explanation. "Do as we say." This is an

evil department and this Minister should be dismissed.

**Hon. Mr. Dymond:** Well, Mr. Chairman, I have been fired by better actors than this one, many times, but I am still here. Mr. Chairman, I am not at all impressed by this theatrical sort of histrionics.

**Mr. J. Renwick (Riverdale):** Oh, come, come.

**Hon. Mr. Dymond:** If he were a man of common sense, if he were gifted with the judgment and good sense which I like to think is usually found in my colleagues in the profession, he would know that there was good and sufficient reason for —

**Mr. J. Renwick:** Why do you not say so?

**Hon. Mr. Dymond:** I do not believe, Mr. Chairman, that it would be right for me to divulge exactly why this was done at the present time in this House.

**Mr. J. Renwick:** Why not?

**Hon. Mr. Dymond:** Because the lady's solicitor is discussing it with the legal people of my department and I do not want to say anything that might prejudice either side at the present time.

**Mr. MacDonald:** The usual subterfuge.

**Hon. Mr. Dymond:** There was good and sufficient reason for the removal of those patients. I would say this, sir—

**Mr. J. Renwick:** Why do not—

**Mr. MacDonald:** Were there were no complaints?

**Hon. Mr. Dymond:** I would emphasize sir, that they are not mental patients, they are patients who have been discharged from our institutions, but over whom the department still maintains supervisory jurisdiction because they have no homes or no families, or their homes and families do not want them.

**Mr. MacDonald:** Why were there no complaints?

**Hon. Mr. Dymond:** Because the quality of care given to them did not meet our minimal standards, it was believed in the best interests of those persons to remove them from this home.

**Mr. P. D. Lawlor (Lakeshore):** Why did you not give them decent notice?

**Hon. Mr. Dymond:** Mr. Chairman, we followed this method on the advice of our legal staff. It was very thoroughly considered, very thoroughly discussed with them.

**Mr. S. Lewis (Scarborough West):** They advocate raids, do they?

**Mr. J. Renwick:** That is a very strange type of legal advice.

**Hon. Mr. Dymond:** If the hon. members want to talk, Mr. Chairman, I will sit down and wait for them.

Interjections by hon. members.

**Mr. Shulman:** In that case, I will continue.

**Mr. Chairman:** Order, please.

**Mr. Shulman:** Since the Minister has yielded, I would like to stress again that there were no complaints made at any time by this Minister's department—and this same thing has happened in the Vuberal home. We will come to that case shortly. Never was an improvement suggested, never were any changes requested, never was there a complaint. And let me tell you something further: I have had two calls, this evening, from relatives of patients in that home who are shocked and disturbed. One of them has said that he went there weekly for the last two years at different times without ever giving notice and was always amazed at the cleanliness of this home and of the good care these patients had received and was shocked to find his mother was not there. These are people who have been there and have never had reason to complain. If you had complaints, why did not you say "We would like this improved, we would like that changed?" Never did you do that, and you did not do it in the other case either.

**Hon. Mr. Dymond:** Mr. Chairman, this had nothing to do with the physical plant, nor had it anything to do with the cleanliness nor the feeding, nor the staff. This had to do with the operator of the home herself. Beyond that, sir, I do not believe that I can go on. I have discussed this very carefully with my staff and I am afraid that I have to stand by that. I have to say to you, sir, that my staff are not evil people.

**Mr. Nixon:** Mr. Chairman, on a point of order, if the hon. Minister will permit me, he has indicated that in his view he does not feel he can reveal the reasons for the



apparently high-handed action that his department has taken. I would submit to you, Mr. Chairman, that this House has all the authority of a court in this matter. A very serious charge has been made in the newspapers this afternoon and has been put on the floor of the House tonight by two of the hon. members.

Surely, if the Minister of Health is going to use the good sense that he says is, characteristic of men of his profession he would be willing to set the minds of the members of this House at ease, if that is possible, and those citizens across the province who are deeply concerned with his actions. If he is going to wait for some kind of a court case for this to come about I do not believe he is serving the best interests of himself, his department, this House, or the people.

**Hon. Mr. Dymond:** Mr. Chairman, I believe I am serving the best interests of all concerned in this matter. I am quite certain that when the matter is finally settled the members of this House will know everything that is behind this, but I want to emphasize again, sir, that my staff—Mr. Chairman, may I have the floor please?

**Mr. Chairman:** Order, please!

**Mr. Lewis:** On a point of order, Mr. Chairman, the Minister is slandering the operator of this home. You constantly accuse us of besmirching character; so how can you make the kind of statement in the House that somehow it was the quality of the operator, without any evidence whatsoever—having provided her with patients for four years and now withdraw.

**Hon. Mr. Dymond:** Mr. Chairman, now we have heard from the legal light.

**Mr. Lewis:** Common sense conduct.

**Mr. MacDonald:** We should hear from you—that is our problem.

**Hon. Mr. Dymond:** Mr. Chairman, I want to emphasize again, sir, that the members of my staff are not evil as the hon. member for High Park infers—and if any withdrawal is necessary, sir, I think for the good reputation of my staff he ought to withdraw that statement.

**Mr. Shulman:** On a point of order, Mr. Chairman—

**Hon. Mr. Dymond:** There is no point of order, Mr. Chairman.

**Mr. Shulman:** Mr. Chairman, the hon. Minister has challenged me to withdraw a comment that his staff is evil. Let me make it quite clear I did not say his staff was evil. I said his department was evil and he is responsible for his department.

**An hon. member:** I can assure you, Mr. Chairman, there is nobody better able to judge evil.

**Mr. Chairman:** Order, please!

**Hon. Mr. Dymond:** I want to say to you, sir, that the staff gave every consideration to this matter, and to say that there had been no trouble in this home and no indication of trouble is quite wrong. The health unit refused to recommend this home for licence some months previously and it was then that our attention was drawn to it and we went into a very thorough investigation of the situation.

It was then that the information was given to us which made it necessary for us in the course of our responsibilities—to remove the patients from this home. I think, Mr. Chairman, that the hon. members should realize that out of some 500 such homes in the province this is the second that we have had to deal with in this matter. I think that is a rather remarkable record, when one realizes that these homes are privately operated and often by people who have not a great deal of knowledge or skill in the field but who have done an excellent job.

I really believe that the programme has been most successful, and one of the few things the member for High Park has ever said with which I would agree is that the patients do better when they come out of big institutions to these homes. But it is to be sure they will do the best they possibly can do that we see to it that a strict watch is kept over the care and attention and conduct going on in these homes. I will assure you, sir, that so long as I occupy this portfolio, if this kind of action is needed again it will be taken, and taken decisively and incisively.

**Mr. Shulman:** Mr. Chairman, I am quite sure that we can be certain that last statement is true, but how long he will be there is another matter. However, I wish to dispel the mystery since the hon. Minister—

**Hon. Mr. Dymond:** May I remind the hon. member that I will not live to see the day when he will replace me.

**Mr. Shulman:** —if the hon. Minister does not wish to tell us the reasons for his actions I will throw a little light on it, because as he pointed out earlier I have a little bit of Perry Mason in me. All of the troubles of this poor woman at this nursing home actually began in an evening of January 19, 1968, and I ask the Minister if the supposition which I am now going to put to him is no the correct one?

On that evening the nursing home proprietor, who has rather strict standards because of her interest in patient care, found that a nurse on the floor was smoking while on duty. She discharged her. From that day her troubles began. I ask the Minister if this raid did not take place because of a statement to the department from a disaffected nurse?

**Hon. Mr. Dymond:** No, Mr. Chairman, it did not.

**Mr. Nixon:** Mr. Chairman, I wonder if we could ask the Minister if in fact there are charges that have been laid and which would make this in any sense a case of justice. No charges have been laid, is that so?

**Hon. Mr. Dymond:** No charges have been laid, Mr. Chairman.

**Mr. Nixon:** I must say to the Minister, Mr. Chairman, in all sincerity, that he has made no case as far as we on this side are concerned, for not giving us the details that would substantiate his action. He has the privilege of being a member in this House. There are no charges being laid. Very serious charges have been put before the House that he has been unable to answer and this really is a most peculiar situation. Surely we are not being unfair when we press the Minister in this connection. Could he give us some indication as to why he is so secretive about the reasons for these actions?

**Hon. Mr. Dymond:** Mr. Chairman, I can only say that there are occasions, and in my submission this is one, when I would have to ask you, sir, and ask the hon. members of the House to take the department's action on faith.

**Mr. J. Renwick:** Oh come, come!

**Hon. Mr. Dymond:** Yes, I know you do not know what the word means.

**Mr. Nixon:** This is very difficult to do.

**Hon. Mr. Dymond:** Yes, I grant you it is very difficult to do but I can assure you that in my view, and I have absolutely no personal feeling concerning this, we might very well be hurting a person who should not be hurt, and I do not want to do that until—

**Mr. Shulman:** You have destroyed her already, what more can you do to her?

Interjections by hon. members.

**Mr. Chairman:** Order! Order!

**Hon. Mr. Dymond:** I recognize that I am asking the hon. members to do something that may be rather difficult for them. I am simply saying to you, sir, that in my view, particularly in an area of this kind when we are dealing with people—dealing so closely and intimately with them—surely in relatively few instances where this has been a necessary action on the part of the department, the House can take our action as being in the best interests of the people we are trying to serve.

**Mr. Nixon:** Mr. Chairman, the reason we are called into session here really is to conduct public business and I could not disagree more with the member for High Park when he says that the Minister is evil—I simply do not—

**Mr. Shulman:** I did not say the Minister was evil; I said the Minister's department was evil and he was responsible for it.

**Mr. Nixon:** That is one and the same thing. I am not here to defend the Minister but I am here to say to him most sincerely that we on this side find it practically impossible to accept the recommendations that he gives to us that we must accept on faith that his reasons are good and sufficient. Surely he has all the privileges that the Minister of Health would have not only as a member of this House but in his very high and responsible position.

Surely, in light of the charges that have been made, we have to have more information before we can let this matter go. If he is under the impression that we can take only his assurances, which under many circumstances we would be prepared to do, I just simply cannot submit to that, because these charges are extremely serious. As the hon. member has said, this is the second occasion when suitable explanations have not been forthcoming. We do not even know who he is trying to protect, and surely this

is simply something that we cannot pass under these circumstances.

**Hon. Mr. Dymond:** Mr. Chairman, regarding the charges that have been made by the hon. member for High Park, we have his word for it. Where he got his information or evidence I do not know, but the information and evidence which I have from those who were there completely refutes what he states and denies it absolutely. Now those are the charges. When this matter is settled I will be quite prepared to come before this House and tell the complete story from the beginning. In the meantime, this is part of the operation of the department, and there are sensitive operations which we must become involved in from day to day. I am really not asking the House to do anything unreasonable when I say to them in this case at least for the present time if you trust the department we are sincerely acting in the best interests of those who are our responsibility.

**Mr. Nixon:** What will the process of settlement be?

**Hon. Mr. Dymond:** I do not know just exactly how far the process of settlement will go. The two lawyers are talking about the matter at the present time and they may very well have resolved or decided on a plan of action already, or may be prepared to do so within a very short period of time, I do not know. If there is to be nothing more about it then the person involved is not at all concerned about my telling the whole story—she is the one who would be hurt—

**Mr. Nixon:** Is that the owner you are talking about?

**Hon. Mr. Dymond:** The owner of the house, the owner of the nursing home, yes.

**Mr. Nixon:** Surely, Mr. Chairman, the Minister has got to put his side of the argument. The owner's side has been put abundantly in the newspapers of today and in the House tonight. We are interested in the good name of the government, of course, and more than that in the fact that the patients and the owner and the Treasury of the province are fairly regarded, and equity is reached all the way round. If the Minister cannot give us an explanation the House may have to undertake some process of investigation independent of it.

**Hon. Mr. Dymond:** Mr. Chairman, I have given our side of the story and I simply say that—

**Mr. Nixon:** There has been nothing given. Was the place dirty?

**Hon. Mr. Dymond:** Mr. Chairman, the charges that were made by the hon. member for High Park are on the record already. I say that my staff who were there and have reported to me absolutely and categorically deny those statements.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order.

**Hon. Mr. Dymond:** This is our side of the story.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order.

**Mr. Chairman:** Order! State your point.

**Mr. MacDonald:** The leader of the Opposition has started referring to what the hon. member for High Park has said as charges, and the Minister is picking it up. No charges have been made. An explanation has been made as to what happened, as to what action this department took. It was in the paper today. It has been documented more fully tonight. Those are not charges. That is an explanation of what took place.

We are now asking the Minister for his explanation as to why the department so acted, and he refuses to give it. There are no charges, so let us not draw any red herring across here.

**Mr. Chairman:** If I may just say, the Minister has stated that in his view the details in his possession should not be publicized at this particular moment. He has asked the members of the committee to accept his word on that for the time being. I believe the Minister has undertaken to provide the House with a full explanation as soon as the matter is settled within his department. Now, it seems to me that this is a reasonable request. I am not saying that the members of the committee must accept it. At the same time the Minister may refuse to answer the question.

**Mr. Lewis:** Mr. Chairman, on a point of order. Any Minister when placed in an obviously difficult situation can say to the House, on some subsequent occasion I will reveal the details. Then what basis pray tell for the estimates—what basis for the estimates?



**Mr. Chairman:** I believe the Minister has suggested that he would prefer not to give the details at the present time. If it is not acceptable to the members I believe it is up to the Minister to refuse or to give the answers, one of the two.

**Mr. Brown:** Mr. Chairman, quite aside from whether or not there was justifiable cause for The Department of Health to intervene—and I have no argument with the position that a regulatory body of government, particularly if it is buying service, certainly has the right to intervene—that is not at stake, but the question in my mind is the methods employed.

This particular operator does not go out to the Ontario Hospitals and snatch the patients into her nursing home. She does not force The Department of Health to place people with her. She operates an operation under the regulations supervised by the department people. She does it over a number of years. When the department finds that this home is unsuitable they should find a decent and humane way to cut out the service used in that particular area.

What is there to stop this department from going about removing the patients in this home in a decent and humane way that any civilized person would do? What is there in this case that would make it necessary for you to enter into that home under those conditions and act in that manner, that is what I would like to know?

**Hon. Mr. Dymond:** Mr. Chairman, these are the same vague suggestions and innuendoes. We got one side of the story and I have given you ours. We did not act in an inhumane way. The comfort of the patients was looked after. My staff are just as capable as any hon. member in any seat in this House, and more capable than most of us, in seeing to it that the patients' comfort and care is attended to. They had a stock of blankets which they used to wrap around those who were not dressed—were bedridden patients and had to be carried out—

**Mr. Nixon:** Why were the patients taken out at all?

**Hon. Mr. Dymond:** Because in the wisdom of the staff whose responsibility it is to look after those people, it was necessary for their welfare.

Interjections by hon. members.

**Mr. Chairman:** Order! The member for Downsview.

**Mr. Singer:** Mr. Chairman, in law we often say that it is far better that 1,000 guilty people go free than one innocent man be convicted. Drawing parallel to various discussions that we have had in this House, if the same sort of peculiar circumstances had arisen in our courts and the Attorney General had stood in his place tonight and said, "I did it for good and abundant reason", I say to you, sir, that the debate would have waxed long, and loud and bitter.

I question the Minister of Health first of all on the legal basis that he has to do it. I say it is not sufficient for him to stand up and say, we have 500 nursing homes in the province of Ontario and only two have failed to measure up to the standards and we have taken this unusual kind of action, and you have to trust me because I, the Minister of Health, say that it was right.

I want to know first of all—and I think we are entitled to know—on what legal basis he took this proceeding, and I would like to hear from his legal staff, since he has referred to them in that way. It is not the legal advisors of Her Majesty the Queen in the right of the province of Ontario, it is not the law officers of the Crown, it is not the Attorney General who is saying this. It is the legal advisors of The Department of Health who have advised him. I would like to have him get from his legal advisors before this debate goes much longer the statutory authority under which they advised him they had the right to act. That is number one.

Number two is this. As you read this story and as you hear the remarks made by the hon. member for High Park, the whole story is an unusual story. It would appear certainly on the surface that the Minister and his advisors, even if they had the legal right to so do, have acted in a most arbitrary way. We have been sent here to inquire into all kinds of government actions.

A matter has been brought to the attention of this House by a member rising in his place and relating it; a matter has been reported in the newspapers. All we can get from the Minister is, "believe me I had good grounds to so act, we in the department had good ground."

There is a rule, sir, and you have heard it debated on many occasions, and there is some doubt in my mind about the validity of that rule concerning our right to discuss

matters that are before the courts. Now here is a matter that is not before the courts in any way at all. The Minister in fact has told us there are no charges, and I would presume those are criminal charges, that are even being contemplated.

In the wisdom of those who went before us, we have written into the statute books certain privileges that attach to the members of this House and that is so that we may discuss freely, and without being trammelled by the laws of libel and slander, the events that affect the people of the province of Ontario. The Minister has those privileges the same as any other hon. member. Now I say in view of the fact that this unusual set of actions have taken place which were initiated by the Minister's department, that the Minister has a duty—a most important duty—to tell us why this took place.

I do not know how it got in the paper and I was not aware of any of the facts before I read the papers and before I began to listen to these speeches, but here is a matter of important public concern. We the members, and the people of Ontario are entitled to know why the Minister acted in this way. If the Minister is going to insist on his refusal to discuss why he and his department acted in this way, with very much regret we are going to have to move a motion and probably under this vote. I want to be very careful in moving this motion—reducing in a way that will be a rebuke to the Minister, and the strongest rebuke that we in the Opposition can muster, some kind of reduction in this particular vote. Before I do that, sir, I want to get your ruling as to whether or not, if I were to move a motion striking out a portion of the money asked for under item 21, and if that motion were defeated, would the whole of vote 803 carry?

Mr. Chairman: Yes.

Mr. Singer: Not just item 21?

Hon. Mr. Rowntree: I gather, Mr. Chairman, before that is put, the hon. member for Downsview has indicated that there is certain information he wants or would like to have from the Minister in connection with the legal advice which he secured, and the hon. member for Downsview has distinguished sharply between the advice that might have come or any action taken by the law officers of the Crown to The Attorney General's Department. And in those circumstances, I

would think the Minister would want to get that information and supply it to the House.

In those circumstances, I would move that the committee rise and report to give him the opportunity—

Mr. MacDonald: That is a rescue operation if I ever saw one.

Hon. Mr. Rowntree moves that the committee of supply rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Mr. V. M. Singer (Downsview): Mr. Speaker, on a point of order that arose out of the discussion we were having in committee. I asked the question of the Chairman. We were dealing with vote 803, I believe, of The Department of Health estimates. And we had been dealing with them—there are some 20-odd items—item by item under vote 803, and I was asking the Chairman—

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs) By consent.

Mr. Singer: Yes, I was asking the Chairman if it was possible to move that item 13, say, be reduced by a substantial amount in order to indicate our lack of confidence in certain things that have come before us without having the whole vote carried in the event that motion was defeated. The Chairman gave me a very quick opinion and I have asked him to check upon it and he said he would, but in his opinion it would carry the whole vote. Now it seems to me that this is an unusual set of circumstances particularly since this vote 803 is divided into 20 odd subsections. Without asking you for an instantaneous ruling on this, sir, I am puzzled as to whether or not the Chairman has made the correct suggestion—he has not made a ruling, he has only made a suggestion—because surely there must be some way, if we are dividing vote 803 into 20-odd sections, that the Opposition can effectively by its vote, indicate its displeasure without carrying the whole vote, including items that we have not come to yet, which we want to discuss at further length.

**Mr. Speaker:** Then I must say when, I think it was, the member for York South suggested that that procedure should be followed in that way and I was listening to it—I wondered if we would not arrive at this stage. I have not had the opportunity, nor taken the opportunity of checking on it and I am sure the Chairman will discuss it with me and we will endeavour—I am not passing bouquets or throwing bricks—

**Mr. D. C. MacDonald (York South):** Can I speak to the point of order?

**Mr. Speaker:** Yes, in a moment. But I think it is something that needs to be carefully checked as the member has suggested and I am quite sure, knowing the Chairman, that he will discuss it with me and I will endeavour to ensure that the ruling—

**Mr. Singer:** I was not appealing his ruling, I was trying to—

**Mr. Speaker:** No, I will endeavour to ensure that the ruling which he brings in is one which can be supported by myself as Speaker on the precedents and customs of this House and Westminster. The member for York South?

**Mr. A. E. Reuter (Waterloo South):** Mr. Speaker, I did not make a ruling.

**Mr. Speaker:** It was a suggestion and—

**Mr. MacDonald:** Yes, I—

**Mr. Speaker:** Pardon me just a moment. I am sure as I have said that the Chairman of the committee of the whole House will agree with what I have said that it will be discussed between us before there is a ruling made.

**Mr. MacDonald:** Mr. Speaker, in speaking to the point of order, we cannot get an orderly debate on this sort of a vote if we do not break it into sub-votes. You will be skipping all over 20 different, completely different topics.

**Mr. Speaker:** I agree.

**Mr. MacDonald:** I think we agree on that. I think the logic flows from that: Each sub-vote stands by itself. Therefore the regular rule might apply to the sub-vote in this way—if an hon. member were to move that it be reduced and it were voted down, that sub-vote would automatically be carried; but surely it cannot apply to all the other 29 items in the main vote.

**Mr. Speaker:** Well I would point out to the member something which I believe he has pointed out before to the House and that is, that the rules of this House are constructed and made for the efficient and proper organization of this House by this House. If we find that the precedents do require us to do something which we do not now think is the proper thing, I am quite sure that the members would back me in any changes or the Chairman of the committee of the whole House, in any change which is necessary. I do not anticipate that there is any great difficulty but I will ensure that the Chairman and I discuss it and have the ruling when it is necessary to have it for this meeting of the committee.

**Hon. Mr. Rowntree:** Mr. Speaker, tomorrow we would like to have third reading of the amendment to The Judicature Act No. 3, and we would like to proceed with the House in committee on Bill 90, I think it is, of The Department of Municipal Affairs. We might be able to conclude the second reading of Bill 89. Thereafter we will continue with the estimates of this honourable and noble department.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:50 o'clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, April 30, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

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TUESDAY, APRIL 30, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today as visitors we have students in the east gallery from Fairmount senior public school in Toronto; in the west gallery, from Applewood Heights secondary school in Cooksville. Later this afternoon, in about an hour, we will be joined in the east gallery by students from Coronation public school, in Windsor. I am sure that we welcome these young people here today. For the information of the visitors who have been waiting for the House to open, and as a matter of explanation to the members who were not with us in the east lobby, I would first of all take full responsibility for the late opening of the House today. It was one of those things that occurs every four years, the unveiling and hanging of the portrait of the Speaker of the Parliament which ceased to be last year. I think that this is an important part of our traditions. Therefore while it did delay the opening a bit, I am sure that in the annals of the history of this House, it will be well worth it.

Petitions.

Presenting reports.

Mr. M. Hamilton, from the standing committee on standing orders and printing, presented the committee's fourth report which was read as follows and adopted:

Your committee recommends that the publication allowance of \$18 ordered on Thursday, March 7, be paid by cheque to each member of the assembly so that he may purchase such publications as he wishes.

Motions.

Introduction of bills.

## THE HIGHWAY IMPROVEMENT ACT

**Hon. G. E. Gomme** (Minister of Highways) moves first reading of bill intituled, An Act to amend The Highway Improvement Act.

Motion agreed to; first reading of the bill.

## THE LOCAL ROADS BOARD ACT, 1964

**Hon. Mr. Gomme** moves first reading of bill intituled, An Act to amend The Local Roads Board Act, 1964.

Motion agreed to; first reading of the bill.

## THE TRAINING SCHOOLS ACT, 1965

**Mr. J. L. Brown** (Beaches-Woodbine) moves first reading of bill intituled, An Act to amend The Training Schools Act, 1965.

Motion agreed to; first reading of the bill.

## THE COMMUTER SERVICES ACT, 1965

**Mr. Brown** moves first reading of bill intituled, An Act to amend The Commuter Services Act, 1965.

Motion agreed to; first reading of the bill.

**Mr. Speaker:** Before the orders of the day, I am sure that the members of the assembly would wish to note that today Miss Connie Potten, secretary to the Speaker, begins her retirement leave. Miss Potten is now seated under the press gallery to the Speaker's right.

Constance Margaret Potten entered the service of the government and people of Ontario on June 17, 1940, in The Department of the Attorney General. After many years' service in this and other departments, she was appointed on July 7, 1958, as secretary to the Speaker, from which position she is now about to retire.

I know that I do not need to dilate upon the friendly, efficient service given by Connie, as she is known to all of us, not only to succeeding Speakers but to members of this House. Those who have served in previous Parliaments are well aware of her many excellencies and her eager desire to satisfy the requests of all members. Those who are new members, if they have not yet made her acquaintance, will unfortunately not experience the satisfaction of having their needs efficiently protected and satisfied by her.

I am certain that all members of this assembly join me in thanking Miss Potten for

her almost score and a half years of service and that we likewise join in extending to her our best wishes for a long and happy retirement among the great host of her friends.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, executive council approval has been given to the appointment of Mr. Budd H. Rieger as chairman of the Ontario deposit insurance corporation. A native of South Dakota, Mr. Rieger was educated at the University of Manitoba and the University of Minnesota. He has had a long and distinguished career in Canadian industry, and is currently vice-president of Canadian Corporate Management Company Limited. Mr. Rieger is chairman of the board of trustees of Sunnybrook hospital, and a member of the board of governors of the University of Toronto. The new chairman will fill a post which was vacated as a result of the recent retirement of Mr. Douglas W. Ambridge, who has served with distinction during the first year's operation of the corporation.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, I would like at this time to announce the appointment of four new members to the Ontario food council. In keeping with the purpose of the council, these persons each represent a different class of the food production chain and they will assume their chairs on the council tomorrow, May 1, 1968.

Representing producers will be Mr. Jack Howard of Hamilton, Ontario, who is the secretary of the Ontario berry growers' marketing board and the Ontario vegetable growers' marketing board. Representing the processing industry will be Mr. J. D. Baxter of Bloomfield, Ontario. Mr. Baxter is well known in public life and is the president of the Baxter Canning Company Limited of Bloomfield.

Representing the distributors of food products will be Mr. P. S. Lennie, general sales manager and a director of National Grocers Limited, Toronto. Representing consumers will be Mrs. W. A. Breckin, of Toronto. Mrs. Breckin is a well-known official with the consumers association of Canada and she will assume the chair held previously by Mrs. W. A. C. Shepherd of London, whose term of office expires on June 7.

Mr. Speaker, I feel that we are extremely fortunate to have these very conscientious and able persons on our council and I am confident that they will make a very commendable contribution to the work of the

Ontario food council. They are all very busy people with important responsibilities, but they have accepted this challenge knowing full well the demands it will place upon them. I expect to be making further announcements relative to the Ontario food council personnel in the comparatively near future.

**Mr. Speaker:** Will the leader of the Opposition (Mr. Nixon) yield to the member for Scarborough East, who has to get away, and allow him to ask a question?

**Mr. T. Reid** (Scarborough East): Mr. Speaker, before the orders of the day, I have a question for the Minister of Trade and Development, notice of which has been given.

In view of the impending closing of Crane Canada Limited, in Port Hope, and in view of the fact that 160 persons in the Port Hope area will be out of work as a result of the closing, what action is the Minister taking to direct to the Port Hope community a suitable industry to put these people into the work force in the Port Hope area?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, in answer to the hon. member's question, Crane Canada Limited sanitary division announced that they will be closing August 1 of this year. The company produces cast iron enamel ware, bathtubs, lavatories, sinks, laundry tubs, and cast iron boilers. The bulk of business is in the production of cast iron bathtubs and sinks.

The reasons for closing are as follows: 1. During the past ten years the demand for cast-iron bathtubs and sinks dropped by 75 per cent. 2. The price of cast iron bathtubs is 65 per cent more expensive than steel tubs made by competitors, as well as themselves. 3. Cast iron tubs are considerably heavier, requiring greater effort and time to install. 4. Enamelled steel bathtubs have practically superseded the more expensive cast iron tub with the trend to cost reduction in modern house building. In addition, the vanities demanded in new homes have also made obsolete the heavier sinks and lavatories. Steel sinks can be dropped into place and bolted at a fraction of the cost of cast iron ones.

The number of personnel affected is 160. However, there will be no layoffs until the closing date of August 1. A phasing out of the plant has been going on for some time as production fell. Consequently, most of the people with less seniority have already been

laid off. The remaining employees in the plant have an average age of 52.5 years.

Tomorrow morning at 9:30 a four-man Ontario government team, consisting of representatives from my own department's trade and industry division and the Ontario development corporation, along with the manpower services division of The Department of Labour, will be joined by a member from the federal Department of Manpower and Immigration. The team will meet with the mayor of Port Hope and the plant manager of Crane Canada Limited to explore possible solutions for the rehiring or retraining of the laid-off workers in August. In addition, a thorough investigation will be made of the plant's facilities and property for consideration re future disposition.

Fortunately, I am pleased to report that the closing of the Crane plant will be offset by two important new developments in the community.

On March 21, 1968, my Ontario development corporation announced that a \$193,033 forgivable loan was granted to the Mathews Conveyor Limited of Port Hope to augment a \$690,000 expansion programme of the company. An additional 34,575 sq. ft. of plant space will be added to the existing facilities of the Mathews Conveyor Company Limited and \$180,000 worth of new machinery will be purchased. These additional facilities will add about 140 people to the existing payroll to make a total of 470 persons.

Secondly, my trade and industry division, has, during the past five months, assisted in a negotiation to option 13 acres in the area for a proposed \$1 million plant which is expected to employ about 200 people. This will be finalized when negotiations are completed with the Ontario water resources commission regarding the company's effluent treatment.

**Mr. T. Reid:** Mr. Speaker, a very simple supplementary question: Does the effort that the provincial government, under the Minister of Trade and Development in this province, and the federal government officials are going to make in the Port Hope area, include assistance to the three industries which were destroyed by fire recently? The plants of the Federated Foods of Canada, Economy Machine Tool Company Limited and Canadian Saggitta Limited were destroyed by fire, as the Minister knows, and 75 additional employees are affected. The question to the Minister is: Will your task force, if you like, to the Port Hope area consider also the problems of these employees in these industries?

**Hon. Mr. Randall:** Yes, we will. I do not think that any one of those companies have applied to the development corporation for assistance. I presume they will wait to see what the insurance settlement is before they rebuild. If they require financial assistance, we would be glad to help them, but when the task force is down there we will make sure that they contact the management and see if there is any help they can give them.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question for the Minister of Labour:

Did The Department of Labour participate in the most recent round of negotiations between UAW members and Massey-Ferguson resulting in the company's announcement that it was beginning plans to close the Verity works at Brantford?

**Hon. D. A. Bales** (Minister of Labour): Mr. Speaker, the hon. member for Brantford has a question related to the same problem. I wonder if he perhaps might be able to pose it as well.

**Mr. M. Makarchuk** (Brantford): Mr. Speaker, I have a question for the hon.—

**Mr. Speaker:** Order! The leader of the Opposition has the floor. You were to make a comment, were you?

**Mr. Nixon:** No. I have another question similar to this, for the Premier (Mr. Roberts). I was under the mistaken impression that he wanted them both at once. He does not, does he?

**Mr. Speaker:** I think we might have all three at once, so if the member for Brantford would place his now?

**Mr. Makarchuk:** Yes. It is a question presented to the hon. Minister of Labour.

In view of the fact that the other major farm equipment manufacturer in Brantford, Cockshutt Farm Equipment of Canada, has signed a new three-year contract with local 458, united auto workers, will the Minister attempt to bring together Massey-Ferguson and the UAW so that negotiations can be resumed?

**Hon. Mr. Bales:** Mr. Speaker, to deal in part with both of them: To the question from the hon. leader of the Opposition, the answer specifically is "no". The parties at this stage preferred to carry on their discussions directly without the intervention of a third party. Generally, with the two questions,



there is little that I can add, I think, at the moment to the reply I gave in reference to this matter a week ago. We are considering what further steps we can take to be of assistance to the parties. They are well aware that assistance in any form that we can make is readily available.

**Mr. Nixon:** Mr. Speaker, I have a question which is closely related to it, for the Premier and I cannot over-emphasize the importance of careful consideration of it. Will the Premier consider direct intervention in the strike at Massey-Ferguson in order that everything possible can be done to achieve settlement without the permanent loss of this industry to Ontario?

**Hon. J. P. Roberts (Prime Minister):** Mr. Speaker, the government shares with the hon. member the concern for this whole matter but I think you must take into consideration the answer of the Minister of Labour. I think we must also realize that in this particular situation you have two pretty sophisticated groups that are indulging in collective bargaining. They know precisely what assistance can be offered them by the government and neither side has asked for us to intervene to date. We are following the whole matter as closely as we can in the overall interests that we have to ensure: (a) that the dispute is settled; (b) that it is settled in such a way that the industry will not consider it necessary to move out of the province. Therefore, direct intervention by the government through The Department of Labour or by myself personally is a matter of reasonably delicate timing in discussions of this nature, and I can only assure the hon. member that we will leave no stone unturned in order to bring this matter to a proper settlement.

**Mr. Nixon:** I might ask the Premier, Mr. Speaker, in the event of a complete breakdown of negotiations would it be possible for the intervention that I suggested in my question to take place, that is, at the highest level?

**Hon. Mr. Roberts:** Mr. Speaker, this has happened before but as I say, it is a matter of very delicate timing in a situation such as the present situation.

**Mr. Speaker:** The member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Speaker, a question for the Minister of Trade and Development: Will the Minister urge Abbotsford Homes Ltd., who have been awarded a contract to build 159 family housing units

in Roxborough Park East in Hamilton, to step up their scheduled completion date of January 31, 1969, thereby assisting in relieving the serious housing shortage and alleviating the unemployment in the construction industry?

**Hon. Mr. Randall:** Mr. Speaker, the Ontario housing corporation contract with Abbotsford Homes Ltd. provides for a substantial number of these homes to be finished by January 31, 1969, and we are taking delivery of them on a progressive basis as they are finished. I appreciate the hon. member's concern that these family units be completed as soon as possible and we have asked Abbotsford Homes to do this and they have agreed to. Also we are taking a look at any other work that could be put into the Hamilton area to absorb some of the construction workers the hon. member refers to.

**Mr. Speaker:** The member for Cochrane South (Mr. Ferrier).

**Mr. E. W. Sopha (Sudbury):** Mr. Speaker, I want to rise on a point of order. I should have got up before the last member because I want to draw to your attention, Mr. Speaker—and I do so most courteously—but I want to point out to you that day after day, and again today, you have taken it upon yourself to refer to the young man who sits at my right as the member for Brant, and I want to ask you quite politely whether in this persistent denoting of him as the member for Brant there is a danger in this House that the office of leader of the Opposition will disappear.

I want to point out to you that such a custom or practice by you in reference to any one of those 22 or 23 that I see in the Treasury benches, in calling them by their constituency, would not be tolerated for two minutes, and I have taken great care in calling this to your attention. I remind you that the office of leader of the Opposition is second, according to our custom and usage, to that of the Premier. The Legislative Assembly Act indeed accords it, in effect, of equal rank to a man enjoying Cabinet responsibilities.

I would most courteously ask you in the future to desist from that practice of calling the leader of this party the member for Brant, and to address him by his proper title, leader of the Opposition. This is not a case of coming to his defence, he is well able to defend himself. I rise as a private member to attempt to put a stop to what is a very unsalutary practice, and which, if continued,

detracts from the role, through that office, that this party plays in an official capacity in this House.

**Mr. Speaker:** The member for Cochrane South has the floor.

**Mr. W. Ferrier (Cochrane South):** I have a question for the Minister of Financial and Commercial Affairs. Would the Minister make a full and complete statement to this House of all the events leading up to the receivership of Muro Copper Mines Limited?

**Hon. Mr. Rowntree:** Mr. Speaker, I will be pleased to look into the matter and take the question as notice.

**Mr. Speaker:** The member for Brantford.

**Mr. Makarchuk:** Mr. Speaker, I have a question for the hon. Minister of Transport. It is a three-part question.

In view of the fact that reports have been received from the United States that Firestone Tire Company has had problems with severe sidewall cracking and sudden failure of the tire, can the Minister tell the House what measures are being taken by the department to insure that no tires with defects are being sold in Ontario?

Two, have any of the Firestone wide oval tires with defects been sold in Ontario?

Three, if so, is the Minister planning to force the company to recall the defective tires already on the road?

**Mr. Speaker:** Yes, there is another question similar to that somewhere.

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, I understand that the member for Etobicoke has a similar question.

**Mr. Speaker:** Yes, I know, I am just trying to locate it here. Yes. The member for Etobicoke has a question along the same lines.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, the question is not on my desk; may I borrow yours?

**Mr. Speaker:** Yes, indeed. I would ask the member to send it back to me when he is done with it.

**Mr. Braithwaite:** Mr. Speaker, I have a question for the hon. Minister of Transport, notice of which has been given. In view of the possible passage of legislation in the United States to create a nation-wide tire recall system, will the Minister introduce legislation to recall Firestone Tire Company's wide oval tires, which are reported to have a high

incidence of severe sidewall cracking and sudden failure?

**Hon. Mr. Haskett:** Mr. Speaker, to assure the utmost protection for the people of Ontario against accidents caused by tire failure, this province has led all Canada and most of this continent in mandating safe tire standards. With regard to this current report on a specific Firestone tire, I am informed that some defect concerning surface appearance only was found in early production, but there has been no reported failure of any Firestone wide oval tire manufactured in Canada, in consequence of sidewall cracking. Accordingly, sir, no action on recall seems warranted and no action is contemplated.

**Mr. Braithwaite:** A supplementary question, Mr. Speaker. Has the Minister had any consultation with the executives from Firestone to make certain that any defects are caught? Is the Minister certain that the manufacturing process has been improved so that drivers in Ontario will not have to worry about wide oval tires made by Firestone?

**Hon. Mr. Haskett:** Mr. Speaker, I think that the answer to this inquiry was contained in my first reply. I can say to the member for Etobicoke that we have been in communication with the rubber manufacturers' association of Canada on this specific problem.

**Mr. Makarchuk:** Mr. Speaker, by way of a supplementary question, the Minister said that there are no problems with tires manufactured in Canada. Has his department examined the tires coming in on cars imported from the United States that have these particular wide oval tires on them?

**Hon. Mr. Haskett:** Mr. Speaker, there has been no examination by our department of imported cars coming in from the United States with the wide oval tires, and there have been some of these tires on sport models of recent vintage. As I said in my first reply, we have had no report of any failure of a wide oval Firestone tire in Canada in consequence of sidewall cracking.

**Mr. Makarchuk:** Mr. Speaker, will the Minister accept another supplementary question?

**Hon. Mr. Haskett:** Yes.

**Mr. Makarchuk:** In view of the fact that he has not had any reports of these particular tires, is the Minister or his department planning to check to see that there are

no blowouts or defects on the tires that are coming in?

**Hon. Mr. Haskett:** Mr. Speaker, I think that we have gone as far as the situation warrants at this time.

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I have a question of the Minister of Highways.

Can the Minister explain to the House why I was told by the Sudbury office of his department in January of this year that all the pre-engineering of Highway 69 between Hamner and Capreol had been completed and the contract was ready to be let, all that was needed was cash, yet in the *Sudbury Star* of April 27, 1968, the Minister is quoted as saying:

Pre-engineering work for reconstruction of Highway 69 between Hanmer and Capreol has been accelerated. A contract for this work is scheduled to be awarded under the 1968-69 programme.

Whose assessment of the situation is correct, the Minister's or the Sudbury office of The Department of Highways, and what is the explanation for the discrepancy in the information?

**Hon. Mr. Gomme:** Mr. Speaker, originally this project was not on the 1968-69 programme. While pre-engineering was completed in the field, there was still contract preparation work to be done at head office. The district official was providing the member with the information he had in respect to the field operations.

I obtained further information as to the condition of the road and decided that, if at all possible, sums should be allotted to allow acceleration of the necessary pre-contract work so that the project could be called in the 1968-69 year. As quoted in the *Sudbury Star*, I made this announcement on April 26 in Sturgeon Falls.

**Mr. Martel:** I have a question for the Minister of Municipal Affairs.

Can the Minister explain the high mill rate in Lively, Levack and Onaping? Are the mill rates in these three municipalities comparable to the mill rates in other mining municipalities of similar size? And how will these rates affect the mining and shelter grants?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, this question is

going to take a little bit of digging. I would suggest that it be placed on the order paper.

**Mr. Martel:** I have a question for the Prime Minister. Can the Prime Minister advise the House when the practice of allowing government members to make announcements regarding government projects to be undertaken in ridings represented by Opposition members will be stopped?

**Hon. Mr. Roberts:** Mr. Speaker, announcements are made by the government, by government members and by civil servants in a variety of ways. I am not aware of any practice such as the member mentions. I do not know to what he is referring, but in any event, I imagine things will go on much as they have in the past.

**Mr. Speaker:** The member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain):** Mr. Speaker, I have a question for the hon. Minister of Trade and Development.

What action has been taken by your department on the report of the housing committee of the University of Toronto social problems research institute entitled, "Neighbourhood Centres and Buildings"?

**Hon. Mr. Randall:** Mr. Speaker, I will have to take this question as notice and get the information for the hon. member.

**Mr. Speaker:** The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, I have a question of the Minister of Trade and Development.

Why are there at least 17 empty housing units at the OHK development at Finch and Albion Road?

**Hon. Mr. Randall:** The Ontario housing corporation development to which the hon. member refers is phase 2 of the corporation's Thistletown development. There are, in fact, a number of empty units in this development, all of which have been offered to families on the corporation's waiting list. As I am sure the hon. member will appreciate, a certain time must elapse between an offer being accepted and the family moving in, as most families are already in occupancy of a privately owned unit and thus have a commitment. Only in emergency cases where a family is evicted is it possible to move a family in, virtually overnight.



Of the houses in the Thistle town development recently offered to families, nine were not accepted by the families in question. However, the corporation has since taken steps to offer these units to other families on its waiting list, therefore all units are in one way or another committed.

**Mrs. M. Renwick:** Mr. Speaker, would the Minister accept a supplementary question?

Would you comment, Mr. Minister, on unit two at 30 Orpington Drive, which has been vacant four to five months?

**Hon. Mr. Randall:** I do not know about 30 Orpington Drive, Mr. Speaker, but I will be glad to get the information for the member.

**Mr. Speaker:** Yesterday the member for High Park had a question for the Provincial Treasurer, who was not present. Perhaps he would place it now?

**Mr. M. Shulman (High Park):** Thank you, Mr. Speaker. I have a question for the Provincial Treasurer; actually, three questions.

Why were the charters of both locals of the civil service association at the Whitby, Ontario Hospital, cancelled last week?

What was the reason for the dismissal of Mr. David Green at the Whitby, Ontario Hospital?

Inasmuch as a strike has been voted by the two locals prior to the loss of their charters, will the Minister consider reinstating Mr. Green?

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, the answer to the three-part question of the hon. member is as follows:

The civil service association is an independent association of employees, which is organized on a branch basis and demands branch charters from time to time as it sees fit. The association does not consult with management in reorganizing its branches and, therefore, it would be highly improper for me to make any comment whatever on changes in charters.

Mr. David Green was not dismissed from the Ontario Hospital, Whitby. He was on the probationary staff only and when his appointment lapsed in August, 1967, it was not renewed. The management of the hospital did not recommend regular staff appointment in view of his unsatisfactory work habits and general unco-operative attitude. Mr. Green complained to the civil service griev-

ance board and the board ruled that he had been released under the probationary service conditions and not dismissed.

The department has received no notice of a pending strike at the Ontario Hospital, Whitby, and checking with the president of the association, I find that any walkout by employees would not have the support of the association.

The question of reinstating Mr. Green does not arise, since this matter has already been dealt with under the grievance procedure to which I have referred.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. MacNaughton:** No.

**Mr. Shulman:** Thank you.

**Mr. Speaker:** The member for Rainy River.

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, I have a question for the Premier.

Can the Premier indicate what written guarantees the government has or will receive from the International Nickel Company that Shebandowan Lake will not be polluted and, therefore, destroyed by the mining company's operation?

**Hon. Mr. Robarts:** Mr. Speaker, the Ontario water resources commission, I am informed, is in communication with International Nickel. The temporary mine treatment system which apparently they have installed has been submitted to the water resources commission for approval. Before anything permanent is done, of course, the treatment of waste will have to be approved by the Ontario water resources commission, and I can assure you that that commission has no intention of permitting this lake to be polluted or destroyed.

**Mr. H. Edighoffer (Perth):** Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

Is it true that Ontario Hydro has spent public money in providing insulators to isolate the skywire of the hydro line in Cooksville in order to prevent CHFI radio signals from interfering with an American station in Rochester?

If so, does Ontario Hydro regard itself as liable for any radio re-radiation or reflections from its cable-carrying towers?

What is the policy of Ontario Hydro *vis-à-vis* private radio stations in general?

Since this situation may become fairly common in the future, is a cost sharing policy under consideration?

In this particular case, did CHFI or Rogers broadcasting pay anything to Ontario Hydro by way of consideration for the elimination of the re-radiation effect? Did the American station pay anything?

Has Ontario Hydro been approached by station CFGM with a similar problem and if so, what policy decision has been arrived at?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, the answer to question one, is no, it is not true. CHFI radio station requested that Ontario Hydro insulate the skywire on seven towers near Cooksville. The station reimbursed Ontario Hydro the full costs. Ontario Hydro was not apprised of any detail as to the need for such insulation.

The answers to 2 and 3: When interference problems are brought to the attention of Ontario Hydro by The Department of Transport, Ontario Hydro investigates the problems and takes remedial measures where indicated.

The answer to question 4: No cost sharing policy has been contemplated.

The answer to question 5: Yes.

The answer to question 6: Ontario Hydro is unaware of the reasons for the work done.

The answer to question 7: Yes.

The answer to question 8: CFGM would be responsible for the cost of the work.

**Mr. C. G. Pilkey** (Oshawa): A question for the Minister of Public Works. In view of the fact that The Department of Public Works advertised in the *Globe and Mail* of Tuesday, April 23, for an offset plant manager, would the Minister explain to the House the need for a large modern offset printing operation and was anyone from his present staff considered for this position?

**Hon. T. R. Connell** (Minister of Public Works): Mr. Speaker, members will be aware of the statement on common services issued by the Provincial Treasurer of Ontario on November 2, 1967.

One of the facilities contemplated in that statement is the installation of a modern offset printing plant to be established in the basement of the Whitney block. It is the intent that this will be in substitution for some 20 small installations presently operated at various locations by government departments in downtown Toronto.

As the Provincial Treasurer indicated in his statement there is a need to streamline the operations of the various departments and effect savings in the cost of these services. This is an opportune time to initiate a joint government offset printing service in the Queen's Park area. We hope to achieve increased efficiency and economy as well as high levels of quality and service by taking advantage of modern management methods and advances in technology. The competition referred to does not close until May 15, 1968. Applicants from my own staff will, of course, be considered, as well as those now working for other government departments and outside the government service.

**Mr. Pilkey:** May I ask a supplementary question? Will this offset plant that you are talking about, reflect on job potentials outside? I am talking about private enterprise at the moment.

**Hon. Mr. Connell:** No, definitely not. I am very much a free-enterprise, private-enterprise man and, as I mentioned in my statement there, the work that this machine does brings 20 departments together in one area. Actually I know there will be fewer people employed, and it will be less costly than the present operation.

**Mr. Speaker:** Orders of the day.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a point of order that I would like to raise for your consideration before we go into committee of supply later in the afternoon. You may recall that during the discussion of the health estimates last night we arrived at a point where the Minister (Mr. Dymond) in charge of this expenditure was able to ask the House only to trust him in response to facts that had been placed before this House and which were not sufficiently justified by information coming from the Minister himself.

We were approaching an impasse in the discussion of this matter since the Opposition was certainly not satisfied with the Minister's response. It was only when the House leader chose to move the adjournment of the debate or that the committee rise that we were able to leave the chamber under some circumstances that would allow us to continue.

There are some alternatives available to Opposition members in circumstances such as this. No doubt we can continue to urge the Minister to give us further information, because I would tell you, sir, that if he is simply going to ask us to trust him then our

responsibilities here are completely gone—that it is not sufficient that the explanation he has given us be acceptable on this side. There is something further we can do and the hon. member for Downsview (Mr. Singer) alluded to it last night. There may be some comment by the Chairman when we get into this position later in the afternoon. We can perhaps move that the allocation for this particular expenditure be reduced, but this is a very insufficient remedy under the circumstances in this House, when the information concerned with this is essential for, I believe, the democratic carrying out of the duty of all of us in this House.

There is one further remedy, and that is why I raise it at this time. The Premier's (Mr. Robarts') responsibilities obviously do not permit him to be present in these lengthy discussions. He was not here last night and his representative, the House leader (Mr. Rowntree), moved the adjournment. But I would suggest to you, sir, that in matters of this type surely it is a recourse that should be available to all members of this House that we go beyond the Minister responsible and ask the leader of the government himself for the information that would be associated with circumstances such as this.

I raise it now, sir, since you are in the chair and secondly because the Premier is in his place and in all probability he will not be here for the discussion later in the day. I would say to him, sir, through you, that this is a matter of grave importance indeed, that his Minister is very much on the spot for reasons which he is not prepared to reveal publicly. I would put to him that we on this side are not prepared to accept this matter on trust even though we have a high regard for the hon. Minister under ordinary circumstances. I hope that the Minister has conferred with the Premier on this matter. The Premier may be ready to make some comment now or perhaps later in the day when we have an opportunity to resume this discussion.

Mr. D. C. MacDonald (York South): Mr. Speaker, on a point of order with regard to the general problem we were coping with last night—when we left the issue the question that had been put to you for your clarification and guidance to the House was whether or not, if a motion were made to reduce the vote and that motion were defeated, whether it would carry the whole of vote 803 or only the sub-vote. May I put to you another alternative for your consideration and guidance?

I think when a matter such as we have had brought before the House—and I would agree with the leader of the Opposition that we in the Opposition simply cannot accept the Minister's request for good faith and that at some indefinite future date he will elaborate and justify the good faith. May I put to you an alternative, namely, that we should use the standing committee of the Legislature to look into this matter. The purpose of the standing committee is to explore the various aspects of departmental work. Indeed, we are now doing that, for example, in the education committee. I would think that kind of a motion would have no specific reference to money and therefore would not involve the thorny problem of whether or not the vote should carry with the defeat of such a motion.

The motion, for example, would simply be that: The issue of the action of The Department of Health in closing the Cara Villa home be referred to the standing committee of health for the appropriate departmental officials to be called to testify and be questioned as to the reasons for their action.

My point is simply that this House is entitled to know the reasons why—including the very vital point that was raised by the hon. member for Downsview with regard to the solicitor's advice; it was not the advice of the Attorney General (Mr. Wishart), it was that of the solicitors in one department. I would think the appropriate place to get the full picture, and to explore it thoroughly would be in the standing committee.

So I present this to you as an alternative that might not hang us up on the traditional ruling whereby a defeated motion for reduction of an estimate would pass the vote automatically.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, I know certain aspects of this. Perhaps I am not completely informed. I suppose that really on some occasions the public interest might be best served if these matters were not discussed—and I am not commenting upon the particulars of this incident, because I am not sufficiently informed of them. But it might be that a further course of action—and I believe that this has been followed on previous occasions—could be available when it would be possible for the leaders of the other two parties to be informed privately as to what these circumstances are, if the Minister, in this or in any other circumstance, thinks perhaps it would not be wise to make them public. Then if these matters are going to be made public it would be



the responsibility of those who made them so. This might be one aspect of the matter.

As I understand it, the adjournment last night was to permit the Minister to gather together certain information that he would want to present to the House in due course. So I think this might properly be dealt with when we resume the estimates and this matter can be raised again at that time. I would suggest, Mr. Speaker, the Minister of Health might want to speak to this himself.

**Hon. M. B. Dymond** (Minister of Health): Speaking to the point of order, you will recall, sir—the chairman of the committee will recall—that the hon. leader of the House at the time proposed that the committee rise in order that I might have an opportunity to confer further with my staff on this matter having regard to the statements made by the hon. members on the opposite side of the House. I have done that and I came to the House quite prepared to put the total matter before them this afternoon. I have it on my desk.

**Mr. Speaker:** It is my opinion, and I think the statements by the various members here at this time indicate, it was a sound decision that this matter first must be dealt with in the committee where it was. I believe that the Chairman of the committee has given the matter thought and research and that he will be prepared to deal with the original point as to the effect of a lost amendment on the total vote, if that point is raised. I think the member for York South has raised a very interesting point which the committee can consider if it comes to that, but I would hope from what has been said by the Minister of Health that the difficulties will be resolved when the members resolve themselves into committee of supply later today.

If the matters are not so resolved in the committee, then of course I would anticipate that a report would be presented by the committee to the House through Mr. Speaker. At that time I would certainly be prepared to take such action as then might be necessary. But I am quite sure that it will not be back to the House and it will be properly dealt with in committee.

### THIRD READING

Bill 103, An Act to amend The Judicature Act.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, the Lieutenant-Governor is standing

by and with your permission I will escort him to the chamber.

The Honourable, the Lieutenant-Governor of Ontario entered the chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. Earl Rowe** (Lieutenant-Governor): Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province, at its present sittings thereof, has passed a certain bill to which, in the name of and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following is the title of the bill to which Your Honour's assent is prayed:

Bill 103, An Act to amend The Judicature Act.

To this Act the Royal assent was announced by the Clerk of the legislative assembly in the following words:

**Clerk of the House:** In Her Majesty's name, the Honourable, the Lieutenant-Governor doth assent to this bill.

The Honourable, the Lieutenant-Governor was pleased to retire from the chamber.

**Clerk of the House:** The 39th order, resuming the adjourned debate on the motion for second reading of Bill 89, An Act to amend The Planning Act.

### THE PLANNING ACT (Continued)

**Mr. P. D. Lawlor** (Lakeshore): Mr. Speaker, as I was saying yesterday—or if I did not say it I should have said so—the word “planning” has a peculiarly socialist tinge to it, thank heavens. Fifty years ago this sort of legislation would have been unheard of; even 35 years ago it would have been completely ruled out. And here is the Minister producing before us an Act which by and large we find quite palatable and which he too, curiously enough, finds quite palatable, restricting the user of that most precious of all things—as was indicated by the member for Sudbury (Mr. Sopha) the other day—private property.

Yesterday I indicated that I felt the Act as it has grown up and had become convoluted is an Act that would no longer win very much approval from the legal profession as it stands.

It is unwieldy and the ultimate purposes of the Act have been overlooked. We have lost sight of the purposes of planning in this province and we have been subjected to a good many local bylaws which are certainly restrictive of human freedom and are just petty matters which make everyone's life more miserable, and the Minister should do something about that.

Under the second heading, I had indicated our complete agreement with the situation under section 2 and said that the section itself would act as a blow to the land speculator. At long last it will free land for the development of housing in this province and will aid greatly in that development. If the department would just consider the possibilities of the capital gain tax then we might see deflation in property begin to set in and take place; but this is a good step in that direction and to that extent we support it.

There were a number of features with respect to section 2 that I have mentioned. But going a little further afield today, it is very often overlooked that in the question of the use of arable land for agricultural purposes, up to now, the legal position has impinged upon the rights and freedoms and expansion of the farming areas, to make themselves economically viable. And this is a thing that has been no doubt presented to the Minister by the farming community, with residential property impinging upon farming areas in preventing the extension and enlargement of existing farmsteads.

This Act will assist substantially in cutting down scattered, undesirable residential developments, "strip" development, and "ribbon" development of all kinds. A man would buy 500 acres of land and divide it up. Sometimes he would divide it any way he wanted as long as he retained it in ten-acre strips. He could have it zigzagging or going by parallelograms, or he could have narrow strips of 25-foot frontage, or he could have 60-foot frontage; he could have whatever he liked.

This also had very detrimental effects municipally, and in particular in the rural and county development of roads, as to how they were going to run and as to the incidence of users of roads. And so again the section is an intelligent one. The clause on which I indicated I had severe reservations, and I retained them—they have been cumulative overnight—is with respect to section 3.

Section 3 is a take-off from The Planning Act of 1960, section 27, which reads as follows:

The Minister may by order (a) with respect to any land in Ontario which is not within the scope of a bylaw passed under section 30 or a predecessor of such section, exercise any of the powers conferred upon councils by section 30, without the approval of the municipal board.

In other words, it said that the local authorities who, exercise the considerable powers granted to them, are recognized as a question of confidence in the democratic process, at that level. Section 30 which covers the restrictive user of lands, and covers matters such as the restriction of buildings, and what may or may not be constructed on marshy grounds, and concerning loading space, the use of land for hazardous purposes; all these matters fell within the jurisdiction of the municipality.

The Minister now comes along with the amendment to the Act, the amendment reading as follows with respect to any land. It strikes out the clauses that are not within the clauses of a bylaw passed under section 30, so that any bylaw whatsoever, whether or not passed within the ambit of section 30 by the local municipality, now falls within the jurisdiction of the Minister.

In other words, as I see it, it is a usurpation of the powers of local government. It is the very thing that you gentlemen on the other side of the House spend many of your days inveighing against—a direct centralization of authority in the hands of a Minister who may exercise it without appeal. It may be exercised solely within the discretion of the Minister. And searching the vocabulary for the one word which would fit, I was reduced, I am sorry to say, to a single word which sums it all up—arbitrary.

The clause goes on in the IB section and confirms the iniquity. It simply says that if they have passed it—if the municipalities have, under section 30, for their own benefit and with thought as to the convenience and benefits of their own local population, passed a bylaw under section 30—the Minister can come along and—what is the word used—suspend it? Well, they read it this way.

That bylaw is not effective in such a municipality while such order of the Minister is in effect. This is an overriding, a superseding, a usurpation of the local rights of the municipalities. True, the municipalities are creatures themselves of the province, but if they are to exercise any discretion, if they are to have a function in this province at all, which is gradually being whittled away from

them, surely they are in a far better position by and large than the Minister to determine what is of benefit to them in terms of restrictive bylaws, and the use of land in the local regards which are peculiar to that municipality.

What justification is there, in other words, for the Minister to ask us to pass a bill with words of this overriding purport at this time? Is there some reason that reaches to the heart of things? Are the municipalities, in his opinion, incapable of exercising the functions? Are they overriding local rights?

Surely then the democratic process would call upon them to be subject immediately to the electorate. It is destroying the grass roots principle of the thing.

I suppose if I wish to launch out into a vein of eloquence as would the member for Sudbury, I might speak of Jeffersonian democracy—its virtues and flowering and its purposes—in this House at some length, and take up our time in a rather elaborate spiel about the virtues of Jeffersonian democracy. That is to have the darn thing work at the deepest root possible, and to the nearest area of the lives of the people and the community living close to you.

I would like the Minister to explain why he feels that these powers are necessary. I can only repeat that I consider them a usurpation. I cannot imagine why he feels that he must supersede and override the local authority in these matters, and that he seems to me to have emasculated in a great area, the few remaining powers of municipalities in the province.

**Mr. Speaker:** Is there any other member?

**Mr. F. A. Burr** (Sandwich-Riverside): May I draw to the attention of the members that the long-awaited pupils from Coronation school in Windsor have arrived.

And while I have interrupted—

**Mr. Speaker:** The member for Downsview.

**Mr. Burr:** I rise on a matter of privilege. The *Toronto Daily Star* referred to me today as Raymond Burr—

**Mr. Speaker:** May I point out that normally the middle of the debate is not the appropriate time. Perhaps when this debate is concluded, the Speaker will then be glad to receive the point of privilege.

**Mr. Burr:** It is completed now.

**Mr. Speaker:** The member for Downsview.

**Mr. V. M. Singer** (Downsview): Thank you, Mr. Speaker. I think that the member for Lakeshore, in his usual manner, has made a point that I think could have been made much more simply. The simple point is why does the Minister need section 3? The whole involvement of getting a zoning bylaw passed by a municipality, getting it amended, with appearances before the municipal board, and so on, indicates a careful examination of these bylaws, plus additional approval by the Ontario municipal board.

Now, the Minister comes along and says, "Give me power to override any of these by-laws." It seems most unusual and most arbitrary, most autocratic and most dictatorial. I would think that the Minister should have better reason that has appeared to date before we can go along with this section.

**Mr. D. M. Deacon** (York Centre): Mr. Speaker, there is one point in the bill that concerns me. It is in connection with the ten-acre lots and the removal of automatic permission to subdivide. I think that it is quite necessary that control of this be brought under the planning board, did I think that it should be spelled out that is not a matter for the committee of adjustment to deal with. In subdivision of land a body such as the planning board which is a responsible body has minutes, and has precedent to work from, that should guide the subdivision of properties. The committee of adjustment has not precedent to work to and is not usually as a board operating on nearly as well informed a basis with regard to planning.

I think it is very important that the procedure that will now be adopted will be spelled out so that we will not have great tie-up and confusion that is apt to arise. A good deal of subdivision of property under this ten-acre exception has gone on in the past without the need of any legislative action or any action on the part of the municipalities. This will now have to go before the municipalities. We want to be sure that they are instructed in how to do this in a manner that will not cause delays and improper action or inadvisable action on their part.

**Mr. Speaker:** Is there any other member who wishes to speak to this bill before the Minister concludes the debate?

**Mr. G. A. Kerr** (Halton West): Mr. Speaker, just a few words regarding section 2 of this bill. I think that this amendment is timely and is necessary, and has been requested



by numerous planning boards and councils, particularly in southern Ontario. However, I just have one reservation, and that is that if these applications are to continue to be made to committees of adjustment in, shall we say, this part of the province, I think that the procedure for hearing applications—the procedure of giving notice and for appeal to the OMB—should be at least streamlined.

I can imagine that with this amendment certainly there will be a tripling of applications to committees of adjustment. In my area, for example, they meet now only about once a month and they have many, many applications for six, seven or eight months ahead.

So I think that in some way we should impress it upon the municipalities to have more frequent meetings and also speed up the procedure. I do not think, for example, that it is necessary to give somebody down the road four or five miles, notice that someone in the neighbourhood wants to split a 100-acre parcel into two parcels of 50 acres each. Also, sir, the procedure for appealing should be looked at. It has been the habit in the past where only one or two people have opposed an application that it is required to go before the board. This delays things unnecessarily, becomes costly, and on many occasions if it happens to be a farmer who wants to separate a parcel for a relative or even a member of the family, he gives the thing up. So I would hope that in spite of the fact that I approve the principle of section 2 of this bill the whole procedure and the methods used by committees be speeded up, and if possible that we should reconsider whether committees of adjustment should, in fact, be hearing these applications, or should they go back to some planning committee, preferably a planning committee of the local council.

**Mr. Speaker:** The member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** Mr. Speaker, in rising to support section 2, I have here a report of the central Ontario joint planning board, and I notice, Mr. Speaker, that they make certain recommendations that we perhaps might think of when we pass this part of the Act. It comes out with certain conclusions which I think we should read into the record. The conclusions are that:

Uncontrolled land subdivision in rural areas is having an immediate effect upon agricultural lands, their use and prime

ownership in the area. High land values for ten-acre lots as opposed to average farm prices is causing a serious disruption in the agricultural community and such activity is increasing what might be an irreversible trend with a serious long-term effect, precluding in some cases the trend to a larger farming unit.

The Planning Act does not allow a municipality to control or prevent this subdivision activity.

I think what they are trying to say is that there seems to be one huge ten-acre lot subdivision which is putting an added strain upon all the services that are supplied by the municipalities such as roads, sewers, schools, and so on. They also point out that there are inadequate zoning provisions in the local bylaws which allow residential construction on these huge ten-acre lots. Also, inadequate zoning provisions are perhaps encouraging land speculation but it is believed by the townships that any amendment to the local zoning bylaws will not eliminate land speculation.

Finally the boards say that although local and provincial planning authorities and legislative bodies have to be consulted on draft plans of subdivision and land sales below ten acres—the agencies have appropriate roles in the decision making and approval procedures—no such process is required on ten-acre subdivisions.

In other words, a man can go in and buy 600 acres and make 60 lots out of it without having the control of the local planning board, or the local township over what he does. He would create a 60-lot subdivision without making provision for roads, sewers, schools, and other services that are supplied by the townships. Over 500 lots have been created without any control or consideration in Whitby, East Whitby and Darlington, as to their location, as to size, or shape, or any relationships or effect as can be considered in other types of subdivisions. And it refers up to the time of this report to 332 vacant lots existing in the three townships with the possible resultant population and servicing demands. In other words they had 332 lots which were going to place a serious load upon the township. For this reason, Mr. Speaker, I would like to support this section of the bill.

**Mr. Speaker:** Are there any further speakers? The Minister?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, perhaps dealing

with section 2, subsection 1, first: The points with regard to the ten-acre exemption, of course, are well taken by all members, and I think all members realize the necessity for removing this exemption. Indeed, I think for doing so rather quickly, which is the reason this is being moved on today through second reading. The points made by my friend from Halton West are also well taken.

Perhaps if I could refer back to the remarks made by the member for York Centre who, I think, indicated concern about the local agency which should deal with severance applications. He felt perhaps, as I understood it, that it might be better done by the planning board rather than by the committee of adjustment. I think members will recall that we had some interesting discussions in the House on this matter. I think a great deal of external pressure was applied from one source or another two or three years ago when the functions of committees of adjustment were widened.

**Mr. Singer:** That is a nice way of putting it.

**Hon. Mr. McKeough:** Widened, yes—broadened perhaps beyond the original concept of committees of adjustment. Nevertheless that was done. I suppose the greatest reason that was given at that time and the most valid reason, and it is still a valid reason today, is that committees of adjustment had provisions for appeal if the planning board procedures did not provide for this sort of thing. The planning board really does not have mandatory provisions for public hearings, for example, which committees of adjustment must have. I say to my friend from Downsview, that all these present procedures could not be better. This is the point made by my friend from Halton West. He mentioned—

**Mr. Singer:** A little flexibility in that department would be welcome.

**Hon. Mr. McKeough:** I am beginning to wonder who is making the speech, Mr. Speaker; however, I will continue. The point that my friend from Halton West made that severance applications might well be dealt with by committee of council is perhaps one which is worthy of exploration. The council, after all, meets regularly. I think it might be optional to do this. I do not know. We have been giving this some thought. I say to you frankly I am not altogether satisfied with the procedures that have been developed. And I go back to the points made by my friend from Yorkview (Mr. Young) who, I think,

raised these points yesterday. It is not so much the law, I say to my friend from Lakeshore, or the fact that The Planning Act is cluttered, and perhaps to a lawyer is not as clear as it might be. It certainly is not as clear as it might be to me as a layman. I think what we have to first is to think through the procedures of what we are trying to accomplish and then, frankly, write the law to suit those procedures. We are trying to do some of this now within the department.

The law reform commission, of course, are taking a look at The Planning Act from their particular point of view. It worries me a little bit that they may come up with something which is a very sound legal document with the rights of citizens completely protected, which of course is their special responsibility, but in terms of what we are trying to accomplish in planning legislation, it may not be any clearer than it was before. And I think it is the responsibility of the department to take a look at it from that particular viewpoint.

However, the law reform commission are taking a look at the Act. I think that you will recall in private bills I indicated that we had asked them to take a look at a particular part of it in a hurry. We are taking a look at it. I do not know whether we will have a revised Planning Act and revised procedures before another session. I wish we could guarantee that. We are taking a new departure in a bill which will be introduced tomorrow—a somewhat different tack.

Now, having said all that, we are taking quite a serious step with regard to the removal of the ten acres mentioned. Perhaps the procedures are not as perfect as they might be, and I frankly admit this. It worries me a great deal that under the procedures, a farmer, when this bill is passed, who wants to sever his 200-acre farm into two 100-acre parcels for his sons, must either go to a committee of adjustment or come to me as the Minister. And I do not think this is the intent of our planning legislation, but the simple fact of the matter is that the problem, as has been recognized here is well documented in that brief from the central Ontario planning board from Halton, and from all around Guelph. Interestingly enough, the Minister of Agriculture and Food (Mr. Stewart) had a letter from Essex just the other day, which he passed on to me. It is getting pretty general all over the province. The problem is serious enough, but it meant taking action immediately and this is what we are doing. I would hope that in the

future we would be able to tidy up the procedures.

The other point that was raised by my friend from Lakeshore, and also by my friend from Downsview, is with regard to section 3. Perhaps it would be best if I read a memorandum, or part of the memorandum:

This is a proposed amendment of section 27, subsection 1 of The Planning Act, which presently provides that the Minister may apply a zoning bylaw to any land not already covered by a bylaw passed by a municipality under section 30 of the Act. The effect of the proposed change is generally to eliminate the limiting clause so that the Minister may act even in those situations where a zoning bylaw has already been passed by the municipality.

And this of course is the point of my friends opposite.

It is important to recognize the fact that there is in Ontario a wide range of zoning bylaws passed by the municipalities. On the one hand, some are extremely simple, perhaps establishing only a minimum lot size to apply throughout the municipality. Others are highly complex, establishing use zones, describing lot coverage, setbacks, yards, building heights, parking requirements, and so on, and a great many in between these two extremes.

Many of the simpler type bylaws are in force in rural municipalities, where urban pressures are intensive. Such bylaws are not appropriate in such situations, but their existence precludes the Minister from bringing into force bylaws of a more rational type. All we can do in these situations is to attempt to convince the council that their bylaws should be substantially modified. Sometimes we are successful, and oftentimes we are not.

When we are dealing, for example, with an application for approval of a summer cottage subdivision, it is extremely important that we be assured that it will be used for temporary or summer use, rather than permanent use. The most effective way to ensure this is to have a zoning bylaw which will establish this use. If the municipality has a simple bylaw presently in force which permits the permanent use, the Minister cannot act under section 27.

So even the most simple bylaw, even though it is not being used, if there is a bylaw on the books it frustrates the intent of section 27.

The only alternative we would have in that particular case is to try and convince the municipality—

And of course we do this.

—that they should amend their bylaw. Or we can refuse to approve the plan of subdivision, and we do not like refusing.

To prevent a situation where we have two zoning bylaws applying to the same area, the new section has been drawn in such a way as to negate the effect of the bylaw passed by the municipality.

Now I admit that it is far reaching. Of course section 27 itself gives the Minister, as the leader of the Opposition (Mr. Nixon) pointed out some time ago, great powers and those powers have been sparingly used. I think—

**Mr. Singer:** Mr. Speaker, I wonder if I could ask the Minister a question? Would the Minister not agree that this section would allow him to say to someone who wants a service station in the middle of a very high-class residential area, if the Minister thinks it is worthwhile you can go ahead and do it and that is the end of it. Would there be anything to stop that?

**Hon. Mr. McKeough:** I do not think the member is correct in this, because we would be applying a restricted bylaw to the whole municipality, rather than to allow for that one service station.

**Mr. Singer:** But that is not what the amendment says or the Minister's explanatory note says. The explanatory note says you may by order exercise any of the powers conferred upon council under section 30 with respect to land within the scope of a bylaw passed under section 30. Then you can have spot-zoning bylaws. Theoretically you could spot-zone for a service station in the middle of a high-class residential area, if you wanted to.

**Hon. Mr. McKeough:** If we wanted to. I think you know the history of section 27. It has been used practically without exception in the north where there has been a mining development and where it has become necessary for us to move in. And I think it has also been used in southern Ontario in the cottage area, perhaps once or twice. It is not the intent—although I bow to your legal knowledge—perhaps the amendment does not say so, but it is not the intent to use it in the way in which the member has just described.



I admit that it is far reaching, that we can override a council in this way, but that is section 27. It gives the Minister great power which he has exercised in the past very, very sparingly—

**Mr. Singer:** Without even reference to the municipal board.

**Hon. Mr. McKeough:** It has been exercised with great power, and I can only assure you that we will continue to exercise it with great power.

**Mr. Singer:** Great power, yes, that was very Freudian. You used that word twice, that is what I meant.

**Hon. Mr. McKeough:** With great restraint.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 54th order, House in committee of supply; Mr. A. E. Reuter in the chair.

#### ESTIMATES, DEPARTMENT OF HEALTH (Continued)

**Mr. Chairman:** Vote 803, item 21:

**Hon. M. B. Dymond (Minister of Health):** Mr. Chairman, when we rose last evening we were discussing the matter of Cara Villa nursing home. As already mentioned, and I do not need to go over what has already been said this afternoon, The Department of Health removed the patients from the Cara Villa nursing home on March 7, 1968, because it appeared on the basis of letters received on the part of an inspector and other information the patients were being maltreated.

Questions have been raised with respect to the removal of patients from the above-mentioned nursing home on March 8 last, somewhat abruptly, without notice to the operator. Under the homes for special care programme, former patients of Ontario hospitals who are suitable are, on discharge, placed in homes for special care and the department in many cases pays the maintenance charges for such care. The submission is that legally the department is the guardian of former patients who are placed in such homes for special care.

This is not only a legal position, but also departmental policy approved by this Legislature. The superintendent of a mental hospital under The Mental Hospitals Act and the

general regulations under that Act is the guardian of the person of patients in such mental hospitals. The public trustee is, of course, the committee of the estate of patients in Ontario Hospitals with some exceptions.

The department, which transfers patients from a mental hospital to a home for special care, assumes the position of the superintendent of a mental hospital, and accordingly The Department of Health is the guardian of the person of the patient.

Upon the basis of letters received and the report of a departmental official following an inspection, the department was satisfied that patients in the Cara Villa nursing home were being abused physically. In these circumstances, the department having been made aware of the situation and in its capacity as guardians of these patients, had no alternative but to remove them and quickly.

In these circumstances, the criteria for the status and conduct of the department is that of a person who has a close relative in a nursing home who is in receipt of information of possible abuse and the treatment of the patient in the nursing home. There is no obligation on the part of that person to inform the operator of the reason for the removal or indeed, any obligation to give notice to the operator before the patient is removed.

The patients were removed on March 7, 1968, and shortly thereafter the solicitor to the operator had a discussion with the solicitor to The Department of Health. We explained the reason for the removal of the patients and the criteria which had been adopted in relation to the move. The solicitor to the operator at that time stated that he did not quarrel with the departmental decision and he was satisfied with it. They say they are still in discussion.

This summarized statement, Mr. Chairman, I think should be backed up by something a little more elaborate and more chronological detail.

A licence under The Homes for Special Care Act was issued in December, 1966 and renewed to this home, Cara Villa nursing home in Collingwood, and renewed annually until December 31, 1967. The eventual capacity was listed at 27 beds. This home for special care had been licensed for some time under a municipal bylaw for nursing homes.

The associate medical officer of health of Simcoe county health unit presented a request to her board of health on July 27, 1966, listing problems with this home. The board of health gave notice to Mrs. Gurman, the operator of

the home, that the licence to operate a nursing home was to be revoked for four reasons: Refusal to allow our medical officer of health to inspect the establishment; having more patients in your house than authorized in the licence; not having sufficient staff as required in the bylaw; and the staff employed were not qualified as defined in the bylaw.

At the hearing which was summoned by the board of health for the county, Mrs. Gurman's solicitor agreed that she was in default and a compromise was arranged whereby Mrs. Gurman agreed to abide by all the requirements of the board of health. The board took this under review and agreed to re-issue the licence on a temporary basis—until the end of the current year, December 31, 1966, at which time their application for the ensuing calendar year would be reviewed.

When renewal of the homes for special care licence was considered in 1967, the field worker in homes for special care was prepared to support relicensing in view of the board hearing, but the associate medical officer of health for the county unit in a letter of February 24, 1967, could not support renewal because there was a continued shortage of nursing staff, medicines were not kept in locked cupboards and the staff were under age.

After negotiation between the physician in charge of the chronic care programme of The Department of Health, the operator and the associate medical officer of health, it was agreed to renew the homes for special care licence July 31, 1967, and to grant a provisional licence under The Nursing Homes Act, effective June 22, 1967.

Then the first report of abuse to patients on the part of the operator came to us on June 26, 1967. A Simcoe county social services department field worker wrote to the superintendent of the Ontario Hospital at Penetanguishene and listed specific complaints received from another social worker. The associate medical officer of health commented on this June 29, 1967, and noted Mrs. Gurman's antipathy to residents from Ontario Hospitals. The MOH commended the role of the senior nurse in the home and subsequently our field worker reported an agreement between Mrs. Gurman and the senior nurse regarding nursing care of these patients and Mrs. Gurman's mistreatment of them.

The department's nursing inspector visited Cara Villa in August, 1967, but could not obtain complaints of abuse. Mrs. Gurman was instructed to submit incident reports on any injuries or illness as required under the

regulations. Subsequently, further concern was noted by the associate medical officer of health regarding poor control of medication by the operator. On November 6, 1967, the report was received in the office of the chronic care programme, Department of Health, from the senior nurse enclosing a list of incidents from August 7 to November 3, 1967. This list came from the senior nurse of the home. On August 7:

Heard Mrs. Gurman screaming and cursing patient Miss Bertha King; heard a crash; patient sustained a fractured shoulder which was X-rayed at the general hospital. August 17, the above patient deceased.

I think I should inject here, sir, that the cause of death was given as heart failure.

August 18 another patient, left foot bruised and blistered, developed cellulitis; X-rayed at the general hospital; no one knows how this occurred.

September 17 saw Mrs. Gurman slap Miss Bertha Campbell in the face.

September 25 saw Mrs. Gurman slap and push Miss Bertha Campbell on the stairs.

**Mr. V. M. Singer (Downsview):** Excuse me. The Minister is reading from whose statement?

**Hon. Mr. Dymond:** The statement signed by the senior nurse of the home.

**Mr. Shulman (High Park):** Is this the nurse that I mentioned yesterday, is it, who was fired for improper conduct?

**Hon. Mr. Dymond:** I do not know whether she was fired for improper conduct, but she was not fired at this time, and this statement was made while she was still the senior nurse on the staff of this nursing home.

**Mr. Shulman:** There is the whole story.

**Hon. Mr. Dymond:** Mr. Chairman, I emphasize, that when this statement was signed on November 4, 1967, this nurse was the senior nurse at the nursing home.

September 25, the second entry, Miss Bertha Campbell; contusion to left forearm, lump behind left ear; heard Mrs. Gurman screaming at patient in kitchen.

September 30, saw Mrs. Gurman strike patient Mrs. M. Smith with closed fist when patient was removing trays.

October 13, —

I am leaving names of staff out, Mr. Chairman, deliberately—

—a nurse's aid told the senior nurse that she stepped between the patient and Mrs. M. Smith when Mrs. Gurman was striking and pushing the patient in the bathroom.

November 3, saw Mrs. Gurman strike and push patient Mrs. M. Smith when patient was removing trays.

November 3, Mary Shaw, a patient, told the senior nurse that Mrs. Gurman slapped and punched her. I have kept this record of the above dates and would swear to the truth of all statements.

On November 20, a complaint of abuse of patients against Mrs. Gurman was received from another aid who was employed in Cara Villa nursing home as a nurse assistant, although under age. This girl was in the bathroom washing patients on the day Mrs. Gurman pushed Miss Bertha Campbell to the floor. She sustained a fractured shoulder and died about ten days later, but I emphasize again, sir, that the cause of her death was stated by the attending physician as heart failure.

Continuing the statement of the aid:

I saw Mrs. Gurman pulling and pushing and screaming at her before she closed the bathroom doors so that I could not see. Another employee downstairs in the kitchen heard the crash when Miss King fell. When I finally told my parents all this, because my nerves were upset, my parents made me resign one week ago. My parents are agreeable to me writing this letter and signing it, and I am willing to swear that all I have said is true.

**Mr. Singer:** What was the date of that letter?

**Hon. Mr. Dymond:** November 19, 1967.

**Mr. R. F. Nixon** (Leader of the Opposition): And was it signed by the nurse's aid?

**Hon. Mr. Dymond:** It was signed by the employee, yes.

**Mr. Singer:** And addressed to whom?

**Hon. Mr. Dymond:** Addressed to the social worker—the area social worker.

The report of the incidents was discussed with the senior solicitor of the department. Subsequently, Dr. Angel, physician in charge of the chronic care section of the department and the associate medical officer of health, visited Collingwood on December 12, 1967, to interview four witnesses and the coroner. Then an inspection of the home was carried out on December 13, 1967.

The report of the inspection is here, and in accordance with the request of the director of this service, Dr. Angel visited the Collingwood area Tuesday and Wednesday December 12 and 13 to interview persons able to shed light on the alleged matters concerning Mrs. Gurman, the owner of the Cara Villa nursing home.

In addition, I visited the home itself on December 13 and talked with Mrs. Gurman. Herewith are summaries of the interviews conducted by me in the presence of the assistant medical officer of health for Simcoe county.

The area coroner, a colleague of the doctor who attended the late Miss Bertha King—a homes-for-special-care resident who died of heart failure in Cara Villa ten days following a right shoulder fracture—does not attribute the death directly to the injury, but mild cardio-failure. Miss King was known to have heart disease, and was receiving treatment for the same.

The doctor further stated that his own mother was a resident of Cara Villa prior to Mrs. Gurman's ownership. At this time he felt it was homelike and had adequate facility. Since Mrs. Gurman became the owner, he and his practice colleagues were reluctant to admit patients to Cara Villa, although they attended patients in all the other homes in the district.

In this latter connection he mentioned the case of Larry Morrow, a hospital school patient—Ontario Hospital school, I presume, this is our Orillia institution—who was attended by a colleague for cellulitis of the face, but no cause for the condition could be determined.

**Mr. Nixon:** What is cellulitis?

**Hon. Mr. Dymond:** Edema—it usually follows an infection. We usually associate it with infection.

A high school student was employed at Cara Villa as summer staff on a part-time basis—I read her letter the last, that addressed to the social worker and the total time she was employed in the home from July 6 to mid-November 1967. She states that she had ample opportunity to observe Mrs. Gurman's behaviour.

The work she was assigned to do was in the kitchen on general chores, and assisting patients in and out of bed with the associated dressing and undressing.

Within the first three weeks of the job she noted that Mrs. Gurman tended to yell at the patients, was observed to punish them



by taking away their dessert from their food tray. Also depriving them of afternoon drinks. The reason for such punishments was never quite clear, with the exception of other specific episodes which will be noted later.

In the case of Miss Bertha King deceased, on August 1, about 2 p.m., this aid was dressing another patient in the main floor bathroom across a narrow corridor from a small bedroom. She heard and saw Mrs. Gurman yelling at Miss King and pushing her into the bedroom. Mrs. Gurman became aware that the aid could see what was going on and immediately shut the bathroom door.

The stated reason for Mrs. Gurman's anger was that Miss King had tried to get to the bathroom on her own without use of her stick or the help of a staff member. Mrs. Gurman used a great deal of foul language, and continued to abuse Miss King. This was overheard only as the doors were closed, but the noise ceased suddenly with an audible thump.

Shortly after, Mrs. Gurman emerged and remarked, "Bertha has been a bad girl." The aid observed Miss King breathing very hard, trembling, hair dishevelled, clothes disarrayed, very pale, except for a large facial bruise over the right eye, not previously present. It was also noted that she could not move her right arm, and Mrs. Gurman ordered the patient be conveyed around on a wheelchair commode. The aid also stated that another summer employee working in the kitchen immediately beneath Miss King's room heard the thump previously noted.

Other items were mentioned by these two staff members—part-time members. There was a quantitated inadequacy of food, inadequacy of staff, as indicated by the fact that the aid had on several occasions cooked and served food to 27 patients alone, although she was only a high school student.

Other patients involved in incidents were Mrs. Esther Ball, aged 91, who helped in the kitchen. She was seen to be abused and pushed around physically by Mrs. Gurman without any visible injury appearing. Mrs. Marjorie Smith who helped clearing up trays was pushed and slapped, had her glasses knocked off by Mrs. Gurman, who as a disciplinary measure deprived Mrs. Smith of her glasses as a punishment. Mrs. Aggy Gray, a patient, was slapped and in pain when her hand was forced open by Mrs. Gurman, the reason for such action not being clear to the observer.

The senior nurse came to the Simcoe county health unit office to attest to the material stated in her letter which I have previously read. In addition she stated that she had been employed in Cara Villa for 13 months, but up till August, 1967, worked under the direction of another registered nurse.

**Mr. Singer:** What was the date of that nurse's aid statement?

**Hon. Mr. Dymond:** December 12 and 13. During the first two or three months of working in the home she noticed bruising on the arms—this is a senior nurse, a registered nurse, by the way—and faces of patients from time to time. These were reported by her to the then senior nurse without any apparent action on the part of the latter.

When the then senior nurse left in August, 1967, Mrs. Gurman invited the informant in this instance to become acting supervisor, but the position was not accepted as the person was considering leaving. The principal reason for staying, she stated, was to care for and protect the patients. One of the reforms she instituted was to get the home record system started, in particular keeping notes of injuries. The summer students all reported to the senior nurse.

In the case of Miss Bertha King, on the initiative of the senior nurse, the doctor was called and the patient sent to the hospital for X-ray on August 5, four days after the accident. A fracture was found of the right shoulder. The patient was put into a sling and returned to the nursing home where she died ten days after the injury from heart failure.

In addition to the case of Miss King the senior nurse reports having witnessed Mrs. Gurman pushing and using her fists on Miss Bertha Campbell, Miss Marjorie Smith, Miss Mary Shaw, Mr. Larry Morrow. These are all homes-for-special-care patients. Some are helpless and unable to defend themselves. Mrs. Gurman appears to have an antipathy towards Ontario Hospital patients and former patients of those institutions.

Another nurses's aid who has worked seven years in nursing homes, the last two for Mrs. Gurman, states that she has experience of incontinent patients, and notes that during Mrs. Gurman's absence on holiday during November, 1967 a number of patients who were occasionally incontinent all became continent when their anxiety about excretion was lifted by Mrs. Gurman's absence. The aid further states that Mrs.

Gurman was seen to push and shout at Majorie Smith, closing the bathroom door on the pretext of taking over the care of the patient from the aid.

**Mr. Singer:** What was the date of that nurse's aid's statement?

**Hon. Mr. Dymond:** These statements were all made to my inspecting staff on December 12 and 13.

**Mr. Singer:** Your staff had all this information in December?

**Hon. Mr. Dymond:** That is right.

**Mr. Singer:** It took you three months to act?

**Hon. Mr. Dymond:** Just be patient. Mr. Chairman, Marjorie Smith presently has a very severely bruised arm, a lesion which followed the bathroom incident in which her hair brush was found to be broken.

Another incident witnessed by the aid during August, 1967, was Mrs. Gurman putting the washings of Marjorie's soiled garments into a glass tumbler and trying to force her to drink the contents. The consequent gagging and retching on the part of the patient was seen when she refused the insult. Another insult inflicted on Majorie was that she was forced to eat a meal sitting on the toilet with a soiled incontinence pad on the food tray.

Larry Morrow was hit on the wrist with a ruler for carrying his clothes. Ten days ago he showed bruising on his face which later had to be treated by the attending physician. The late Miss Bertha King was seen to be forced by Mrs. Gurman to walk without the benefit of her cane as a punishment for not calling a nurse for assistance to move around the room.

The aid also reports that PRN orders for sedatives and tranquilizers often misused. On the orders of Mrs. Gurman these drugs were used to quieten down patients. While this may have been beneficial, Mrs. Gurman has no qualification or training to prescribe such measures. The aid stated that she stayed and put up with these obvious infractions because she felt that someone should be around to try to protect the patients.

Another nurse employed from October, 1966, to June, 1967, worked on the 4 to 7 shift. She left the job because of the unpleasant atmosphere, the verbal abuse and the attacks on patients by Mrs. Gurman. She states that around late April or early May,

Miss Campbell sustained a scalp wound. The patient had been drying dishes when Mrs. Gurman became angry, knocked Bertha over, and the scalp wound occurred by contact with the kitchen counter end. In addition to the scalp wound the patient had two black eyes and bruising of the face.

The aid stated that the scalp wound was not stitched. She was not sure whether it had been reported to the doctor. However, she claims that the incident can be supported by the observations of a local clergyman who visited the home shortly after the incident. The aid further states that on May 6 she heard Mrs. Gurman trying to force water down the throat of Marjorie Smith, and heard the patient choking and resisting. In addition she confirms seeing the incident of Marjorie Smith's glass as related by the other aid, and witnessed an assault by Mrs. Gurman on Mrs. Esther Ball, aged 91, which resulted in some bleeding from her face. With respect to this latter incident it was witnessed by another temporary helper who spoke to Mrs. Gurman about the matter.

These are the statements of staff, Mr. Chairman, who were working in the home employed by the operator and have all been attested to and repeated in the presence of witnesses. The report outlines statements of the operator's attitude towards the residents as I have stated. The report was studied at length with senior officers of the department.

The licence under homes for special care expired December 31, 1967. The provincial licence under The Nursing Homes Act expired December 22, 1967. On January 17, 1968, the Simcoe county health unit reported that the Cara Villa nursing home could not be recommended for a licence because of prudent cruelty to the patients by the operator. On March 7 a joint decision was made that the department had the major responsibilities to patients under The Homes for Special Care Act and instruction was given to remove the 20 patients immediately.

Since the department was aware that Mrs. Gurman might be leaving on vacation, any removals should be made during her presence. Under the supervision of a field director and nursing inspector, the staff met at Cara Villa home for special care on March 8, 1968, at approximately 11 a.m. They were initially refused entrance to the home. Representatives of the associated nursing homes incorporated, Ontario, arrived by 1 p.m. and transfer of the patients began by car and bus, with an attendant in each vehicle to assist in delivery of the residents to seven nursing homes in

an area from Stayner to Orillia, Bradford, Barrie, Hanover, Chatsworth and Collingwood.

The residents were carried if necessary and wrapped in blankets. One resident was transferred by wheelchair one block to another home in Collingwood, not because she was incontinent but because it was believed to be less disturbing than transferring her by car. The temperature was about 65 degrees; I am told it was a sunny day with bare sidewalks. Additional clothing and effects were carried in plastic bags. Patients did not appear very upset but nurses seemed to be upset and this was noted by the patients. All relatives were notified by mail and only one letter has been received in this regard. A letter was directed to the guardian of one patient but not received. When a brother inquired, the address of the wrong home was given and he had to drive some distance on two successive weekends to locate his sister. He accepted the personal apology of the staff for the difficulties he incurred.

Mr. Chairman: Item 21—

Mr. Nixon: Mr. Chairman, these are a most unfortunate series of events, indeed. In my view the Minister was justified in his actions, but when they became apparent last night I felt that he should have been prepared even then to give us an assurance, perhaps somewhere between his lack of communication and the lists of details that have been made available here now. I trust that *Hansard* will not reveal the names that were put into the record by mistake during the difficult circumstances which the Minister was experiencing. On the other hand it appears further that this being the second case associated with transferences of this nature, there should be some more close inspection that would permit the Minister and his advisors to reach the situation where a decision of this type can be taken before there is the suffering and serious situation to the extent that the Minister has recounted in detail here today.

The proposition was put earlier this afternoon that the standing committee might very well investigate this specific incident. My view is that this might still be a reasonable source of investigation, in the best sense, by the committee so that we can have a better appreciation of the problems that the Minister faces in meeting his responsibilities with the budgets that have been made available to him. There is no doubt that we on this side approve of the efforts of the department to improve the service that is available to people

in Ontario Hospitals and in the intermediary facilities between these hospitals and their own homes. But it is obvious that there are some of these facilities that are completely inadequate and inadmissible and the Minister's inspection staff should perhaps be improved in number and upgraded so that these circumstances would not occur as frequently as twice in one year.

The comments that are made by the press and by those who are not completely informed on or under the circumstances, certainly do not improve the situation. As far as the families of these people are concerned, or those people who are going to avail themselves of the statute and the regulations that permit them to operate these homes for special care, I believe most sincerely that an effort by this Legislature, supporting the efforts of the government—which have been good as far as words are concerned but inadequate as far as development is concerned in recent years—would be in the best interest of general improvement of the facilities for those unfortunate citizens who require them.

I know that there will be some further discussion on these matters, but in my view the suggestion that the standing committee might look into this particular matter, and matters associated with homes for special care, and perhaps might even broaden its investigations into this whole area of the Minister's responsibility, would be in order. I believe that the Minister has taken the right decision in putting before this House the details of what might be called his side of the story—the facts that are available and attested to by the witnesses that have been quoted here this afternoon. Certainly we on this side will want an opportunity to go over the details of the information that the Minister has put before us.

The circumstances are extremely unfortunate and I hope that this House can be kept better informed as to the Minister's responsibilities in this regard, and the way that he is required to carry them out.

Mr. D. C. MacDonald (York South): Mr. Chairman, there are two or three general remarks that I would like to make now. I know that there are details that other members in the House who are more familiar will want to pursue. But there are two or three general propositions that emerge from this that I think that we should take a solid look at.

First, it is very difficult for the public who view it as an observer, or for us who are supposed to view it as something more than the capacity of an observer, to assess the truth



of all the facts, particularly when the facts become available in the bits-and-pieces fashion that has happened in the last few days in newspaper stories, and now in the belated presentation here in the House of the other side of the story.

If what the Minister says is only half true, it is a hair-raising situation, a shocking situation. But from that flows a question which, for the moment, leaves me almost speechless. If what the Minister says is true, why did it take three months to remove the patients? Why was the institution given a six-month interim extension of licence?

It just baffles and staggers the imagination if what the Minister now has as evidence, and all of that evidence was in the Minister's hands prior to the beginning of this year, by December of 1967. This is point one in the first general observation that I want to make.

The second point which flows from it, Mr. Chairman, is in the matter of procedure. Surely we have to develop more effective procedures for inspections, and for presentation of information so that an appropriate review body, and not a single person, can review this evidence. If necessary, in many instances, it may have to be done *in camera* so that this kind of detail does not get out into the news headlines where it does nobody any good in particular. All this, before the licence be cancelled.

**Mr. E. A. Winkler** (Grey South): Where did it come from?

**Mr. MacDonald**: Well, Mr. Chairman, the hon. member asks where did it come from. The point is that it came from the Minister because we simply could not get any information—

Interjection by an hon. member.

**Mr. MacDonald** —and the Minister was insisting that we had to act on faith, that he was operating in the right way. What I am saying, Mr. Chairman, is that there should be an appropriate tribunal to hear evidence and to assess that evidence and come to some conclusion with a degree of finality regarding the cancellation of the licence.

I defy any member who is now interrupting to justify three months' delay in removing the patients and a six month interim extension of the licence if what the Minister has presented to us is true. There is serious abrogation of responsibilities.

This is a rough parallel, but we have had this kind of problem in a completely different

context with the kind of racketeering that went on with the licensing of used car dealers. We have set up a tribunal, and if people have evidence to present with regard to unethical activity on the part of the used car dealer they present it. If the board becomes persuaded that this dealer is not operating in an ethical way, they hold a hearing. The hearing is in secret, it is not a public hearing, and the licence can be cancelled. I have not heard of anybody expressing any reservations with regard to this kind of procedure.

The leader of the Opposition has said that he thought that this matter was one of such lively concern that it should be referred to the standing committee on health to review unresolved conflicts of evidence in this case.

I have no objection to that, though quite frankly I would be much more interested if we got before the standing committee on health not to review the sorry details in this instance, in which the government with a degree of indecision belatedly acted, but rather to review the procedure for coping with a recurrence of this kind of situation.

My final comment, Mr. Chairman, is to ask why the Minister last night, with this kind of information in his possession and with a story in the afternoon's press presenting one side of the story, should have so stubbornly refused the House the information that they were entitled to until he was bailed out by the adjournment of the House, and advised to the contrary. Quite frankly, it is another baffling factor of the whole handling of this event in this Legislature.

**Mr. Chairman**: The member for Downsview.

**Mr. Singer**: As I listened to the Minister outline to us the various facts which he did, I thought that you could tell by my interjection that I was puzzled by the time delay. Not only as the hon. member for York South has said, was there a time delay for three months, it seemed to me, if I caught the references properly, that there was information in the hands of at least one medical officer of health or an assistant medical health officer as early as last August. So it is not three months, it is about seven months since public officials had information of this kind brought to their attention.

Now, sir, on the old argument about legalities which I introduced last night, I am not satisfied completely with the very brief legal reference that you made at the beginning of your remarks. I did note in the course of

your remarks that you talked about former patients. It may be that you are the "guardian of the person" of patients of the Ontario Hospitals, but a number of those people that you were talking about, you referred to last night and again today as ex-patients and are you their guardian?

I would think that we should be concerned, because the kind of action that took place would concern everyone. I would think that any arm of the Crown, including the Minister of Health and his assistants, would want to act with complete legality. But the legalities apart, having decided to move and having moved as you did, and knowing the circumstances as you have outlined them to us, how could you, sir, allow the private patients to stay there? How could 20-odd private patients be allowed to stay there and suffer apparently the kind of abuse that you related to us today?

Surely, sir, within your licensing procedure, there must have been a facility after you had come to the conclusion that the licence had to be denied, and if the operator of the home carried on without a licence, surely there was an avenue open to you to go to the courts and ask for a mandatory order or injunction that would have closed that house up on the day that you had the information within your possession to satisfy yourself. Surely, as a responsible Minister of the Crown, once you were satisfied that you had this kind of information in your possession, that operation should not have been allowed to carry on five minutes longer. So, it is not a delay of three months, it is a delay of seven months, and even when you did move, you still apparently left 20 patients there, private patients as they are described, who were still subject to the maladministration of this particular institution.

Now, in line with the criticism that has been levelled at you concerning your lack of desire to inform us of what has gone on. It puzzles me as to why no one has mentioned up to this point the fact that having come upon evidence of several criminal offences—apparent evidence of criminal offences—the Attorney General (Mr. Wishart) had not been given the file and asked to investigate with a view to ascertaining whether or not criminal charges should be laid.

It would seem to me that what you have outlined are a series of aggravated assaults at least. If the evidence you have cited is, in fact, authentic evidence, and apparently

you regard it as such and you presented it as such, and at the moment certainly I accept it as such, then that evidence should be placed immediately in the hands of the Attorney General who can direct it to the proper Crown attorney so that the machinery of the criminal law can be put to work to ascertain whether criminal charges should be laid.

It seems to me that there is no reason in the world why, if a Minister of the Crown believed that this kind of action was going on as early as last August, then the appropriate legal officials, the Crown attorneys, the Attorney General were not informed with a view of stopping it.

Certainly, if someone assaults someone outside the Parliament buildings and these facts are ascertained, the police will arrive and will arrest if necessary and certainly will charge if necessary. Now, here in most unusual circumstances, in a position of trust, in a position where people are unable to take care of themselves, there are a series of very serious allegations and to put this thing to rest, sir, I say that you have a public duty to bring these matters to the attention of the Attorney General and let him direct them to the appropriate Crown attorney.

I would say that you were negligent in not having gone to court immediately you had this information to apply for a mandatory order to close up that institution. And you were negligent again in not having gone to the proper law enforcement officers to see that the criminal law was appropriately enforced.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, I would like to point out that there were 15 members of this staff. When these statements were taken statements were taken from 15 members. I would like to direct to the hon. Minister a query as to what the statements were of the other 12 people who worked there, particularly the registered nurses and the three registered nursing assistants who had been there for some considerable time. Had they ever seen any of these activities that we have heard about?

I would like to inform the House that I personally interviewed the present registered nurse in charge, Mrs. Kenyon, who had no financial interest in the home whatsoever, who has a rather illustrious nursing past. And she was impressed with the high quality of

the standards. She says that there had never been a patient touched or abused in any way, and she was at a complete loss as to these activities.

Interjections by hon. members.

**Mr. MacDonald:** Just a minute, just a minute!

**Mr. Shulman:** I would like to draw to your attention that there was a total of 27 patients in this house with a staff of 15. This, in my experience with nursing homes, is a rather high proportion. I would like to ask the Minister in what way this number is deficient. I would also like to draw to the Minister's attention Mrs. Crook's report which was made in January, 1968, and a copy of which was left in the nursing home in which there were no complaints whatsoever. I would also ask the Minister why, in the death of this patient who presumably died ten days after some violence, no inquest was ordered?

Certainly, if a situation had occurred like that in our more active days in the coroner's office there would have been inquests to settle once and for all the matter of who was lying. I would also like to point out through you, sir, to the Minister that the bulk of this case, 99 per cent of this case, rests on accusations of one nurse. I would ask the Minister whether these accusations were checked out with the other nurses, and the registered nursing assistants, at the time to determine whether these were true or not or whether these were the results of a grudge.

I would also ask the Minister, is it true that officials of your department, after removal of the patients, advised the proprietor of the nursing home when she complained that she should take in private patients? If this is so, I find it incredible, if this is what you believe. Finally, Mr. Chairman, I would like to point out to the members of this House that there were two neutral people, two people not affected in any way, people who came to this nursing home and who had been there previously and these were the officials of the nursing home association. I ask the Minister what were their views?

They did not agree with what was said here, and I ask him why he was unable to convince them of the rightness of his course?

**Hon. Mr. Dymond:** Mr. Chairman, I do not think that it was necessary for us to advise or to assure anyone of the rightness of our course. We believed that we were taking the right course; we were taking the

course of action which we would take if the mother or the parent or the relative of any member of this House or any citizen of Ontario were in such circumstances. I think that there is valid question about the delay, but apparently as one studies the history of this operation one finds that every time fault was found, she promised to be good. And strangely enough, for a time each time she was good, and there was an upgrading and there was an improvement, at least this is as I read the various reports.

But the associate medical officer of health, who was more intimately associated with ongoing inspections of this home, came to the conclusion late last fall or early last winter that it was no longer any use hoping for a permanent improvement in conditions in this place and perhaps we should have done this. I would emphasize that this is the first nursing home for special care. I said yesterday that there had been three altogether. This is the first home for special care. We have one approved home that we have closed up, and as I recall, in my history of the department, we closed up one other approved home. But I cannot be sure of this.

It is a rather new programme, and this is rather a weak excuse, but we are learning. There are not too many nursing home beds, and we are loath to close up because there is potential for a good nursing home in this. The great fault, the deficiencies in the physical plant and the other matters which are reparable, could have been corrected, and a good home could yet be preserved if somehow we could be sure the present operator of the home would have no connection with and no contact with the patients whatsoever.

My staff and I have not asked for this specifically, but I imagine that they kept hoping for some improvement in this state of affairs. The hon. member for High Park makes a good deal about the staff. The staff is not and was not deficient at the time of action. The deficiency of the staff was noted while the home was still licensed under the county bylaw. During its existence under the county bylaw, the staff was never brought up to the number or the status required by the bylaw, nor were some of the other defects corrected.

But we recognize that in many of these nursing homes they cannot come up suddenly, and as I noted in my opening remarks, we still are of the opinion that it would take three to five years, as other jurisdictions have found, to bring these homes up to the



standards we would like. So long as they are showing evidence that they are seeking to improve their facilities and their standards of care, we will work with them and this we will continue to do.

We have learned from this, and I am quite certain that the experience is going to do us a great deal of good. The hon. leader of the NDP stated something about the review board. I think he made some reference to that. I do not think he called it that way. We are now in the process of establishing a nursing home advisory board, and one of the responsibilities of this board—and this is provided for under the Act—is that it will be an objective body from outside the government, from outside The Department of Health. We would hope that from or by this means we would be able to gain the benefit of someone removed from the scene taking a look at the situations of this kind which I hope will be very few.

Again I have to repeat that probably I cannot satisfy my hon. friend on why we delayed when we did. I sometimes wonder myself, other than to repeat that we hoped that this home could be salvaged because I still believe that in it is the potential of a reasonably good home.

**Mr. Singer:** Will there be a reference to the Attorney General?

**Hon. Mr. Dymond:** There will be, on the suggestion of the hon. member. I will certainly turn this file over to the Attorney General.

**Mr. Shulman:** Mr. Chairman, we can settle this matter very quickly then. I have been very pleased to hear the Minister's comments. He said the operator was warned on a number of occasions and she promised she would be good. Perhaps the Minister would be kind enough to table one or more of those letters in which the operator was warned.

**Hon. Mr. Dymond:** Mr. Chairman, I would like to—

**Mr. Shulman:** Will the Minister table these letters?

**Hon. Mr. Dymond:** —take it under consideration, Mr. Chairman.

**Mr. Shulman:** If you refuse, you are ruining your own case at this point.

**An hon. member:** You are the fellow who talked about being legal last night.

**Another hon. member:** Your leader cannot bail you out of this one.

**Mr. Shulman:** I am not the one who will have to be bailed out.

**Mr. MacDonald:** On a point of order.

**An hon. member:** You are very touchy.

**Mr. MacDonald:** No, I am not very touchy. Our problem here is to get the facts sorted out.

Interjections by hon. members.

**Mr. MacDonald:** The evidence has been suggested, Mr. Chairman, that the operator of this institution was never warned, and the request has been made that one of these warnings in writing be tabled in the House. I think it is a very fair proposition and it should not be greeted by hoots from the other side of the House because all the facts are not yet resolved in this very strange situation. I agree completely with the hon. member for Downsview—that if the facts are true as the Minister is presenting them and he, in effect, is saying that he agrees with them, then he was to an incredible degree guilty of dereliction of duty. How he could have tolerated human beings being treated in that fashion under a licensed institution for seven months after he first got the information and for an interim six months extension of—

Interjections by hon. members.

**An hon. member:** Well, you cannot have it both ways.

**Mr. MacDonald:** You can have it both ways.

Interjections by hon. members.

**Mr. Chairman:** The member for Beaches-Woodbine.

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Chairman, I would like first of all to thank the Minister through you for presenting this material and to commend him for his particular action. In doing that I would like to take a little time to talk about the consequences if this type of information is not shared. One of the great problems obviously is that there is a certain timidity in taking a position against wrongdoing. Last evening when there was pressure to get the details of this particular case from the Minister and his reasons for the action it was very difficult to get any information. At that particular time the government found itself in the position of protecting this woman. I submit to you that the government should never be in the position of protecting someone who operates in that kind of manner.

Hon. J. Yaremko (Minister of Social and Family Services): The government always steps in.

Mr. Brown: Then it should be particularly self-assured enough, competent enough in its action so that it does not have to apologize for representing high standards and high regulations. I tell you that from hearing the information presented by the Minister today I am not reassured. I am more alarmed than I was last night. I am more alarmed because there are 500 homes in operation in the province of Ontario, Mr. Chairman, and I have no assurance that the same thing is not happening in others of these homes at the present moment. I have no assurance that this Minister or The Department of Health will move in and take remedial action in any better fashion than they have already.

First of all I am concerned about the timing that other people have mentioned. At the point that information is available that there is something below standard in an organization it should be brought to the attention of that organization and to the people operating. There should not be timidity in this and there should not be some kind of a building of evidence. This is not a case where the government has to prove itself. The public will certainly support the government if it has an issue at variance with good regulations. It does not behoove, and it does not give a good impression of the intent of, the government to allow itself to go along and not act in the face of evidence of wrongdoing.

So the timing was bad, there needs to be a different kind of timing. There needs to be confidence in the department. Now I am speaking today as a person who has worked in the field for a number of years and who has had experience on a number of issues, both with the government and outside in this particular area. I think there is a great danger in the heat of debate in the Legislature that the staff of the Ontario Department of Health and other regulating bodies of government become intimidated, become anxious, become fearful that every act they take and every issue is going to come before the scrutiny of the Legislature, is going to incur criticism and against which they have no opportunity to speak in defence. I think this is a highly important issue.

There should be an effort to provide to the staff of the government departments that are dealing in services to people and must enforce regulations the assurance that: 1, they have a right to do this; 2, that it is all right for them to make mistakes. It is impossible

in this kind of an issue for a person from a licensing or regulating body not to make mistakes. It is impossible for any individual to come into a situation and judge it from outside and not make mistakes. I say that we in the Legislature must be careful that we do not put the kind of pressure on staff of the departments that intimidates them from taking the risk of making mistakes because certainly there will be this problem. This is an inherent problem in what we are talking about. At the same time one of the ways of minimizing the impact of a mistake is to deal with the issue as it occurs and not to postpone it. Part of the problem in this particular case, regardless of what the evidence bears out in the long run, of how much of this person's evidence holds up as compared to how much of that person's evidence holds up.

The obvious error was an error in not dealing openly and directly with the first evidence that there was something wrong, in allowing it to build up and to accumulate to a point where a crisis had occurred. There was a crisis situation and it took a crisis solution, and that leads me to the question of the method. Precisely when issues are not handled when they occur, precisely when there is not an air of confidence in both parties—the group that the government is buying service from as well as the government departments regulating it—when there is a lack of confidence in this area, the timing goes off and then the method goes off.

So the methods employed were not the kind of methods that need to be associated with The Department of Health. If they must be associated with The Department of Health then it will be necessary for us to examine who makes the decisions in The Department of Health to use these kinds of methods in dealing with the problems. There are many alternative ways that the operation of this home could have been curtailed. Were the individual patients that were brought there by the government department using a particular hospital, using this home for special care? Could they have removed the patients in a more humane and orderly fashion? The only reason why it became an emergency is because it had been delayed. It had not been acted upon in time.

Now this leads on to the next question. What are the methods of selection of these homes? How are the homes selected? What is the procedure? It is possible for us at this time in the knowledge of human behaviour to assess the suitability of people to do certain

kinds of work and to be relatively accurate in it. Certainly once attention comes to the department that there is some problem within the staff of a centre it would be possible, using modern techniques to assess the suitability of that particular person to deal with people. And I would suggest that there needs to be some clarification, certainly I would like to have some assurance that there is a procedure for the inspection of these homes and the personnel who operate them in terms of what is the purpose of their being involved in this particular kind of operation. We know that the money offered for this service to private individuals does not allow them to make any kind of gain. We know also that the money offered is of a minimal standard, that is, it will bring into the field people who will, generally speaking, permit themselves to exist under that kind of an economic condition; \$3.00 a day is not sufficient money to provide adequate housing for these people in private homes.

Immediately we pay that kind of fee we are going to have a problem of overcrowding so I would like to know what are the kinds of inspection that are done, what are the standards set for the homes? Quite by accident, on a number of occasions I have purchased homes that have been used as homes for special care, from operators who have gone out of business. And on calling on these homes and inspecting them beforehand, I have had an opportunity to see a number of homes operated under this particular Act while they were in operation. And quite separate from any particular interest, as we are talking about it today. I must say in all cases where this has happened, I have been concerned about two issues: the lack of adequate fire protection, and the overcrowding in the centres. I understand that this is something that the department is also concerned about, but I am just wondering, before a patient is placed in a home of this type, are there adequate standards set as far as regulations are concerned? Who does the assessing of the appropriateness of the heads of these houses, and the staff of these houses?

If we have evidence that someone has a sadistic problem that gets acted out on the patients at a home, it should be possible to have an assessment to clarify whether or not this is true. And certainly the Minister, even with the best educational probe, would not hope to uplift that centre to a point where it would be appropriate as a placement for

patients from Ontario Hospitals. I would like to raise again the issue of what assurances we can have from the Minister, that the same thing is not happening. That is essentially this, that his staff in this particular area are not now sitting on evidence that they are afraid to act on because it may present them with problems.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member has asked—first of all, one question I did not answer for the hon. member for High Park. “Why was there no inquest?” This would be a matter for the determination of the coroner, who did sign the death certificate, in this particular case. Why he did not call an inquest, I would not know. This is his responsibility and lies within his authority.

“Who sets the standards?” The standards are laid down in the regulations under The Homes for Special Care Act and The Nursing Homes Act, and they are quite clearly outlined. There are standards relating to space available for each patient to ensure, insofar as is possible, that there will not be overcrowding. The standards of ventilation are laid down. The amount of washroom and bathroom facilities is stated. The training of staff for the quantity and quality of staff is laid down in the regulations and in broad outline, I believe. Standards of nutrition are laid down, or at least regulations are laid down to set out the standards of nutrition that are required.

The homes, particularly the homes for special care are all vetted, first by a field worker from the hospital or hospitals concerned. They, in co-operation with the medical staff—the staff of the medical officer of health for the area—will inspect homes and usually they inspect homes that make application to become involved in these programmes. On the recommendation of the medical officer of health, concurred by the field worker, we will then issue a licence. If there should be any question, or if there is something that may puzzle either one or both of those, then our staff from head office will go out and provide consultative service in this area as we do in all others.

We as a department, provide the fire inspection, and our fire inspector has been trained for us or approved for us, by the fire marshal's branch. It was on his recommendation that we have our own three fire inspectors. This was the recommendation of the fire marshal's division which we have adhered to.



This is the area, as I said, where at the outset we had the most difficulty when we got into this field. Only about 10 per cent of the homes could meet the minimal standards required from the standpoint of fire safety. This is being steadily upgraded and there has been very marked improvement in this area. I have asked my staff. So far as I know they have no other complaints, and they assure me that there are no other complaints similar to this, akin to this, or even comparable in any detail to this. No complaints or record of difficulty which would demand action such as we have had to take at the present time.

I assure you that we have learned a very good lesson from this, and I am quite certain that our future actions will demonstrate the fact that the lesson has been a salutary one, and a very valuable one to us.

**Mr. Chairman:** The member for Scarborough West.

**Mr. S. Lewis (Scarborough West):** Mr. Chairman, I have a number of questions, but not that many. I have a few matters which I would like to pursue further.

I recall, Mr. Chairman, that this question of the quality of nursing home care, and the homes for special care is not a new question in this Legislature. Indeed, when one thinks of the number of bizarre instances which prompted the promulgation of The Nursing Homes Act some two years ago when it was debated in this Legislature, there were, sad to say, many analogous experiences.

As a matter of fact, I think I can recall the former member for Dovercourt spending an entire evening in this House reading one newspaper story after another which collectively made members' hair stand on end. All that has happened is that two or three years later there are still aberrations of this kind cropping up from time to time.

Be that as it may, in this specific instance, certain facts have emerged which are worth pursuing. One in particular, and I will get to it in a moment.

The first thing I want to ask the Minister, though you, Mr. Chairman, is why was it necessary, in this instance in the judgment of his department, to undertake a removal so precipitate and so offensive to the normal course of events? Would it not have been possible to do this over one or two days in an atmosphere which is rather more conducive to good patient care, than to move in, in the atmosphere of a vendetta and move

people out, so arbitrarily? I was curious about the manner.

**Hon. A. Grossman (Minister of Reform Institutions):** Never even gave a chance for the TV cameras to get there.

**Hon. Mr. Dymond:** As I tried to point out, Mr. Chairman, if my mother or any member of my family were in a nursing home and I got word that there was any possibility, or a suspicion of patients being physically abused, I would not bother advising anybody, or warning anybody, I would just go up and get her out of there just as quickly as I possibly could.

The reason this was done, as I stated in the statement I read, was that we understood that the operator was preparing to leave for her annual winter vacation, and we wanted to be sure that those patients were removed while she was still there.

I believe, according to the newspaper report, she left the day after her patients left.

**Mr. Lewis:** Well, Mr. Chairman, I am moved, moved fair to tears by the Minister's feeling that if people were thus affected he would move in. One is not quite so persuaded when it took seven months to take the action. When the action came it was done, I suggest to him, in a precipitated way. On the events of that afternoon, one cannot be sure that it did not do damage to some of the people involved.

If there ever has to be a repeat performance, then it should at least be thought through rather more carefully; not be based on when the operator is leaving for vacation. There are other factors which determine the quality of patient care other than vacation time.

But that leads to another point, Mr. Chairman, which has been alluded to in the House this afternoon. If the situation in the nursing home is as horrendous as the Minister describes it, how does he as Minister of Health countenance its continued functioning with private patients today and tomorrow and the next day?

As I understand it, there are half a dozen, or seven or eight private patients still in the care of this home. The details that were spelled out in the House this afternoon would surely suggest that the home should not operate. What is the purpose of maintaining this operation with private patients? Why should they be prey to such behaviour, and not the Ontario Hospital patients?

**Hon. Mr. Dymond:** We admit this is happening, Mr. Chairman, and I have to say that all through this piece we find that those who were abused were our former patients. Whether this was something that disturbed the operator or not is hard to tell. However, I can assure you that the licence is not being granted, and the decision to remove or to close the home down has been taken as of today. The private patients will have to be transferred elsewhere. All the private patients.

**Mr. Lewis:** As of today?

**Hon. Mr. Dymond:** Yes.

**Mr. Lewis:** That is again a lapse of more than a month, Mr. Chairman, since the original action was taken, or two months. I must ask: Are they going to be removed in a similar manner? At 4:45 this afternoon, did the department officials move in and cover the patients in blankets and move them out? Is that what occurred today, Mr. Chairman?

What are we saying to the Minister, Mr. Chairman, is that it is seldom one asks him to move with other than dispatch, but when he moves with dispatch, he should do so with less recklessness than in this instance, and he need not drive himself to the wall, to such an extremity and put his department in such an untenable position that they are forced to this kind of action in order to salvage an impossible situation. Now, many weeks later, the private patients in the nursing home will be retrieved.

Let me ask, Mr. Chairman, the question that I really think is at the root of this, and at the root of what we discussed some two years ago. What is the Minister currently paying, and I am not sure of the precise amount, but what is the Minister currently paying per day for patients under The Homes for Special Care Act?

**Hon. Mr. Dymond:** \$8.50 for those who need bed care, Mr. Chairman, and \$4.00 for ambulatory patients.

**Mr. Lewis:** Are the patients in these homes for special care, such as this one, Mr. Chairman, if they are ambulatory patients, are those the patients for whom \$4 a day is provided?

**Hon. Mr. Dymond:** If they were ambulatory, Mr. Chairman, and did not need bed care?

**Mr. Lewis:** Right. Well, Mr. Chairman—

**Hon. Mr. Dymond:** The majority in this case were bed patients. These were all bed patients.

**Mr. Lewis:** I would like to see the figures. That is quite irrelevant.

**Mr. Chairman,** with the greatest respect for the Minister, I am going to say categorically, that The Department of Health is inviting abuse in every home for special care in the province of Ontario if its subsidy is at the level of \$4 a day for ambulatory patients. You are just inviting a repeat performance, and you are putting the operators of the homes for special care in a position so untenable that it astonishes me they are prepared to maintain it. It shows a degree of dedication on their part, a degree of commitment to their work on their part, which the government does not deserve.

**Mr. Chairman,** may I point out that that subsidy is lower than any *per diem* in any Ontario Hospital in this province. Heaven knows they are low enough. It is lower than any jail that one can find listed in the report of The Department of Reform Institutions, lower than any training school, lower than any industrial farm, lower than any nursing home not under The Homes for Special Care Act, but any nursing home that one can look at throughout Metropolitan Toronto or most of the province.

It is a lower *per diem* rate than we extend to any charitable institution or children's institution across the province of Ontario. We have regulated, Mr. Chairman, we have disposed of these people in this fashion, in a supposedly enlightened scheme. We have consigned them to a living situation which is entirely inimical to their welfare.

I do not know how the nursing homes association under The Homes for Special Care Act can possibly operate at the level of \$4 a day. I do not know even how private families can operate at the level of \$4 a day, with amenities in the community, which these people do not have access to. I know that the nursing home operators have approached the Minister of Health and requested substantial increases in the *per diem*.

I plead with him, Mr. Chairman.

I do not know whether it is his colleagues on the Treasury board who stand in the way; I do not know whether it is the prevailing temperament and philosophy of the Tory party; I do not know whether it is that homes for special care are such a novelty that they have not yet levelled off. But let me say,

Mr. Chairman, that the actions of the kind that have been described and the *per diem* level that the Minister is prepared to pay, invites uncivilized consequences. Invites them. And the only way you can alter that is by providing more moneys for the efficient and equitable management, for the humane management of these kinds of nursing homes.

You cannot crowd people like veritable cattle into nursing homes, at \$4 a day in an ambulatory situation, so that some modicum of human dignity can be maintained at the lowest subsistence level. And that of course is the case, Mr. Chairman.

Let it be pointed out, sir, that in the nursing home study in the province of Ontario, undertaken by the Ontario welfare council in 1964-65, it was established that most of these homes operate at 20 patients or less. Their economic viability is every day imperilled. They cannot possibly function with that tiny patient load at a subsidy of \$4 a day, and the Minister knows it. All the standards in the world, all the regulations in the world, will not provide the nourishment and the care that such people deserve. That is what we in this party put to the Minister, Mr. Chairman, that what you need in this area is not merely a better inspectoral process—that certainly—but also a complete re-evaluation of the way in which you fund these people and the support you are prepared to give them, or there will be an endless array of abuses. And every session in the estimates, we will go through this pattern of soul searching as to the cause. The cause, Mr. Chairman, is clear enough.

**Hon. Mr. Dymond:** Mr. Chairman, I think the hon. member is a little bit confused. He keeps talking about \$4 a day—

**Mr. Lewis:** No, I am not.

**Hon. Mr. Dymond:** —for nursing home care. This is not right at all. This is \$4 a day for room and board for domiciliary care and nursing homes as such do no maintain ambulatory patients. In addition to that, we provide the clothing, the drugs, the medical expenses and the hospitalization for the patients. This is \$4 a day simply to pay for the room and board.

**Mr. Lewis:** Mr. Chairman, these people in the homes for special care came out of the isolated wards of the Ontario Hospital system. We have been through this time and again, and even on those back wards of the Ontario Hospital system, the *per diem*, exclusive of drugs and medical care and

everything else, was in excess of \$4 a day. And there were vast numbers of people involved, not just 15 or 20.

The point is, Mr. Chairman, that everyone knows you cannot have a viable undertaking at \$4 a day for these people. Room and board alone; it is simply not possible. What kind of food do you expect them to eat? Let us see the nutritional studies that allow for a viable operation in human terms at \$4 a day. What kind of substantial documentation can the Minister put before the House? As I say, there is not another agency, there is not another institution in this province, which could subsist at \$4 a day for the caring of people.

Now, if the Minister's concept of services to people stops at the level of \$4 a day, then he had better re-evaluate his concept.

**Mr. Chairman:** The member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I would like to make a few remarks on this item, but first I would like to ask the Minister a question.

He mentioned that they were going to establish—at least I believe he said that—a review board. This was the case where a home for special care was going to be closed up. I understand that there will be a review board. Is this true?

**Hon. Mr. Dymond:** I am advised it is the nursing homes advisory board, provided for in the Act. It has not been established yet. We are in the process of establishing it and that is one of the responsibilities we will put on that board.

**Mr. Trotter:** I understand then, that if a home for special care is closed up, or on the contrary, if someone has a complaint about a home for special care, they will take that complaint to this advisory board. Is that true?

**Hon. Mr. Dymond:** Not necessarily a complaint, Mr. Chairman. A complaint will come to the department in the first instance and the great majority of them, I would expect would be cleared up by the department. However, those that cannot be—and if the complaints are serious enough that we should have it looked at by the objective body, by all means it will go to the advisory board.

**Mr. Trotter:** Well, Mr. Chairman, I would heartily approve of this idea for two or three reasons. I disagree with the Minister when he says he would act just as if his mother was in



one of those homes, he would act quickly and move right away. Now, there is a difference from the Minister, or anyone else taking a relative out of a home. First of all, it is a family matter and they are not accountable to anybody else. The Minister is, in essence, the government, and when the civil service does something with little or no explanation to the general public, the civil service in many cases bears an unnecessary brunt of blame. The public have a right to know why something is done.

For example, last night, for some reason unknown to any of us, the Minister here in this House gave the impression that he was trying to cover up. Now, I think the impression was entirely wrong. He took a beating in this House that he need not have taken last night. If I had been in his place, I would have been furious at the things that were said about his administration, and yet he sat there at the same time, having proper answers. Why he refused to stand up and say last night what he said this afternoon, is just one of those things that is hard to understand.

But this one thing should be learned from it, and it is this. This House, and the public in general have the right to know what is going on, because I feel from what I have heard on both sides of the case, the government did the right thing in the end result.

I must say that I can come to the defence of the government in not acting too quickly. It may be that they did not act fast enough but in closing down one of these homes for special care as soon as you hear a complaint, the government can be at fault. It is for this reason. We know that many people who are ill in these homes for special care have often imagined reasons why the owner is at fault. If I had brought every letter and read it in this House that I had received from patients in mental homes saying "I am being falsely held by the authorities", I would be reading letters all the time. Most of these people are mentally disturbed and they believe that the civil servants are deliberately trying to hold them there. My experience has been in 99.9 per cent of all the complaints that I have received in this regard, that they are entirely wrong. We are receiving them from people who are by far, in most cases, mentally disturbed.

So if a man in public life is to jump at complaints such as this, the odds are he is going to be wrong and the Minister's department on this particular vote is in such a position that he is damned if he does and he is damned if he does not. So a review board would be of a tremendous help, not only in trying to settle this public issue but it would certainly be of

tremendous assistance to the Minister and the individuals in the civil service who must work under him, because it must be a tremendous strain on a civil servant—be he an inspector of these homes or in whatever particular job he has, he is always the individual living in a glass bowl. But again I say to the Minister, had he come openly when this matter was first raised, he would not have had to put up with what he had to put up with last night and we in this House would not have been sitting here going through all the doubts that we were, for two or three hours.

In regard to the homes for special care I would like to make a few more remarks, Mr. Chairman, but again asking a question of the Minister. As I understand it neither the \$8.50 a day charged for the bed patient, or the \$4.00 a day for the ambulatory patient is covered by the Ontario hospital services commission. Is that true?

**Hon. Mr. Dymond:** No, the OHSC has no involvement in this at all. We pay this for those who have no means of their own.

**Mr. Trotter:** Well here is another. There are two principles I would like to mention in dealing with homes for special care, and they are this. You may have a patient in a mental hospital, Mr. Chairman, and there is no problem of having to pay the bill. Then a decision is made by the authorities at the hospital that the patient should be moved to a home for special care and it then costs the patient \$8.50 a day. I believe that this type of item should be allowed for under our system of hospital care.

You may get an older person who has to pay the \$8.50 a day. They have some assets, usually it is the family home, and in many cases while they are in the mental hospital the family home is sold and this capital is used in supporting the patient at \$8.50 a day.

Suppose the patient is eventually discharged, then there is not the family home for them to return to, but often the capital is largely depleted, and I feel that this is a weakness in our system for hospital care.

The second thing, Mr. Chairman, is that when we deal with homes for special care, would it not be wise for the government to consider establishing its own homes for special care? The question is, can private enterprise operate on \$4 a day and on \$8.50 a day? Well, despite the complaints that the operators give about the low fees there seem to be enough people who want to go into the business, and whether the standards are high enough is questionable.

My own experience in going through the various institutions either run by private enterprise or run by governments, be they homes for the aged or convalescent homes or homes for special care, or what have you, despite all the criticism of governments, the services, I feel, were far better in institutions run by government or run by a charity such as the Catholic church or some of the other churches.

In other words, the government, or the large charitable institutions have by far the best institutions. There may be one or two exceptions in Canada where private enterprise does a better job, but there are very few examples of it. I think that the government, in taking a long-term view, should consider the whole question of homes for special care.

I do not know the real difference between a chronic hospital, or maybe a convalescent hospital and a home for special care. There are fine lines I admit, but there is not too much difference and I think in the long run, to service our health needs, the government should be in this field.

I know in our committee on aging we discouraged people making large capital investments, that is we discouraged in our report private enterprise making large capital investments in homes and in services for senior citizens until the government had a definite policy of what it should do in this regard.

I would like to ask the Minister, in conclusion, Mr. Chairman, has the Minister considered whether or not the government would itself own and operate its own homes for special care?

**Hon. Mr. Dymond:** Mr. Chairman, we do actually. We have 12 units in association with 12 of our Ontario Hospitals, and presently 2,624 patients are in our homes for special care.

**Mr. Trotter:** There are 500 other homes and the government is in a very small—

**Hon. Mr. Dymond:** Excuse me, 500 nursing homes altogether, 217 of those are also acceptable for special care.

**Mr. Trotter:** Well, has the government considered expanding this policy? Twelve is a very small number when you consider the volume of patients you have to handle.

**Hon. Mr. Dymond:** We have not actually. Really we have been very satisfied with the programme. We have the feeling that patients, in getting away from the institution, have in a very large measure shown a great deal of improvement. Many of them appear to have taken a completely new lease on life and in some instances their general attitude towards life in general has brightened up greatly.

This is not an isolated instance by any means, and we think that there has been a great deal of good come from the programme. On the other hand, we are finding greater difficulty in getting people—we seem to feel we have reached about the saturation point, and it may well be that we will have to expand our own operation.

My great fear in expanding our own operation is that we get back into the big institutions. This is very good, 12 places with an average of 2,624. It is an average of just over 200 patients in each, but unfortunately we do not find it that way. We have one with 417 for instance, we have another with 440, whereas we have another with 58.

If they were equal we find the optimum is 200—the minimum, we believe, should be 50. Now whether in our master planning we ourselves will revamp our thinking in this regard I do not know. I can only tell you that it is under consideration, but I would be misleading if I were to indicate that we are tremendously enthusiastic about the government getting into more institutionalization. We are trying to get away from it. However, there is no question that it is worthy of consideration.

**Mr. Trotter:** After 6 o'clock, I would like to say something more on that.

**Mr. Shulman:** I wonder if I might ask a question: Did the government admit any patients to the Cara Villa nursing home after last August?

**Hon. Mr. Dymond:** I think I will have to get the answer to that after the—no, we did not.

It being 6 of the clock, the House took recess.









# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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**Tuesday, April 30, 1968**  
**Evening Session**

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**  
**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, APRIL 30, 1968

The House resumed at 8:00 o'clock p.m.

## ESTIMATES, DEPARTMENT OF HEALTH

*(Continued)*

**Mr. Chairman:** Vote 803, item 21.

The member for High Park.

**Mr. M. Shulman (High Park):** At one minute to six, just before the committee adjourned I asked, through you, sir, if the hon. Minister or his department had admitted any patients to the Cara Villa nursing home in August after he had received these rather startling charges. His reply was "no, sir". I think that I should stress the importance of that question. I think it was certainly apparent to the Conservative members of this House, because if in fact his department had continued to admit patients, it would have indicated that the charges he had received had not been believed. Either that or he had very little regard for the patients being admitted. In fact, as I left the House at that moment, one of the Conservative members facing opposite to me said, "The truth will out".

I would like to pursue that question if I might, sir, by pointing out to you and to the House the two names, Mrs. Margery McCormick, Mrs. Jane Harley. I draw these names to the attention of the hon. Minister through you, sir, and I ask when they were sent from the Orillia Hospital to the Cara Villa nursing home?

**Hon. M. B. Dymond (Minister of Health):** Mr. Chairman, we have not got such information with us.

**Mr. Shulman:** I will supply the information in that case, Mr. Chairman. They were admitted on September 21, 1967. Again, let me draw to your attention that the Minister said "no", when asked if any had been admitted. How patients could be admitted under these circumstances, and the Minister can still come in here and give this explanation is quite inexplicable.

**Mr. Chairman:** Does the Minister have any reply to that particular statement?

Item 21, carried?

**Mr. Shulman:** No.

**Mr. E. A. Winkler (Grey South):** Hold, hold, a point of order. Mr. Chairman, I would like to say a few words in the course of this phase of the debate, and I would like to say that in my experience with regard to nursing homes—I have visited many of them—I would suggest that in most of them in my constituency, the treatment is, generally speaking, very fair and very good. And I think that in consideration of the number of nursing homes that are in operation in the province of Ontario the record is reasonably good.

**Mr. Chairman:** May I ask the member if he is speaking to a point of order?

If he is, he is out of order. If he is not, he may proceed.

**Mr. Winkler:** No, I am speaking to the item.

**Mr. Chairman:** Right.

**Mr. Winkler:** I would also, Mr. Chairman, like to suggest to you that in the course of any departmental administration surely to goodness the possibility of such a situation arising is more than probable. I deplore the approach that has been made in this particular circumstance, mainly because of the debate that was pursued last evening and the terms that were used—the destructive terms that were used against the Minister and his department.

Such words as "evil", and "Gestapo-like" were used, and I speak with some knowledge of those terms. I lived under those circumstances for a number of years, and they were not very desirable. I have not found any of those circumstances existing, nor have I any reason to believe that in the course of this debate that such is the case. But we found that for reasons of sensationalism, for reasons of political expediency the situation was given to the press by a member of the NDP. I am not going to mention names lest I be

put in the position of criticizing an individual, and I will not do that.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, on a point of order: If the hon. member is going to charge somebody in this party of giving it to the press I submit that he must give the name. Otherwise he should withdraw his charges.

**Mr. Winkler:** I do not think that is necessary, Mr. Chairman—

**Mr. MacDonald:** On a point of order, I ask for your ruling. Can he vaguely charge that somebody in this group has done something and then refuse to acknowledge who the person is?

**Mr. Winkler:** If the hon. member for York South was not here, he can follow the report of the debate and he will know the circumstances. Mr. Chairman—

**Mr. MacDonald:** Mr. Chairman—

**Mr. Chairman:** There has been a point of order raised and I would say to the member that he has insinuated that a member of the New Democratic Party has done or said certain things. Unless he is prepared to name that person, I think that he should withdraw the remarks.

**Mr. Winkler:** I will then suggest to you, as is well known by the entire assembly, that it was the member for High Park. I regret that his leader forced me into this situation. We found last night—

**Mr. Shulman:** Point of order, Mr. Chairman.

**Mr. Winkler:** —we found last night, Mr. Chairman—

**Mr. Chairman:** Order, please.

**Mr. Shulman:** On that point of order, please, may I point out to you that this matter was in the press some two weeks before I was aware of it, actually in the Collingwood paper. I have the clipping of it and I would be only too happy to supply it to the member.

**Mr. Winkler:** That will be fine. It seems to be the course of events the hon. gentleman follows. Nevertheless, Mr. Chairman, I suggest to you that last night the object was the destruction of the Minister of Health. Then, today, when the situation was made clear, we found that party going down the other side of the line. Then who is respon-

sible for the destruction of that woman in the course of the profession that she wants to follow?

**Mr. Shulman:** I have not changed my position—

**Mr. Winkler:** The members of that party are totally responsible.

**Mr. Shulman:** On a point of order, the member is misleading the House, he has claimed that I have gone down the other side. I have not changed my position one iota and I am looking forward to speaking on this issue tonight.

**Mr. Winkler:** I am not saying, Mr. Chairman, that the hon. member changed his position, but his party certainly did. The entire group of speakers this afternoon changed their position. Even the member for York South had to come to the rescue on that particular point.

**Mr. J. Renwick** (Riverdale): Sure, and it is a—

**Mr. E. W. Sopha** (Sudbury): And most people agree with him.

**Mr. Winkler:** And I will say today, Mr. Chairman, that I admire the position taken by the hon. leader of the official Opposition (Mr. Nixon). He did it politely and fairly. I can also say that in regard to the contribution made by the member for Parkdale (Mr. Trotter). There are many times maybe when I share his view. It may be the time has arrived.

**Mr. Sopha:** To most people it is the same.

**Mr. Winkler:** That is fine, I am sure that that is the case under responsible circumstances. But, Mr. Chairman, as I say, there are many times when I agree with the view that possibly the department should take a greater control of that particular area of care, of hospital care, of hospitalization cases. I myself feel that way.

I would like to say, Mr. Chairman, that I think the time has come when a Minister must be regarded as responsible for the total administration of his department, not an isolated case. And I think that the members of the NDP who have stood up this afternoon to come down on both sides of the question that was raised are absolutely and totally wrong. They are being destructive and until they are constructive the people of Ontario must know exactly what their position is and where they stand.

**Mr. Chairman:** Item 21.  
The member for High Park.

**Mr. Sopha:** If Bob Stanfield meets me—

**Hon. J. P. Robarts (Prime Minister):** What makes you think he would meet you?

**Mr. Shulman:** I would like to ask a question of the hon. Minister through you, sir. Last night when the Minister did not wish to declare the position of the department at that time I got up and this time I was likened to various persons including Perry Mason. I suggested to the Minister that this difficulty began after receiving a letter from a certain nurse and the Minister categorically denied that. I wish to ask the Minister how he could have denied something last night and then come in today and based his case on it?

**Hon. Mr. Dymond:** Mr. Chairman, I did not even know that the nurse had been dismissed. I did not even know what he was talking about because I had not heard anything about dismissals or resignations from this home. It is a private industry and the only resignation I knew was the one relating to the girl—

**Mr. J. Renwick:** You did not say that last last night. You categorically stated—no!

**Hon. Mr. Dymond:** —who was employed there for some time during the summer, and after discussing her problems with her parents was advised by them to resign. I knew that because it was in her letter.

**Mr. Shulman:** I had better refresh the Minister's memory. I asked the Minister last night—

**Hon. Mr. Dymond:** Mr. Chairman, the Minister's memory does not need refreshing. It is just as keen as his and I can remember the things I said.

**Mr. Shulman:** I do not like the comparison too much, Mr. Chairman, but last night I asked the Minister if the complaint against this particular nursing home arose from a letter from a nurse at that nursing home. He replied, "No."

**Hon. Mr. Dymond:** Mr. Chairman, let the House also remember that I stated this afternoon the complaint arose with a letter addressed to the social worker for our hospital in Penetanguishene. Even prior to that we have correspondence which was not addressed to us but which was written by the associate medical officer of health for the

county unit long before this home came under The Nursing Homes Act.

**Mr. Shulman:** Mr. Chairman, during the course of the supper hour I have contacted the nursing home operator in Collingwood to report some of the things that were said in here today and ask her version of those things. She denied categorically ever receiving at any time a letter from the department criticizing or making suggestions in connection with the matters raised here today inasmuch as the Minister has stated that she was warned repeatedly.

I once again ask the Minister if he will produce or file a copy of one of those warnings.

**Hon. Mr. Dymond:** Mr. Chairman, I did say that she had been advised by mail. I asked my staff during the dinner hour and I find that we have no record of her having been advised in writing but we have record of her having this matter discussed.

**Mr. Shulman:** May I ask the Minister who discussed it with her and when?

**Hon. Mr. Dymond:** Mr. Chairman, I think this questioning is quite pointless and has little bearing on my estimates at all, sir.

**Mr. Shulman:** It has a great deal of bearing because of the question of credibility and who has told the truth, Mr. Chairman.

Interjections by hon. members.

**Hon. Mr. Dymond:** Mr. Chairman, is the hon. member suggesting that I am not telling the truth? If that be so let him make his charge on the floor of this House.

**Mr. Chairman:** Order please, order. It seems to me that this particular subject has been discussed completely and thoroughly. It has been flogged around and I think that we have strayed completely from item 21 of vote 803. I believe that we should return now to item 21 of vote 803, provincial aid re homes for special care. Item 21.

**Mr. Shulman:** Mr. Chairman, I have one final comment on this subject. There is a very respected member of this House who sits on the Conservative side, a man for whom I have the greatest of respect, the local member for that area. I understand that he went through this particular house. I would ask him if he will rise, if he feels that he has a valid opinion as to the care those patients received, and the standards of that nursing home. I would be happy to abide by what he would say.



**Mr. Winkler:** Game's over!

**An hon. member:** Carried.

**Mr. Chairman:** Item 21, carried.

The member for York South.

**Mr. MacDonald:** Mr. Chairman, I have two or three brief comments on a motion I would like to put to the House.

**Mr. Chairman:** Does the member for York South yield to the member for Beaches-Woodbine?

**Mr. J. L. Brown (Beaches-Woodbine):** Thank you very much, Mr. Chairman.

Earlier today I raised the question of the emotional attitudes towards this issue in the Legislature and cautioned against the danger that this kind of an approach can have on the conduct of the business of the various departments dealing with services to people. I would like to take a few moments to talk about the principle involved in homes for special care, because I think a very important principle is being lost in the heated debate around this one particular home.

I think that it is important that when the record of this government is read, and when the history is looked at, of the introduction of homes for special care in the province of Ontario, it should be possible to say that the province gave these homes a fair opportunity to be tested as a method and device to 1. reduce the population of our large institutions, our large mental hospitals, and 2. to fully test the efficacy of this kind of method of treating patients in a more normal home setting. I fear that these kinds of issues and factors that would relate to the success or failure of this sort of a programme are being missed. We need to get back to some of the details about how these programmes are organized and operated.

As the Minister said, it is a new programme. They are growing rapidly, they are finding out many things about how to conduct their programme, and I think we could be of some usefulness if we talked about some of the basic principles involved in the removal of patients from Ontario Hospitals or from large hospitals into small community settings. I think that there are some basic principles involved when a government sets out to buy service from private individuals. And I would like to speak to both those points briefly.

Number 1, a great deal centres around who has the choice of when a patient is dis-

charged. Unfortunately, if there is not great care taken in the selection of patients who go into homes for special care, there is a definite danger that the people who operate such homes will be saddled with patients for whom they are not in a position to provide a proper service. The manner in which a person is transferred from one setting to another has a great deal of bearing on the success with which that person will adjust to the new setting and the benefits that can accrue from that kind of placement.

So the methods of transferring and the methods of selecting and who has the ultimate say on whether the patient comes or not are points of importance, and I would like to hear the Minister's comments on them. The Legislature is not a court of law, it is not a—

**Mr. Sopha:** Oh yes it is.

**Mr. Brown:** —it is not an investigating committee. I know a great many lawyers in the House treat it as a court of law, but it is not a court of law. I would suggest that if there is contention about this particular home, it would be well to refer it to a committee that could investigate, and could investigate it without political implications involved.

**Mr. Sopha:** Last night was another superb example.

**Mr. M. Makarchuk (Brantford):** Do not break your arm scratching yourself.

**Hon. C. S. MacNaughton (Provincial Treasurer):** Why would you want to do that?

**Mr. Brown:** The danger of evaluating the pros and cons of a given case when political considerations take precedence, does not do justice to the service that is being attempted—does not do justice to the many people in the community who are trying to provide that service—does not do justice to The Health Department that operate this particular service, or to the staff of the department. And I would suggest that, if this remains such a contentious issue, it be referred to an investigating committee where it would be possible, without all the political implications, for the full issues to be studied.

**An hon. member:** A Royal commission!

**Mr. Brown:** I do not suggest a Royal commission and I do not particularly think it needs to be ridiculed. I am trying, in as much fairness as I can, to remove it from the political implication into a proper kind of assessment of what is involved.

We are not talking about whether or not a Health Minister is embarrassed. We are not talking about whether or not an individual department has made a mistake and needs to be censured or criticized. We are talking about something far more important than that. We are talking about the level and kind of service that we are going to be able to provide to a large number of patients of mental hospitals, who, at the present time, are destined to spend their lives in this kind of hospital. And we are talking about a way of getting them out of this impractical and, I think, unsuitable situation into a better kind of service.

I think we need to keep this in mind in the discussion. This is not a political issue. We can make it a political issue. When we make it a political issue it becomes an advantage to the members of the Legislature, on either side of the House, depending on how they treat it. But it becomes something that is detrimental to the service to people, and I think we need to keep that in mind.

**Hon. A. Grossman** (Minister of Reform Institutions): The hon. member said this was war, do you remember?

**Mr. Brown:** That is right; that is fine. But I would like to fight the war with the combatants. I do not like to bring in the innocent victims in this kind of a fashion.

**Hon. Mr. Grossman:** Well, it is war according to you.

**Mr. Sopha:** We are the peace party here.

**Mr. Brown:** And I would suggest, if the manner of the battle is going to be with the people who are now in government services in the province of Ontario, you are picking the wrong battleground. I am saying tonight that I think it is important that we not permit political issues to take precedence in issues of vital concern to human beings' welfare. I think in this particular—

**Hon. Mr. Robarts:** War of talk.

**Mr. Brown:** And I think in this particular, yes, Mr. Prime Minister through you, Mr. Chairman, I certainly say that.

**Hon. Mr. Robarts:** Talk to your caucus.

**Mr. Brown:** I have tried, on a number of occasions today, to separate the issue of the people receiving service and the nature and quality of that service—to examine it without what would be a great temptation to make

political hay out of it. It is not hard to do, in this particular instance, because of the position the department has taken on it. They have not helped themselves; the government has handled it awkwardly. But I am saying that I think it is important that we keep the service to people in mind.

What I would like to hear and quite aside from these considerations, the fact is there are some \$12 million being spent. I would like to hear the manner in which it is organized. The role the hospital plays in the selection of these homes—in the selection of the patients who go to these homes—these are important issues. The timing of when they are placed, the numbers that are placed there, the kind of living conditions under which they live, all of these things are important considerations. The hon. Minister should be talking about them and informing the Legislature and the public about this service in a manner that is conducive to this service, that complements this service, that encourages this kind of a service to be developed.

**Hon. Mr. Dymond:** Mr. Chairman, I discussed the manner of selecting the homes just before the dinner recess. The manner of choosing the patients, who determines who shall go, this is done usually at a staff conference. I presume you could start with the doctor in charge of the ward—the doctor in charge of a particular patient or patients. Here she would bring the recommendation to the staff conference and the patients would be reviewed and considered by the treatment team. This usually comprises—although not necessarily in every case—a psychiatrist, it may comprise a general practitioner, a psychologist, social worker, probably an industrial therapist, and very likely a field worker, who would need to be present to assess or to evaluate the patient and his needs and to determine, insofar as was possible in that kind of a setting, which home he should be sent to. But the decision must rest with the treatment team—the team that has been involved in the care of the patient for varied periods of time during his stay in hospital.

I must admit I find it difficult to understand what the hon. member means when he talks about political implications. There is nothing political in the care and treatment of these patients—they are admitted. There is no question about their politics, except that Mr. Justice McRuer, I notice, has suggested that many of them should be given a vote, and I agree with this very heartily. But, be that as it is, it is really of no account here, at the present time.

I would like to point out with great respect, sir, to you, that last night I tried to keep this matter completely divorced from politics but—

**Mr. V. M. Singer (Downsview):** How can you keep any political matter divorced from politics? What nonsense!

**Hon. Mr. Dymond:** Again, Mr. Chairman, I have to say I still very firmly hold that this is not a political matter. This is the matter of the care of people and I think it must be considered wholly and solely in that context.

**Mr. Singer:** Mr. Chairman, on a point of order, how can a Minister of the Crown in a political debate try to remove himself from politics? It just does not make sense.

**Hon. Mr. Robarts:** That is not a point of order.

**Mr. Singer:** Yes it is a point of order!

**Hon. Mr. Dymond:** Is that not an outstanding—that will go down in the annals of legislative history, Mr. Chairman, as something that will be cited 1,000 years hence; as one of the most stupid points of order that ever was produced in a legislative assembly.

Mr. Chairman, regarding the numbers involved in this rather sizeable budget, there are 6,332 patients at the present time. Of course, the number actually fluctuates. It may very well fluctuate from day to day because—and I will review these figures, which I believe I have mentioned prior to this—there are 507 homes currently licensed under The Nursing Homes Act. There are 8,000 beds. We have closed 70, mainly lodging homes, since February, 1967, because they could not come up to standards; 225 fire safety inspections were made.

In the homes for special care there were 3,803 patients on February 29, 1968. There are 1,011 residential home patients as of the same date; 350 patients died during the past year; 160 were returned largely for re-assessment and restabilization during 1967. And 80 were discharged during 1967.

After much discussion with our federal counterparts, we have finally had these homes recognized as eligible to share in the federal cost sharing welfare arrangement, and 2,000 of our patients have been accepted. We have every good reason to believe that an increasing number will be accepted. As I stated earlier, placements to February 29, 1968, nursing care patients—5,159 in the homes for

special care, and 1,173 residential patients, for a total of 6,332. These are the figures that are involved in this rather substantial item, \$12.1 million.

**Mr. Brown:** Is it my understanding that the \$12.1 million would then be added to from federal grants? And what is the total of that federal grant?

**Hon. Mr. Dymond:** No, pardon me, I am sorry, this is gross budgetting this year.

**Mr. Brown:** How much is the Minister asking in terms of Ontario funds?

**Hon. Mr. Dymond:** We are asking for \$12.1 million.

**Mr. Brown:** I understood you were going to get a certain amount of that from the federal grant.

**Hon. Mr. Dymond:** This comes back into the consolidated revenue, Mr. Chairman.

**Mr. Brown:** And what is that amount?

**Hon. Mr. Dymond:** It will depend on the number of patients who are proved for cost-sharing. At the present time there are 2,000 and I do not know how they are split up; how many of them are nursing or how many of them are residential. 2,000 are presently involved in this cost-sharing.

**Mr. Brown:** Is this considered a possible means of increasing the rate to the homes for special care or is all of the refund from the federal government going into the Treasury of Ontario?

**Hon. Mr. Dymond:** Well, we strike our own rate, Mr. Chairman, without any reference at all to the federal government. The federal government does not involve itself in this, it is involved in a cost-sharing programme with the governments of the provinces. A good deal has been said about this, but the other day I read in the financial pages of one of our well-known Metropolitan dailies quite a lengthy and detailed article concerning nursing homes, and this organization has built a very large number of these beds across Canada.

The head of that firm stated quite clearly that they got by very well on \$8 a day and this is a profit-making organization. So that this outcry about the price the province of Ontario pays is not very well founded, when an industry that is in this business to make money states quite clearly through the financial papers of one of our daily papers that



they are doing all right on \$8 a day for standard ward care.

**Mr. R. F. Nixon** (Leader of the Opposition): That is in Manitoba, is it not?

**Hon. Mr. Dymond:** No, it is in Alberta, and they have several homes here in Toronto or in Metropolitan Toronto. I do not know if they have any in—

Interjection by an hon. member.

**Hon. Mr. Dymond:** I think he was comparing that with a general hospital, was he not?

**Mr. Singer:** But one of your colleagues pays \$29.60 a day for emotionally disturbed children.

**Hon. Mr. Dymond:** Oh yes, but this is for a very active treatment programme.

**Mr. Singer:** Is that a reasonable figure?

**Hon. Mr. Dymond:** Well, this is totally dependent upon the programme that is being provided and I would not want to state or give an opinion on the figure until I see what kind of a programme is being provided.

**Mr. Singer:** Well, you spend the money—

**Mr. Brown:** I would like to raise a question and comment on the last remark. The enterprise quoted by the Minister is not operating, I believe, a programme for bed patients particularly, and I think there is a difference in the rate.

**Hon. Mr. Dymond:** Mr. Chairman, I have been in some of their nursing homes and quite a number of their patients are bed patients.

**Mr. Nixon:** Mr. Chairman, since a bit of the tension has gone out of this discussion you might permit me to recall a committee meeting some years ago when our standing committees were somewhat differently organized than they are at the present. I believe at that time the one I refer to was called health, welfare and education.

On one occasion during a succession of meetings the hon. Minister of Health appeared before us. There was not any particular crisis at that time and he undertook to describe to the committee his long-range view of what was in store for the facilities, public and private, in the treatment of mental disorders in this province.

I can remember coming away from the committee with a great deal of appreciation for the problems the Minister had at that

time, which problems I believe have increased in intensity. His view of the future, however, was an interesting one. I believe on that occasion he not only referred to the homes for special care which were then just beginning to emerge as an idea, but he also dwelt at some length with community facilities for those afflicted with mental disorders which I can remember him describing as being closely associated with community hospitals and to which he felt would be a real alternative to the large Ontario Hospitals for mental illness that we still have in this province.

In a future vote we will be able to talk about that in some detail. But I think there is general disappointment in the province that the Minister's view of the future has been so unfulfilled in the intervening five years. In my own opinion there is a great deal of confusion about the programmes that the Minister and his colleague, the Minister of Social and Family Services (Mr. Yaremko), administer in this province.

I really think that we ought to consider during the months between the end of this session and the beginning of a new session, if there is an intervening space, that the Premier, with the Minister of Health, might consider setting up a select committee of members of this House who could more closely acquaint themselves with the problems and the treatment of mental health in the province, and the problems that face the Minister, particularly when he approaches the Treasury board, with a kind of assistance that is undoubtedly needed in this aspect of his responsibility.

We are now looking forward to four years, I hope, of development and progress in the province, and one area which has sadly lagged in the past four years, and which has every indication of being afflicted with that same lack of imaginative development, is the whole field of mental health.

There are a good many of us in this Legislature who, in our capacities as individual members, have visited the institutions in our own constituencies and nearby. There is also the problem that when a full fledged select committee goes to one of the institutions it would be very much on its best behaviour and everything well polished and in order, to receive the visiting dignitaries who would be in a position to vote the funds needed to continue the establishment in the following year. On the other hand, I do believe there is a great body of expert opinion which is struggling to get through to the Minister of Health and to members of this

Legislature who in the long run must support the Minister in his very heavy responsibilities.

I would think that, while it might very well be suitable for the standing committee which can meet any day of the week immediately to discuss immediate problems, or to interrogate the officials of the department in any specific area—while this might fill some immediate requirement, I would recommend to the Minister of Health that he confer with his colleagues and particularly the Premier, in the possibility of having a select committee, which can do a detailed study in this matter, so that there will be a number of people in this House who can respond to these areas with some knowledge, some acquaintance, some sympathy, to the problems that are faced by the Minister and many of the members of this House who are more closely associated with it than are some others.

I throw this out as a suggestion. I think it is one that would be worthy of careful consideration. There is no doubt that as long as we continue trying to fulfill the requirements of modern treatment with the present system of Ontario Hospitals, without appropriating funds for a more imaginative and progressive attack on the provision of community facilities, we are not going to solve the problem. We are simply going to mark time, or keep ourselves in the relative same position on the treadmill to oblivion that this Minister has been walking since 1963, on the occasion of that committee meeting which still sticks in my mind, at what might have been the beginning of greater things for this Minister and the province.

**Hon. Mr. Dymond:** There will be ample opportunity to discuss this. This is straying really a long way from the vote, but I cannot let this go without recording—and I say this very proudly, sir, very proudly on behalf of the province of Ontario, but very humbly as the Minister of Health, because I have not done it alone by any manner of means. I was part of the instrument. The Department of Health has been able—the government of Ontario has been able to attract to its service some of the outstanding people in the field. And I say to you, sir, with very deep conviction, and very calmly, and after careful thought and study of what is being done all over this Dominion, that in the last ten years, this province of Ontario has accomplished more in the field of mental health and care and treatment for the mentally disordered than all the rest of Canada put together.

**Mr. Nixon:** This is an odd response. What about Saskatchewan?

**Hon. Mr. Dymond:** Than all the other provinces. Go to your friends in Quebec. Talk to the people who have just come back from Alberta.

**Mr. Trotter:** Puerto Rico or San Salvador?

**Mr. MacDonald:** If they go to their friends in Saskatchewan, they will find a good system that was built by the previous government.

**Hon. Mr. Dymond:** Yes, Mr. Chairman, a hole in the ground at Yorktown.

**Mr. MacDonald:** Mr. Chairman, I want to touch briefly on the question of the *per capita* cost, or the *per diem* charge, particularly the \$4 for ambulatory patients. The Minister has sought to justify the payment of this and there has been considerable criticism on this side of the House, indicating that this is a rather ludicrous figure, that no other institution operates on this basis.

I think it is interesting for the House to take note of the fact that in Windsor another provincial government institution—OHC, for its senior citizens' hostel units—for food alone designates \$6.21 per day. I ask you to compare that—and this incidentally is in hospital units for people who would be generally in the category of ambulatory—compare that with the \$4 for both food and lodging, the figure that the Minister—

**Hon. Mr. Dymond:** Mr. Chairman, may I ask the hon. member, did I understand him? He quoted a figure of \$6 per day for food alone?

**Mr. MacDonald:** It was \$6.21.

**Hon. Mr. Dymond:** Mr. Chairman, I must emphasize that the hospital services commission costs for all food in our general hospitals is less than \$1 a day, and the cost for feeding the patients, just a little over a dollar a day for patients.

**Mr. MacDonald:** My colleague from Windsor, who is personally familiar with the situation, says that the OHC senior citizens' hospital unit—hostel units—

**Hon. Mr. Dymond:** Who is the OHC?

**Mr. MacDonald:** Ontario housing corporation senior citizens' hostel units. The figure is designated at \$6.21 a day for food.

**Mr. Winkler:** You are mixed up.



**Mr. MacDonald:** No, I am not mixed up. I said it straight the first time. I am just trying to sort out the mix-up on your side.

Interjections by hon. members.

**Mr. MacDonald:** However, Mr. Chairman, let us not argue over what I said. I think I have clarified what I said and you know it.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, it is all very well to play politics, but you will see it in the record. I said OHC.

**Hon. Mr. Dymond:** Mr. Chairman, again I do not want to be argumentative with the hon. member, but I wonder if the figures have—if the day and week have got mixed up? There has just been handed to me, for instance, a statement from the visiting homemakers association, dated October 1967. Their average cost for food for meals at home in Toronto is: (a) on light activity, \$6.43 per week; (b) moderate activity, \$7.27 per week; (c) heavy activity, \$8.47 per week.

**Mr. MacDonald:** Per week?

**Hon. Mr. Dymond:** Yes. This is by the homemakers association, and they are pretty skilled people in this field.

**Mr. C. G. Pilkey (Oshawa):** They are eating rice.

**Mr. MacDonald:** Let me proceed with what is the main purpose of my rising at this point.

**Mr. Pilkey:** It costs more than that in China.

**Mr. MacDonald:** Mr. Chairman, we have a remarkable series of chapters to this story in the last 24 hours. There were presentations as to one version of what happened in this institution, the Cara Villa, from the Colingwood paper, subsequently in a Toronto paper yesterday, and they were presented to the House last night by the hon. member for High Park. We had the Minister saying that he could not comment on them because it would be unfair, and both Opposition parties saying very firmly that this was not satisfactory. The House leader bailed him out. It was considered overnight. The Minister changed his mind and he came in, did a complete reversal and presented all of the rather hair-raising details this afternoon.

**Mr. Winkler:** He shot you down.

**Mr. MacDonald:** Mr. Chairman, the interesting thing is that there are some remarkable contradictions in the evidence that is now before the House. The Minister has quoted, for example, one nurse, whose evidence it is suggested is suspect because she had gotten into something of a personal difference with the operator of the institution and had been fired.

Another nurse who is still on the staff, a woman whose history as a reputable nurse is an unquestioned one, states that the treatment has been good and that there had been no abuse. I am not in a position to reconcile these two stories but this is the evidence that is before the House. The Minister, for example, categorically stated that following the submission of the evidence with regard to maladministration and abuse of the patient last August that no other patients were referred from Ontario institutions. The House is being given two names of people who were referred a month to six weeks after that evidence was given to the Minister. Who is right?

There was an incredible delay by the government in implementing some action with regard to the licence of the institution after they received this evidence that started last August and was accumulating in impressive detail before the end of the year. When we reviewed the delay in the government's action, the Minister himself said this afternoon that he wonders himself why they took so long. That quote will be found in *Hansard*. He wonders himself why they took so long. I draw to the House's attention that the Minister, almost *en passant*, in the latter part of the debate this afternoon, indicated that only today was the licence revoked so that private patients in this institution are now protected from what the Minister considers to be maladministration and abuse.

**Hon. Mr. Dymond:** I have to rise on a point of order. The hon. member must have misunderstood me; the home had been operating since December 31 without a licence.

**Mr. MacDonald:** Mr. Chairman, perhaps I did not understand the Minister correctly when he said this afternoon that there had been an interim licence granted until July of this year. Presumably the institution was operating without a licence for three months before the government took their patients out. Which makes it even more incredible.

Why, the Minister has just stated that it was operating without a licence at the end



of the year, yet the department moved in to take out their patients in early March of this year—for something like eight to nine weeks it was operating without a licence, with government patients there.

Mr. Chairman, surely the case—

Mr. Pilkey: Unbelievable!

Mr. MacDonald: It is unbelievable and why this House should accept this case without getting further detail—we would be abrogating our responsibility.

There is a final point, Mr. Chairman. Out of all this sorry story the lesson that surely we should learn is that there must be review procedures for licences before they are revoked—procedures whereby they can be revoked in an orderly and a humane way. The Minister made a statement that they are contemplating the setting up of an advisory committee. His words implied this advisory committee, presumably of outsiders, was going to review licences. It would be the body that would review and conceivably revoke licences, or make a report on the basis of which the government would resist the licence.

In my view, this is the key to avoiding this kind of disastrous situation in the future and it is so vague that, once again, I think it is our responsibility to look into it.

Now this afternoon the leader of the Opposition indicated that he felt that this matter still should be looked into by the standing committee. Tonight he refers to a select committee. I do not know what the merits are of these two particular proposals in his mind, but at this moment, Mr. Chairman, I would like to move, seconded by the hon. member for High Park, that:

The circumstances leading to the removal of patients from the Cara Villa home be referred to the standing committee for investigation and report on procedures that should be followed in reviewing of nursing homes for special care licences.

Interjection by an hon. member.

Mr. Chairman: Order, please! I will read the motion of the member for York South—

That the circumstances leading to the removal of the patients from the Cara Villa home be referred to the standing committee for investigation and report on the procedures that should be followed in reviewing nursing homes for special care licences.

Before I put this motion I should like to say to the member for York South that, in my opinion, the motion is out of order. We are dealing only with the votes in these estimates. This is a motion which, in my opinion, must be a motion put to the House and placed upon the order paper. If we take the motion from the member and turn it over to the Clerk, we will have it placed upon the order paper in the usual manner, but it certainly is not a motion which is in order during the deliberations on these estimates.

Mr. Nixon: Mr. Chairman, I would like to speak to your ruling. I believe that you are correct in that I can remember investigating the matter with regard to another problem to be referred to a standing committee. I understand the rules would indicate that it would, under those circumstances, not come at any place on the order paper particularly in the business of the House, but would be raised as a regular order of business.

On the other hand, if you will permit me to say something about the motion itself, very briefly, I would say that the leader of the NDP, who raised the matter a moment ago, said that he did not know the connection between the standing committee and the select committee that I had referred to in my remarks just a moment before. I think in order to make our position clear, I would say that we feel that the standing committee should call before it those people who are knowledgeable in this matter, so that they can have a more objective assessment of the facts in the case before us. But the use of the select committee in the period between now and the next session of the Legislature, or even beyond, could have a more general view of the problem pertaining to the provision of mental health facilities.

Mr. Chairman: Yes, well, if the member for York South is in agreement, I will turn the motion over to the clerk, as suggested.

Item 21 agreed to.

On item 22. The member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Chairman, under item 22, vote 803, \$1.5 million for home care assistance programme. I have a few questions of the hon. Minister of Health.

I understand that in the city of Toronto this programme is administered by a separate home care board and in other parts of the province the administration of this home care assistance programme is carried out by the

Victorian order of nurses. Is that correct, Mr. Chairman?

**Hon. Mr. Dymond:** Not necessarily, Mr. Chairman. Although the Victorian order of nurses is involved in quite a number, it is not essential that they be involved. They are the body most commonly associated with home visiting nursing service and the most readily available and have added a very great deal to this kind of a programme.

**Mr. Good:** Thank you. Further, Mr. Chairman, I understand that the purpose of this is to take care of patients who can be discharged early from the hospital, as well as for the care of chronic patients who can be taken from the chronic wards of the hospitals. I understand this care can be paid for through OMSIP and includes nursing, home-making and laboratory fees. What I would like to know, Mr. Chairman, is, first, does the Minister have a figure as to how many patients are being looked after under this home care assistance programme, in view of the desirability of relieving hospital beds of patients who can be looked after under this plan? Could the Minister tell me how many are being looked after, and secondly, in what areas of the province this plan is not in operation, and, if not, what the department or the Minister is doing to encourage the promotion of this home care assistance programme throughout the entire region of the province, in order to relieve the hospital bed shortage?

**Hon. Mr. Dymond:** There are six programmes in operation. Four more are expected to start this year. There are active committees in six areas involving seven cities and two townships. The number of patients under this programme last year was 7,975. The average cost per patient was \$324.26.

The programme does not necessarily cater only to patients who have been discharged, or who are capable of being discharged early from hospital. We are trying to encourage the spread of this idea so that it may be used to keep patients out of hospital. Under certain circumstances, one who is ill enough may have to go to hospital, but if this home care service is available he can be kept out of hospital. I believe most of them now are involved in this kind of programme as well—either in the hospital-based, or the community-based programme.

We like to see them adopt the total programme. The skilled nurses, as you said—the physical, occupational, speech-therapy,

homemaker services, OHSC, OMSIP, or all three OHSC, OMSIP and The Department of Health are involved in the financing of this programme.

**Mr. Good:** Mr. Chairman, could the Minister tell us if there are many areas of the province where it has not been able to institute this home care assistance programme?

**Hon. Mr. Dymond:** I am not just sure what the hon. member means—"has not been able to". I do not believe any area that has gone out vigorously to involve itself in the programme, has not been able to establish. These that are in the active committee stage at the present time—in some cases there is a linking up. For instance, Elgin and St. Thomas; Oshawa-Whitby area; the Oakville-Peel area.

Perhaps there may be some lengthy discussions in getting the partners together to arrive at a common meeting ground, a common starting base, but I know of no place where, after starting the programme, they have not succeeded. I have further figures. There were 2,720 patients in Toronto in the programme last year, and the projected figure for the current calendar year is 3,400 patients.

**Mr. Chairman:** Item 22. The member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, a few questions on this home care.

The member for Waterloo North asked if there were any areas that were not covered by this programme. Maybe you could say that throughout the province, district by district, there may be some type of home care programme. But in many areas—in fact, in most areas—this really is shelved. Again referring to this committee—I am referring back to the point at which the matter of home care came up. In the area about Timmins, and throughout the north, it is not that they do not have any home care but it is so rare and hard to come by that it really does not deserve the title of a home care programme. When you consider the hospital shortage in the city of Toronto—now I believe in the figures you gave, you said the city of Toronto had 2,720. Is that Metro or city of Toronto proper?

**Hon. Mr. Dymond:** I believe that it is the city of Toronto proper, just the city of Toronto, as far as I know.

**Mr. Trotter:** When you think of the size of the city of Toronto proper, and the hospital bed shortage, 2,720 patients on home care is just a dismal showing. And even 3,400 is an increase of only about 700. It scarcely takes into account the population that is greatly on the increase.

Here in Metro Toronto, we have 1,000 people a week settling in this area, and obviously this is going to add to the stress on our home care programme. We all know that the cost of hospital beds is getting completely out of hand, but here is one item of this \$1.5 million for home care that deserves to be expanded, because by having a vigorous home care programme, you could certainly save a tremendous amount of money on the cost of our hospitals here throughout the province.

I feel that not enough vigorous leadership has been given by the government in recruiting people for home care. I know that here in the city of Toronto it is extremely difficult to get people who are even partly qualified to come into a home. I know five cases right now where the people are home and desperately in need of home care, or are either in the hospitals and could come out if there was someone to assist them at home. Yet the necessary steps just have not been taken.

I would like, Mr. Chairman, to ask the Minister if he has any idea how many individuals are employed in the home care field. That is, those people who are actually visiting in the homes. How many do they have in the province of Ontario, and how many extra have you put on the staff within the last year? I would like to say a bit more on this.

**Hon. Mr. Dymond:** No, Mr. Chairman, I do not have that, and would not have access to those figures without asking each programme how many people they have because these programmes are locally operated.

I would point out to the hon. member though, that this is only our share of that budget. OHSC pays 50 per cent, so the total budget is \$3 million. We have not pretended that this covers the whole of Ontario. It covers a great part of the population, and when you think that even to quote the member's own figures—2,700, an average of 40 days—that means 108,000 hospital days. Take an average of ten days per active treatment patient and it exemplifies quite a number of beds, so that it does not take too many patients to make a very sizeable dent in the bed situation.

The programmes that are in existence are expanding quite extensively. Our aim, and this is one of the programmes which we are strongly encouraging though the health units, that through the efforts of all health districts within five years, we will have home care programmes in every area of the province where they are feasible. I say that advisably, because as you will understand, in the certain areas where our patients are sparsely spread across a large area of geography, a programme of this kind would not be feasible. The four existing programmes, for instance, are going to extend the area of influence quite considerably this year. They will take in the counties of Essex, Middlesex, Carleton, as well as the city of Burlington. Just with those four, for instance, those programmes will expand their area of influence quite considerably.

The budget for the Toronto programme is \$1,001,000, for instance. Windsor, which will be expanding into Essex county this year—and this is the 1968-69 budget—they are asking \$178,784 from us. And each of those will be matched, dollar for dollar, by the hospital services commission. The programme is becoming a sizeable one.

**Mr. Trotter:** I was wondering, Mr. Chairman, if the Minister could tell me what qualifications does the department think necessary if a woman goes into a home under this programme? What type of training should she have?

**Hon. Mr. Dymond:** This rests entirely with the board operating the home care programme, sir. We do not interfere in this. This is their responsibility, and they set their own standards, because their programme is set up to meet the needs of the area they serve, and the people in that area. We do not lay down any criteria. As long as they meet the essentials of a good home care programme, this is all we ask before it becomes approved.

**Mr. Trotter:** Mr. Chairman, in so many branches of health care, one of the greatest weaknesses is to get trained personnel, no matter where you go there is a shortage of nurses, a shortage of this and a shortage of that. This is one branch, in this home care, where you can obtain personnel. The majority of people that seem to be good at home care, are middle-aged women; they do not have to have a degree of any kind, as long as they are more or less good at taking care of a home. There are a good many of this type of person in Ontario. I think this is one facet of health care services that could be developed



now, and be done quickly. Particularly, now, in urban centres, but also in the rural areas.

Wherever I have inquired about the home care services from people who are knowledgeable about their own areas, they claim that this could be done and they almost always complain about the lack of funds, because it is again thrown back on the municipalities. A lot of these municipalities either simply cannot raise the money or will not raise the money. As a result the average person in these areas is suffering and our Budget in the province of Ontario is suffering, because eventually the province—the treasury of the province—has to pay for these costs. And it is going to be far easier for the province to expand a home care programme, than this continual subsidization of your heavy hospital costs.

I realize that here and there the programme is expanding. As the Minister mentioned we have four new counties that are going to have a programme, but this simply is not good enough. Even here in the city of Toronto where they have had a pilot project and it has proved quite successful—the fact that on a small scale it has been so successful, why in the world could it not be much more successful on a larger scale? In this the province simply has not given the vigorous leadership that is required. It is all well and good to say we have done this or done that or this county has a programme, but when you look at Ontario as a whole, and when you are in some of these areas discussing home care problems with the officials, it comes up time and again. And I emphasize to the Minister that here you can find personnel. It is usually, again, the middle-aged lady who cannot find work in an office job, who makes a very good homekeeper. I wish the Minister would take a further look at this vote and see to it that when he comes back next year we have a far better programme.

**Hon. Mr. Dymond:** Mr. Chairman, I think the hon. member is not quite getting what I am trying to say. The municipality does not have to find a dollar for this. All the municipality needs to do—and even the municipality as an organization does not have to do this; anybody, any group within the municipality can sponsor a home care programme and organize it—if they are prepared to organize it, they should submit the proposal to us and we finance the whole thing. There is no municipal financing in this. It is all a cost-shared programme between the OHSC, the department and OMSIP. If the patients are covered by OMSIP or other insurance the

payment of the doctor bills comes out of it but even then there would be no municipal involvement unless a municipality undertook on its own to pay the doctors' bills. But if one is indigent and cannot pay the doctors' bills I can assure you that the homemakers or the professional people would see to it that such a person was signed up for OMSIP because it is available to them at no cost. To show that we are doing something about the programme we have increased our budget \$1 million; OHSC will have increased theirs \$1 million. A \$2 million increase in one year—I do not think that is a very bad increase. I have said that, now that our district health units are rolling, we will be taking a far more active part in promoting, or instigating, or stimulating people to start these programmes where they are feasible. There are many parts of the province, as the hon. member says, where they could still work.

I am rather surprised, for instance, to find that we only have the city of Toronto in this great metropolitan area. Why the other boroughs have not come forward with programmes, I do not know, but they have not. I just checked with my people and we have not turned down one application—we have not rejected one application. We have not had to cut a budget. The budgets are all submitted, as all budgets for hospital services, and such-like services within our department must be submitted. We may question some and we may slice them here and there, but we have not cut down the essential budget. We may disagree with items, but we have not yet had to cut the total budget, nor, I repeat, have we had to turn down any application for the establishment of a programme.

Beyond that, other than having our health units actively trying to stimulate interested groups in the various municipalities, I do not see what else we can do, because this is not really a programme that the department could run. I just cannot see very much hope of success if we were to try to run the programme. This must be community-based, as I am quite sure the hon. member will appreciate.

I am just told now that the city programme is beginning to spread out into the Metro area, so that I hope they will be stimulated, because they have had a very good programme. It is beyond the pilot project stage now; it is a well established programme and it has been most successful and I would be hopeful that it will spread throughout the whole city. Some difficulty, I believe, is

encountered in getting the hospital staffs to participate in it, but even that difficulty is disappearing, because they have seen the success of the programme in areas where it has been established.

**Mr. Brown:** Is this administered by the local medical officer of health or by the local hospital? I did not get the exact organization. You make contributions jointly to some local body. What is that local body?

**Hon. Mr. Dymond:** Mr. Chairman, whatever body should organize the programme. Sometimes it has been hospital-based—stimulated by a hospital board. More frequently the public health authority has had some involvement in it, has it not? Any community committee.

Oftentimes the hospital—I should not say “oftentimes,” because there are not that many—but on occasion the hospitals have tried to stimulate interest—have tried to get a group of community-minded people interested to start the organization. As soon as a recognized group sets up an organization and makes a proposal to us, we are prepared to listen to them, help them, advise them, counsel them in any way possible.

The VON have been very active in this, as my hon. friend drew to the attention of the House a little while ago. From the professional nursing standpoint I think they and probably the Red Cross have been very, very active in this and various areas, but we do not specify that it has to be any particular group. As long as it is a group that can produce a programme and they are willing to undertake the organization and stay with it, and direct it, we will support them.

**Mr. Brown:** Mr. Chairman, do they bill for their service, or do you give them a grant and then have an accounting for the number of patients that come under those funds?

**Hon. Mr. Dymond:** Mr. Chairman, they must present a budget to us, and an interdepartmental committee scans the budget, or checks the budget and approves of a rate, and we settle it twice a year. Mid-year, if we have not paid them enough, we bring it up to the approved expenses or, if we have paid them too much, we just cut them down for the budget. Each year the budget is straightened out according to the expenses for approved programmes.

Item 22 agreed to.

On item 23:

**Mr. Trotter:** Mr. Chairman, on item 23 for \$100,000—grants to assist in rehabilitation programmes, including training of personnel.

Last year I believe we voted the same amount of money for this item. I know the set-up of the accounts has changed and sometimes it is not that easy to follow, but I see that, in the public accounts ending March 31, 1967, where \$100,000 had been voted in a similar vote, a little over \$25,000 was spent and \$74,000-plus was unexpended.

I am not urging the government just to go out and spend money for the sake of spending it, but we seem to be tremendously short of trained personnel and I would just like to know why this money was not used.

**Hon. Mr. Dymond:** Mr. Chairman, the figure in the public accounts differs from the estimates in that it is a net figure—50 per cent of that, an equal matching amount, would come then from the federal health grants, upon which we draw for this programme. I thought we spent more than the \$50,000.

This is actually allocated to the University of Toronto and the teaching hospitals. It is given specifically for the purpose of teaching students at the undergraduate level, and giving them some intensive instruction in the value and techniques of therapy. I think that the amount spent last year was about \$64,000. Thus was used to train in four teaching hospitals—Toronto General, Toronto Western, Wellesley and St. Michael's. Then, I believe, there was another project for which we provided support—it had something to do with the training of nurses. There was an additional sum we were to allocate to nurse training in this field; professional staff involved psychiatrists, speech pathologists, orthotists, physio- and occupational therapists.

Item 23 agreed to.

On item 24:

**Mr. Shulman:** I would like to speak at some length on item 24, because it is a very upsetting item. I would like to link item 25 with it, in a way, because this also has to do with tuberculosis, so my remarks may overlap to a certain extent.

**Mr. Chairman:** It is agreed that we take items 24 and 25 together.

**Mr. Shulman:** Is that all right, Mr. Chairman?

**Mr. Chairman:** All right.



**Mr. Shulman:** You will notice that between these two items we are spending some \$4.5 million on treatment of those poor people who have tuberculosis and on certain aspects of detection. Item 24 is headed tuberculosis prevention extension, but if you look further you will see that it has really nothing to do with prevention at all. It has to do with treatment, because it says pneumo-thorax treatment, X-rays, medical supervision of persons on chemotherapy—those are people who have TB—free tuberculin—this is testing for those who have TB—and biologicals and assistance to indigents from unorganized territories or without municipal residences including burial—I presume that this is people who die from tuberculosis, and this includes a large number of Indians.

Then we go on to grants to sanatoria, which represents \$4.5 million, and the horrible thing about these two items and the money and the human suffering involved is that it is unnecessary, and only in Ontario would we find an item like this in the Budget. Way back two generations ago in Denmark, two very brilliant chemists, Calmette and Guérin, developed an almost perfect prevention for tuberculosis. Called BCG, it is not unknown here in Ontario, it is actually made here and the Connaught laboratories make it to a small extent. If BCG is given to every infant in the six months after birth, TB will not develop. It is used routinely in many countries of the world including of course the country where it was first developed, Denmark. It is used in large parts of Europe, it is used in some areas of Asia. It is used in Toronto, strangely enough at the medical school. We give it to the medical students, all those who by this time have not caught TB—and I should explain that just because you catch TB this does not mean that you wind up in the sanatorium.

A large number of this Legislature, I am sure more than half have at one time or another been infected by tuberculosis. This is what the tuberculin test is for. If you get a positive test, it means that some time in your past, you have been infected with tuberculosis, and hopefully have conquered or isolated the lesion so that you have a certain protection. BCG is tuberculosis in an attenuated form. We give the newborn babies tuberculosis but in a form that cannot harm them so that for the rest of their lives, certainly for the period in which they are likely to catch TB, they are protected from developing this horrible disease.

A few lucky people in Ontario get BCG. If you happen to go to medical school and if by that time you have not been infected, they give it to you. If you happen to enroll in nursing and if you are not infected by that time, they give it to you. If you happen to go to one of the six or seven physicians who routinely give it to their newborn infants, you are lucky and you will not get this disease. Yet for some strange reason—and I have never been able to find out from The Department of Health—they do not give it routinely, they do not promote it, they do not use it in the clinics and they leave us with an item for \$4.5 million for sanatoria.

If today we started to give BCG to every newborn infant in this province, we still would have our old tubercular people, but ten years from now, instead of this figure growing or remaining the same, it would be cut in half, and in 25 years from now, it would be gone. This is an unnecessary suffering and I would like to recommend that if for some reason you do not want to give everyone BCG, at least start in the north where the TB rate is high, start in the Indian reservations, and make sure that every newborn baby gets BCG because this is just unnecessary waste of money and human resources.

**Mr. Chairman:** Before the Minister speaks; may I suggest that item 26 also be considered with items 24 and 25. Is this agreeable to the House? All right.

**Hon. Mr. Dymond:** Mr. Chairman, this is a matter that has been discussed in this House on many occasions. This is a matter to which the task force on tuberculosis is paid a very great deal of attention. We have the views and opinions and recommendations of the Ontario thoracic society, with which I am quite sure the hon. member is familiar. The Ontario thoracic society has recommended it only in special cases, and these are very limited. During the year we distributed 6,000 doses. I would say in passing that if we were to use it, as the hon. member says, in the north, if we were to use it anywhere, of course he knows too that we immediately lose the value of the tuberculin test, a test which in my mind is a very valuable one and one that we should not lose if we do not have to.

I think that it is worthy of bringing to the hon. member's attention again a matter of which he knows. We have the best rate in Canada again, and we have had this for many years now. We all would like to eradicate



tuberculosis altogether and I think we can safely say that in ten years, the incidence of it has not increased a very great deal, but the method of handling it and the success of handling it has shown a very marked improvement.

Again, sir, it must become boring to members to hear me say that when I became Minister, one of the first applications for a capital grant was for an addition to two of our sanatoria, very substantial applications to two of our sanatoria. There were then 6,500-and-some beds. We are down now to something of the order of 700 beds occupied by tubercular patients. The task force, to get back to its report, noted the recommendation of the special committee of the Ontario thoracic society outlining the use of the BCG that was acceptable to the task force, and the task force did not recommend province-wide vaccination.

Now, Mr. Chairman, I think that I have to say, with great respect here, sir that I must be guided by the experts in the field because the task force comprised those who were experts in the field of chest diseases, and this was their recommendation to us.

**Mr. Shulman:** I am sorry that I must pursue this matter but the recommendation of no task force can be acceptable when we can look at other countries that have cut their TB rate to a fraction of what we have here. The fact that we are the best in Canada does not really prove anything other than other provinces have not followed the lead of those countries that are more progressive. The Minister has spoken out and has pointed out that the value of the tuberculin test would be lost, but let me explain what the tuberculin test is. The tuberculin test is a method of finding out who has TB, or who has been exposed—

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member is misleading the House. It is not a test of who has had TB it is a test of those who have been exposed and are sensitized to the germs.

**Mr. Shulman:** That is exactly correct, Mr. Chairman, it is a test of all those who have been exposed and infected with the germ—not just been exposed, infected with the germ.

**Hon. Mr. Dymond:** I said "sensitized", Mr. Chairman.

**Mr. Shulman:** If everybody has BCG, of course the tuberculin test will be useless, because it will not be necessary, nobody can get TB, you will not have to do tuberculin

tests. Once you have had BCG—and I have had it, and I have fortunately had the opportunity of advising many of my patients to receive it—you will become tuberculin-test-positive immediately. The reason that you are tuberculin-positive is because you have developed immunity to the germ. I do not think that we should accept the improvement that undoubtedly there has been in treatment, of course there have been tremendous improvements in treatment, we have great new drugs with which you can treat tubercular people who would formerly have had to have surgery or would have died. And so you have fewer people in your sanatoria; but how can you even compare this when, on the other hand, you could eradicate the sanatoria just by going to have a little needle when you are a baby? What possible reason can there be? The mortality rate from BCG is nil.

**Hon. Mr. Dymond:** Mr. Chairman. I would only have to draw to the attention of you, sir, and the House that the people involved in forensic medicine are probably more keenly aware of the situation throughout the world than is any hon. member of this House, certainly more aware of it and more knowledgeable about it than I am. I am quite certain he had regard to the incidence in all other places—those that use BCG and those that do not. I think the hon. member must admit that the administration of BCG has not become tremendously enthusiastically popular throughout the world, although it is used in very many cases where it is the only possible way of attempting control whatsoever.

I think when the Ontario forensic society and the task force of chest disease specialists—whom we asked to look at this, and consider our programmes and consider the whole matter of tuberculosis in all of its aspects—come up with this recommendation, this really is good enough for me, sir, and I think it is good enough for the people of Ontario. Since they are continuing their studies, I am quite certain that if they find their advice to me has been wrong, they will be the first to draw it to my attention.

I have learned that Canada's incidence is very low and since we are the lowest in Canada, then Ontario's incidence is very low. Prophylaxis as recommended and used by our people in Ontario, we believe, gives us better results than the widespread use of BCG.

**Mr. Chairman:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, I would like to ask a couple of

questions of the Minister. Could the hon. Minister tell me how long it takes, once the sputum test is taken, to diagnose whether a patient has tuberculosis or not?

**Hon. Mr. Dymond:** That time varies, Mr. Chairman, depending on what is to be done. If the bacillus is seen on first smear, it does not take very long. If, however, guinea pig inoculation is necessary it takes six to eight weeks.

**Mr. Martel:** I am talking just about the test itself, the preliminary test. The reason I raised this—and I would ask the hon. Minister of Health to look into this—is that I had the occasion to have a man who had silicosis come to me in an effort to establish a compensation claim. He was given a sputum test on October 13, 1967. On December 29 a letter was sent to him indicating—or rather sent to me, he still had not been notified—indicating that he had active tuberculosis. It was in January when I finally got hold of the compensation board. He still had not been notified, and I am just wondering if the Minister would look into the matter to prevent this sort of thing happening again in the future, because this man had a family, he was living at home with active tuberculosis, out mixing with the people and so on. This was three months after he had received this test.

**Hon. Mr. Dymond:** The hon. member has already drawn this case to my attention but I did not know there had been delay on the sputum test. Will the hon. member give me the information, if this went to our laboratory in Toronto? Or to what laboratory did it go? If it did not come to the provincial laboratory then, of course, his own doctor should be following it up. This is really the nub of the problem.

**Mr. Martel:** Mr. Chairman, the doctor, whose name I gave you, dealt strictly with silicosis. This particular doctor I am talking about now was taking the sputum test to go against the silicosis. There are two different doctors involved in the same case.

**Hon. Mr. Dymond:** If you will give me the information, I will find out if it was done in our laboratory.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, in my own community the board of health conducts a widespread campaign among the school children, checking

on those whose reaction either to the skin test or patch test indicates a positive reaction. Are there not pills, Mr. Minister, that can be given to students or to individuals whose reaction to the tuberculin tests prove positive?

**Hon. Mr. Dymond:** Yes, there are and I understand that they are given routinely. I am only speaking from vague recollection but I believe this is done in your programme; you have one of the best programmes in Ontario, in your community.

**Mr. B. Newman:** I understand we have a very progressive medical officer of health.

**Hon. Mr. Dymond:** It is recommended, as far as we are concerned, as policy if the infant is over ten months.

**Mr. B. Newman:** Have the tests been conclusive on the use of this drug, Mr. Chairman?

**Hon. Mr. Dymond:** Oh, the drug is prophylaxis, the drug is a preventive. If the test is positive—

**Mr. B. Newman:** Right!

**Hon. Mr. Dymond:** —we believe that the child has been exposed to tuberculosis and we recommend that they get this drug as preventive treatment, to prevent its developing the disease. I believe the results are fairly substantially hopeful; I think we have enough experience, or enough knowledge from the use of haemophylaxis that it is very definitely worthwhile. This is why we are continuing, why we, as a department, are taking over this whole programme ourselves.

**Mr. B. Newman:** I understand, that the tests prove to be 80 per cent effective. If that be the case, would it not be good to suggest to other boards of health throughout the province of Ontario that they follow the procedures as established in the city of Windsor?

**Hon. Mr. Dymond:** This is departmental policy and this is part of the programme in all health units where they take responsibility for the case-finding programme. This, remember, is done in some areas either by the tuberculosis association—it is called by different titles—or in co-operation between them and the public health authorities. Again it is not always done by the same body but it is widely used and it is very strongly recommended.

**Mr. B. Newman:** I understand, Mr. Chairman, that the programme as set out in the

city of Windsor is the first public preventive programme in the province of Ontario. If it is as effective as it is supposed to be, that is, 80 per cent effective, I think it would be only proper that it be adopted in all parts of Ontario.

**Mr. Chairman:** Items 24, 25 and 26. The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Mr. Chairman, those of us who represent the mining communities of this province are concerned at the number of disabling chest conditions that are found among miners. I would hazard a guess that there are a great many more people with different kinds of lung conditions, tuberculosis and silicosis, emphysema and so on, among those who work underground and are exposed to dust, than there are in a great many other parts of the province. I wonder if studies have been carried out, or if it would be possible to carry out studies, to determine why there is so much tuberculosis and these other chest conditions amongst the mining community, and perhaps to relate the effect of dust upon the disabling chest conditions that result.

There is also the problem of the difficulty in determining just what this lung condition is. It seems on a number of occasions that chest specialists will differ as to what actually a person does have, whether he has tuberculosis or silicosis or whatever it might be. I would also like to know the relationship of silicosis to tuberculosis. Does one bring on the other or is there any specific relationship?

**Hon. Mr. Dymond:** Mr. Chairman, I am afraid that I am not sufficiently up to date on my clinical medicine to give the hon. member a dissertation on the relationship between silicosis and tuberculosis. I really do not think that has any bearing on our estimates.

I would point out, though, in connection with the hon. member's great concern that there is increasing interest in research into respiratory diseases. We are realizing that there are an increasing number of respiratory cripples for one reason or another and we have now for some years been encouraging the formerly named tuberculosis association, or anti-tuberculosis association to become involved in the whole spectrum of respiratory disease. This has been taken up quite widely and I think nearly all the organizations in the province now—and there are some eight, more or less, each responsible for an area—

are devoting more of their time, energies and talents to the diagnosis and treatment of chest diseases as such. I think the time has come now when we have to stop talking about tuberculosis only as the most serious or most dangerous chest disease. Indeed, we are coming to the point now where tuberculosis patients are going to be treated in a general hospital just as any other disease is because it can be well handled.

We do know very sketchily that tuberculosis is usually associated with silicosis but again I have to say I am not up to date enough on my clinical medicine to enter into any dissertation about it. The chronic respiratory units in teaching hospitals are becoming very popular and I think this is probably doing more to awaken an awareness in the undergraduates, of the importance and the serious and crippling nature of these diseases. These are the places where most of the research is going on but there is also some independent research.

I think one of the outstanding examples of the sanatorium converting to the consideration of the broad spectrum of respiratory diseases is the sanatorium in the Niagara district where they were early in the field and actually changed their function from purely a tuberculosis sanatorium to a specialized chest unit. They have done some very good research work, some basic work, and some very excellent clinical work in various chest diseases. There is a long way yet to go but there is an increasing interest in this at the teaching hospital level. Out of all of this, I hope, will come a good deal of helpful information that will guide us in methods of preventing these diseases, because I think there is little more tragic in humanity than a respiratory cripple.

**Mr. Chairman:** Items 24, 25 and 26?

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, just to follow along with this a little further my colleague has mentioned the drug BCG, or a serum of some sort. Not being a doctor, I would ask the Minister if he considers it would be a wise thing to administer this in the mining communities of northern Ontario to stave off some of this chest infections that we are running into?

**Hon. Mr. Dymond:** No, I do not think it has any value essentially in an adult. Young adults who are non-reactors—and I believe the hon. member for High Park mentioned that in some schools of nursing all non-reactors are given a course of BCG. I think



it has benefit in those cases, but by and large the adult population has been exposed and BCG would have little preventive effect in my view.

**Mr. Jackson:** Mr. Chairman, I am not speaking so much of the adult population as I am of the younger people who are growing up and going into the mines. Would it not be a good programme for the school children?

**Hon. Mr. Dymond:** Here again I have to say that we are guided by the advice of our experts in the field and they have recommended against the widespread programme of vaccination with BCG.

**Mr. Shulman:** On this particular point, Mr. Chairman, perhaps I should add that the vaccine for the last six months has been available only from the Connaught laboratories and there is a little brochure that comes out with it when it is distributed. It is distributed free, I am glad to say, and in this little brochure it is recommended for newborn infants. So obviously the Connaught laboratories and the experts that the Minister listens to have not quite got together.

**Mr. Chairman:** Items 24, 25 and 26, inclusive, agreed to.

On item 27. The member for Welland South.

**Mr. R. Haggerty (Welland South):** Mr. Chairman, the information before me which is item 27—grants under air pollution—is notably reduced from last year's \$540,000 to \$220,000. This is a substantial decrease for a serious problem that faced the province of Ontario. I have touched on this subject in my maiden speech and I will mention one item, the need for more inspection in industry to protect all employees; a complete programme is needed here.

Men being exposed to dust in mines and industry results in many chest ailments—emphysema, bronchitis, and fibrosis, and lungs are impaired or damaged from inhalation of such contaminated air. There is no question that this sets up other conditions in the human body, leads to stress on the heart and other vital organs. With an increase in the incidence of emphysema, and as it involves more workers in the dusty trades, the many chemical plants with many fumes will develop this condition. Those that are exposed to air pollution on the streets are exposed to the same health hazard.

In the McGillivray report on compensation it is noted by Mr. Perry that it was admitted

there was no regulation or standard as to the acceptable quantity of fresh air for ventilation in The Department of Mines. It goes on to say periodical investigations are made, and down further it says, and I quote:

Counts are really spot checks taken at a series of working places in the mines; there is no standardized practice as to how or when or where to take the samples. The government does not set any tolerable dust levels, though in the past it has used a standard of 500 particles per cubic centimetre, as set by the international conference of industrial hygienists. In practice the mines accident prevention association sets a much higher standard.

I ask the question, what steps are taken in the province of Ontario to protect the men that are working in such conditions in plants, chemical plants, and where there is a high rate of dust? I also raised the question not too long ago in the House and here is an article from the local paper of Welland South riding with the heading: "Want sickness during emissions from plant reported".

And the article says:

The top concern of air pollution experts today is to determine whether an industry is emitting chlorine.

The Department of Health, sanitation and environment branch, after meeting with council here, have directed their attention to the Welland chemical plant and would like to be informed immediately of anyone suffering from sickness during a particular Saturday when yellow emission came from the plant.

Apparently this is caused by chlorine gas. It goes on to say:

Last night alderman Steve Danch noted that Dr. Tidley and P. Fray, engineer, had met with council and received reports on complaints concerning the chemical plant.

Mr. Chairman, this has been going on for a couple of years. I have a letter here from a resident in Port Colborne which says:

Dear Mr. Haggerty:

Last year I contacted The Department of Health about the smoke coming from the Welland chemical plant. A man came down and I later received a letter saying we should notice an improvement. An improvement was noticed for a while but in the past four or five months it has been getting worse, especially at night, as it is not so noticeable. On Saturday, March 23,

it was the worst it ever was. I could see nothing out of my window and the chlorine gas just about choked us. A yellowish-gray smoke was just pouring out of the plant and rolling across the ground swallowing up everything in its path. There have been numerous complaints to the city council but we have been told it is a provincial matter and the city cannot do anything. I am hoping that you might be able to help us in the same way. Your interest in our cause is appreciated.

Yours sincerely,  
Mrs. S. Scheiberg,  
Port Colborne.

**Hon. Mr. Dymond:** Mr. Chairman, the first item the hon. member mentioned, the \$220,000 reduction from last year, that is because that item is only for grants paid to municipalities where they are still operating their own air pollution control programme, and since Metropolitan Toronto is the main one out of that this year, of course that branch is greatly reduced. That is our responsibility.

The rest of the money allocated to the air pollution control programme is found under environmental health on page 64 of the items, and it is included in those first three items: \$2,979,000; \$245,000 and \$2,051,000. That is all included in that. The air pollution control branch has a budget for itself of \$1,724,400. There will be 140 staff; that is the complement that has been approved for us for this year.

In the matter of the occupational health, which was the other phase of the hon. member's problem, while we have had no report of illness as a result of these emissions at the chemical plant, we have had reports of most annoying situations such as you have just described to the House. We are therefore proceeding under section 8 of our Act to require immediate improvements.

The occupational health service consists of engineers, nurses, technicians, a total of 68, who work with The Departments of Labour and Mines. We are, in this regard, the consultants to these departments in these matters. The occupational health labs provide laboratory service, analyze air samples, chemicals used in industry, and determine the degree of hazard to which the workers may be exposed.

**Mr. Haggerty:** Yes. I do not think the Minister has touched on the subject of industrial hazards, I mean the inspection itself.

**Hon. Mr. Dymond:** I am sorry, I have the statistics here. During the year the medical staff made 278 field investigations. The engineering staff made 490 field investigations. The industrial nursing consultants, 125. New industries toxic exposure surveys numbered 29, medical examinations supervised in plants handling toxic materials, numbered 134 and workmen's compensation board claims reviewed by my department, 750. We do not review all of the claims, we only review certain selected ones. We only review certain selected cases for the workmen's compensation board; they have their own people.

The studies in which we are involved—occupational cancer in men exposed to nickel, arsenic and coal tar fumes, mortality and morbidity studies in men exposed to sulphur dioxide. We are involved in a pilot project to relate respiratory symptoms in elderly people with day-to-day variation in the level of air pollution and we are planning an investigation of the prevalence of chronic lung disease among residents of urban and rural areas.

Insofar as chest diseases are concerned, related to occupation, X-ray examinations were conducted in 817 plants, for a total of 35,187 examinations. This included 14,225 workers X-rayed in accordance with The Silicosis Act. 13,895 health certificates were issued in the same connection; 27 health certificates were refused; 8,815 occupational histories were taken on new applicants. Our X-ray findings showed 61 cases of silicosis previously reported, 17 new cases, five cases of active tuberculosis, four cases suspected of lung cancer. And asthmastosis—1,761 were examined, seven had been previously reported; two new cases were found. Then they also do the examinations for superannuation for the civil service, there were 115 of those examinations.

Laboratory service also has a very active field of responsibility. They visited 74 factories, collected 737 air samples of toxic gases; laboratory determinations, urinary for lead excretion, 9,632; urine for mercury, 3,263; urine for arsenic, 420; colonestras, 485; and lung specimens seeking silica, 14.

The branch laboratories are situated, as I think the hon. members know, at Fort William, Kenora, Sault Ste. Marie, Timmins, North Bay, Sudbury, Woodstock, Ottawa, Kingston, Peterborough, London, Windsor and Orillia.

**Mr. Haggerty:** Mr. Chairman, perhaps this is a question I should not ask the Minister.

These persons that come down with an illness in industry, would they be covered by compensation, like emphysema?

**Hon. Mr. Dymond:** It would depend entirely, Mr. Chairman, on if the disease could be related to the occupation. Here again, we act as consultants in certain chest diseases to the workmen's compensation board. For instance, my staff are, I think, the final referee board for the workmen's compensation board in the matter of silicosis. I am given to understand that when our referee board determines that a man has silicosis, the workmen's compensation board acts on that. But whether emphysema can be related to the occupation or not, would depend on many circumstances about which I could not possibly generalize.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman:** Thank you, Mr. Chairman.

The problem of air pollution is probably more serious in my community than it is in any other community in Canada. In fact, Dr. Gerald Weaver of the Harrow soil research station in Harrow, a community approximately 16 to 18 miles outside the city of Windsor, in an address to the Essex-Kent section of the chemical institute of Canada at the University of Windsor, made the following comments:

Air pollution in this area is cutting crop yields in several varieties of beans; leaves yellow and age prematurely, lowering the yield. Air pollution causes white flecks on tobacco leaves, lowering their market value.

He compared the air pollution problem here to that on the eastern United States' seaboard and his estimate was that falling on to the city of Windsor and the county of Essex, is approximately 7.5 million pounds to 14 million pounds of dust annually. This dust, the source of all of this pollution, is not the city of Windsor itself, but is from an industrial complex known as Zug Island across the river in the city of Detroit.

I brought this problem up earlier with the Minister, and that concerned the Minister making representations to the city of Detroit on the proposed incinerator plant that would be set up opposite the eastern extremities of the city of Windsor. The Minister, in his reply, mentioned that he would be contacting the federal authorities and would ask the federal authorities, through the international

joint commission to present their objections to the parties involved in the city of Detroit.

I would ask that the Minister seriously consider following that step, but, in addition to that, to think of the health of the residents of the city of Windsor, and either personally complain to the mayor of the city of Detroit, Mayor Cavanaugh, contact governor George Romney of the state of Michigan and express the concern of the government of Ontario about the problem of air pollution. It has reached the stage, Mr. Chairman, where, as I have mentioned earlier, the siege of Detroit may start all over again. The residents of the western part of the city of Windsor are not going to put up with the pollution coming from the Detroit border without taking some type of drastic steps. These steps might be even going across the river and picketing the plants in Detroit.

The pollution problem not only affects the crops in the county area, and not only affects the lives of the individuals, but also has an effect on home building. The western portions of the city of Windsor remain undeveloped. There are no homes, to speak of, built in a large tract of land, primarily because the pollution emanating from Zug Island complex in Detroit is beyond all belief.

You would only have to wake up some bright Sunday morning and see the technicolor clouds drifting across the border from Detroit—and they are technicolor, as I say. They are practically every colour of the rainbow and they can be seen from as far away as 12 miles, drifting in from Detroit—you can see them extremely well from that distance. From probably a distance of almost 20 miles you can see the cloud as it carries the pollutants right across the county of Essex—the city of Windsor first and the county of Essex.

All of this, I will have to agree, Mr. Chairman, depends on the prevailing winds of the day, but the prevailing winds in our area are from the west, this pollution naturally blows across into the city of Windsor.

I would sincerely ask the Minister to go through the international joint commission, if he wishes, but, Mr. Chairman, make a personal plea to the city of Detroit and to the governor of the state of Michigan, so that he can, in the foreseeable future, overcome the problem of air pollution—the problem that the residents of Windsor have been confronted with and have suffered through for much too long a period of time. We have taken care or are taking care of the problem in the



city. It is a problem that comes from another jurisdiction that bothers us.

**Hon. Mr. Dymond:** Mr. Chairman, we are very much concerned with this but, of course, I have a very vivid recollection of poor little Gabon being cut off by Canada and I am just a little afraid that if I get into a deal of this kind, perhaps we will recall our ambassador from the United States of America. But seriously, the hon. member has a great problem in his area and there is no question about it. I am quite sure the hon. member knows that our department did make the first submission on behalf of the city of Windsor concerning the pollution problem at Zug Island.

Now, we cannot say definitely, what they have decided to do but we have information that verbal agreement has been reached between the state of Michigan, Wayne county and the industries on Zug Island that they will begin a phase programme to deal with this matter and get it under control.

As to the matter of the incinerator, we have already, even at the risk of severing diplomatic relations, made our views known to the city of Detroit and asked for the right to submit a brief expressing our opinions concerning this plant, but we cannot do this until we see the plans; and we have asked for the privilege of seeing the plans. We have no reason to suspect that we will not get them and when we do, and when we examine them, we will make our views very clearly known and then, if further action is necessary, we will implore the international joint commission to take the cudgels up on our behalf.

I can assure the hon. member that we are very determined to do all we can to co-operate. I believe the state of Michigan is equally concerned about this and is trying its share as well as we are and to co-operate with us.

**Mr. B. Newman:** Mr. Chairman, when the Minister of Trade and Development wishes to promote Ontario products he does not hesitate to go into the United States. He does not go to Ottawa and ask them. "Do I have permission to sell Ontario products in the U.S.?" He goes right into the U.S.

So, we implore you, to make it a personal project on behalf of the residents of Windsor and contact both the mayor of the city of Detroit and George Romney, the governor of the state of Michigan, expressing the concern of the province of Ontario.

I know, Mr. Minister, you are sympathetic to us but a little scroll on your letterhead might mean quite a bit to the residents of the city.

**Hon. Mr. Dymond:** Mr. Chairman, if the hon. member will undertake to get me back, I will go over and speak to the governor of the state and to the mayor of the city and see just—

**Mr. B. Newman:** I will take you with me.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, thanks to the CBC, the air pollution problem is finally receiving some of the attention it should. To open in a more general way, we are all aware that this problem is divided into two parts: the automobile for which there is no real answer as yet, and the burning of fuel, which produces sulphur dioxide. A question I wish to ask the Minister is: Within the foreseeable future, do you have any plans to put a maximum sulphur weight on the fuel oil or coal being burned in this province?

**Hon. Mr. Dymond:** This, Mr. Chairman, is currently under consideration by us.

**Mr. Shulman:** Let me pursue this, because everything else you do, if you do not do this, is a complete waste of time and money. All the studies in the world are not going to mean a thing because the problem, as it affects Windsor as, we have just heard it, as it affects Toronto, as it affects Sarnia, as it affects so many parts of the province, at the moment is not really coming from the automobile. The automobile is a great contributor but the stuff we are burning to produce power and to produce heat is the real villain and it is a shame to once again find Ontario lagging behind because, again, this has been worked out in other areas. For the record, I wish to read into the record the work that has been done in the United States with the limits that have been set, because this is what we should do in Ontario this year. If we do it, we are going to have results; if we do not do it, you are just talking and it is going to be another five years of waste of money and more people suffering from pollution, with crops and animals dying.

In the United States, as a result of studies and co-operation going on between the federal government and the state, which have been going on now for some years, the following recommendations are before Congress and various state governments.

First, as of this year, the heating season beginning in 1968, the sulphur content of coal burned in federal facilities may be no greater than one per cent.

I may say that in Ontario the coal has all contained a higher sulphur content than one per cent.

Two, no fuel oil with more than one and a half per cent sulphur by weight, may be sold or burned after July 1, 1968, and no fuel oil containing more than one per cent may be sold after July 1, 1969.

Power plants, with the exception of the Potomac Electric Power Company's Dickerson and Chalk-White plants—and they are switching over and are putting scrubbers on—have until July 1, 1969, to reduce the sulphur limit in the coal used to one per cent.

I read in the previous vote, the steps that are being taken in the power plants, in the atomic plants to reduce their pollution.

If we bring in regulations like this there is no reason in the world why we have to be embarrassed at copying the United States; they have done the research, we do not have to go through it again. If we bring in these steps you will immediately solve a major portion of the problem. If you do not bring it in we are just wasting time and money.

The question I would like to ask the Minister: Is he having a problem recruiting the required personnel for his department because the salaries that he is able to offer are too low?

**Hon. Mr. Dymond:** I am advised that our recruitment programme is going forward quite satisfactorily and we have not had problems in recruiting because of salaries.

The hon. member has made some rather interesting comments about the programme carried on in the United States now. The one per cent sulphur dioxide fuel is very fine but he also did point out that lead in time has been made necessary. If we do the same thing here we would have to undertake a lead in time because of the supply of this low-fuel—I would also point out that we are in a somewhat different position from the United States. Only very recently—indeed, I think it is within the current session of the United States Congress—they have voted—again I am depending on memory—\$450 million for air pollution control and \$80 million for research alone. We have been trying to involve our national government in the programme and so far we have not been able

to get them even to admit that there is a federal responsibility in this field except through the international joint commission.

However, we are encouraged to believe that they are taking an entirely different view of this. I believe the present Minister, Mr. Pépin, has been very interested personally in this and I believe that if he is fortunate enough to be returned, albeit he may not be so influential on the other side of the House as he has been on the present side, he may continue to advocate the programme which he was beginning to advocate. We are also encouraged by the fact that the federal government has gone quite vigorously into the field of water pollution and I am hopeful that they will expand their efforts into the field of air pollution as well. I think if we could get some sharing on this and money is part of the problem, it is not the whole answer, of course, but it would help us a good deal if we could get access to some federal sharing on a programme of this kind.

**Mr. Shulman:** Mr. Chairman, there are two points here. Let us come to the money part. Passing this regulation will not cost the province a penny so this should not be used as an excuse. Lack of federal involvement has nothing to do whatsoever with insisting that our plants either use scrubbers or cut down the sulphur content of fuel, so let us not pass the buck because that is not going to solve the problem.

But on this matter of getting staff, I am delighted to hear the Minister say that he is not having a problem getting staff because of the low salaries. I wonder if the Minister has ever heard the name of Mr. W. B. Drowley, the chief of the air pollution service, Ontario Department of Health? I hope he is sitting at the table there in front of the Minister, because I have a copy of a speech which he delivered not so very long ago and I would like to quote from that speech:

The lower scale of salaries generally paid by government makes it difficult to recruit the required personnel. This is emphasized even more when one is trying to recruit men from industry.

I would like to ask the Minister, did Mr. Drowley make an error in that speech or has the situation changed since he made that particular speech?

**Hon. Mr. Dymond:** Would the hon. member give us the date of that speech?

**Mr. Shulman:** Yes, I would be very glad to. It is called "Review of the Progress in

Air Pollution Abatement in Ontario" by Mr. W. B. Drowley, and it is dated November 4, 1966.

**Hon. Mr. Dymond:** That was a very successful speech, Mr. Chairman. There was a marked upgrading of salaries after that and he has experienced very little trouble since that time.

**Mr. Shulman:** I am delighted to hear he makes such good speeches, Mr. Chairman.

**Hon. Mr. Dymond:** He is a good man.

**Mr. Shulman:** Would the Minister agree that in the Sarnia area sulphur dioxide levels are approaching levels which merit concern?

**Hon. Mr. Dymond:** The Minister does not keep those statistics in his head, Mr. Chairman.

**Mr. Shulman:** I was not asking for the statistics. I do not want to trouble the Minister for statistics, would—

**Hon. Mr. Dymond:** I cannot give an opinion unless I have some practical basis on which to establish it.

Interjections by hon. members.

**Hon. Mr. Dymond:** I like to take responsibility for what I say. I am sorry, Mr. Chairman, we do not have that information.

**Mr. Shulman:** Is Mr. Drowley present today? Well, all right, I will carry on. Again I am quoting Mr. Drowley—

**Hon. Mr. Crossman:** Who is the assistant Crown prosecutor here?

**Mr. Shulman:** In 1966, Mr. Drowley, chief of the air pollution control services, Ontario Department of Health—

**Hon. Mr. Dymond:** Mr. Chairman, may I remind the hon. member that we are now in 1968 and a great deal has happened since 1966?

**Mr. Shulman:** That is exactly what we are trying to find out, whether you have done anything in Sarnia because of the problem which was becoming serious in 1966. The question I am coming to: Mr. Drowley says in 1966 in the Sarnia-Corunna area sulphur dioxide levels were—

An hon. member: That is correct, I know!

**Mr. Shulman:** Thank you—were approaching levels which merit concern. And the

question which I wish to ask, in these two years has the department done anything about this problem, which was becoming serious in 1966?

**Hon. Mr. Dymond:** The report for 1967 is that there has been some slight improvement in the air quality during 1967 over the corresponding months of 1966, more noticeable during the latter part of the year, when all contaminants are considered as a group. These comments are based upon incomplete information presently available, as the annual report of the Ontario research foundation has not yet been published. The Ontario research foundation has been carrying this on for us for the past ten years and we have not received their annual report yet.

During 1966, the procedure for forecasting periods of high air pollution potential was established and this programme has been used throughout the 1967 period. It may have resulted in the slight improvement of air quality through the voluntary reduction of emissions or through temporary process control which could be instituted. And if concentration of several contaminants exceed the air quality criteria established by the air pollution control service, several programmes are under way by various industries to reduce the concentration of these contaminants at ground level.

A survey of the total emissions from all sources is presently under way in this region, in conjunction with an international joint commission investigation of the trans-boundary flow of pollutants. Additional instrumentation has been installed to supplement this study. This survey will yield much of the information required to assess the overall air quality programme which must be instituted in the region.

A numerical model of atmospheric pollution in this area is planned for the near future. This model should be of considerable value in assessing the effect of changes made at any source, or combined sources, of contaminants. The high levels of oxidants recorded in 1966 during the summer months were less frequent and less intense during 1967. It is assumed that this improvement occurred as a result of reduced emissions of contaminants and a more favourable weather pattern.

**Mr. Shulman:** Mr. Chairman, I am quite sure this volunteer programme has produced some slight improvement. Can the Minister inform us when he expects to put a programme, other than study, into effect in the



Sarnia-Corunna area which will set standards for the stacks so that we can have, perhaps, a little more effective control?

**Hon. Mr. Dymond:** We expect to open our office in Sarnia and Windsor in December of this year, when the field staff then will get into operation.

**Mr. Shulman:** Mr. Chairman, the problem, of course, in relation to sulphur dioxide, is that we must have standards. Has the department discovered, or borrowed, or in any case does it have a set of standards, so that we know what level of sulphur dioxide is permissible in our air?

**Hon. Mr. Dymond:** Mr. Chairman, standards are already established and they are published in our regulations. Sulphur dioxide is—depending on the column, column 3, 4 and 5. Column 3 is the kind; column 4, the amount of concentration for industrial or commercial land use; 5, the amount of concentration for residential or rural land use. For industrial or commercial land use, .40, for one-hour average; 24-hour average, .20; and the annual average, 0.5. Concentration for rural or residential land use, one hour average, .25 parts per million.

**Mr. Sopha:** How about sending that to the International Nickel Company?

**Hon. Mr. Dymond:** We have already done this.

**Mr. Sopha:** They do not have a copy of that one.

**Hon. Mr. Dymond:** Yes, they have.

**Mr. Shulman:** Well, Mr. Chairman, this is a little upsetting. I have a copy of the regulations here in front of me and I see the amount of concentration for industrial and commercial land use, which was just quoted, sulphur dioxide, is .40 parts per million. Is this the allowable level; is this correct?

**Hon. Mr. Dymond:** This is one-hour average allowable level, Mr. Chairman.

**Mr. Shulman:** In that case, I want to question the very figure that the Minister has picked—.40 is the critical level for health, as shown by the municipality of Metropolitan Toronto air pollution control studies which were released away back in 1965.

**Hon. Mr. Dymond:** Again, I would have to say, Mr. Chairman, the figures of the staff I think are equally valid. I am not in a posi-

tion to argue this, because this would be a professional argument. This is a case of—if the hon. member would understand, he and I might have very firm views about a diagnosis and each of us can be certain that we were right. Probably we would have to call in a referee to find out which of us was right, and probably we would get a third opinion.

**Mr. Sopha:** I hope that the patient does not die in the process. If I had an earache I do not think that I would go to either of you.

**Mr. Shulman:** I cannot agree with you. I am a little worried about the fluoride situation—I am going to get off the sulphur dioxide for a little bit, I will get back to it though.

I am a little worried about the fluoride situation.

Again, I am going to refer to Mr. Drowley's speech. I gather that it is known that fluoride emissions at a certain level are extremely dangerous to crops, cattle, and to human beings. For that reason I—and you may perhaps rule me out of order here, is it proper to discuss the situation in the neighbourhood of Port Maitland or is this a bit *sub judice*?

**Mr. Chairman:** I think that the member can discuss air pollution generally, as it might affect the province of Ontario. I do not think that he is out of order. I would only like to take this opportunity to point out to him—and I do not want to restrict his debate—but there are several other members of his own party, as well as a total of 11 members, wishing to speak. I just want to point this out to him.

**Mr. Shulman:** I will just discuss Port Maitland and I will desist and leave all of this other material until everyone else has had a chance to discuss their particular problems. There is a fair amount of material here.

But the Port Maitland and Nanticoke situation is a matter of extreme anxiety to me. I have gone down there three times now to attempt to get as much background information as possible. The matter that is of the most upset is the Hydro plant that is being planned for Nanticoke. This Hydro plant, according to the plans that have been presented by the Hydro and which, despite all criticisms they are proceeding with, is going to have the dual function of ruining Lake Erie and polluting the air in the Nanticoke area.

They are going to pour super heated, deoxygenated water into Lake Erie at the rate of one million gallons per minute. This will destroy the fishing industry; and let me point out that a variation of only a fraction of a degree will make all the difference to fisheries.

The emissions of sulphur dioxide in the air—and believe it or not they are going to use American coal without scrubbers according to their present plans—will drift downwind toward Port Colborne.

The provincial government has spent some hundreds of thousands of dollars developing provincial parks in the area. I understand that there is also a home for retarded children close by. The tremendous damage that has already been done by the fluoride in a relatively restricted area is going to now be compounded fantastically by the damage from the sulphur dioxide over a wide area.

This, in my opinion, will probably be the worst possible disaster than can hit that particular area.

**Hon. Mr. Dymond:** Is the hon. member speaking about a plant that is not even built yet?

**Mr. Shulman:** Yes, I am speaking about the plant that is not built yet, that you people—

**Hon. Mr. Dymond:** They will not be able to build that plant until they get approval.

**Mr. Shulman:** Ahhh! Delighted! Thank you very much, this is all I want.

Am I to understand that they will not get approval unless they put in control so that there will not be sulphur dioxide pollution?

**Hon. Mr. Dymond:** That is right, they will be subjected to the same conditions and the same controls as anybody else.

**Mr. Shulman:** Ah, thank you very much, Mr. Chairman.

Just one more question, will you also—

**Mr. W. Newman (Ontario South):** Stop procrastinating!

**Mr. Shulman:** We have been asking for months and there has been no answer, that is why. I went to Hydro and they said that they were going ahead.

Let me ask you one more question Mr. Chairman. Have the companies due to begin construction, almost immediately, have they not submitted any plans as yet?

**Hon. Mr. Dymond:** No, they have not submitted plans, Mr. Chairman. We have only had preliminary discussions, but I can assure this House, sir, that neither Hydro or anybody else will be allowed to build any structure that is liable to cause air pollution without obeying the law. The law is specific and it outlines clearly what must be done.

**Mr. Shulman:** Is it possible for them to begin construction without getting permission from your department, sir?

**Hon. Mr. Dymond:** It is not possible for them to begin the construction of any part of the plant that will contribute in any way to air pollution.

**Mr. Shulman:** Let me just get this quite clear in my mind so there will be no confusion. Am I to understand that they cannot begin construction of this plant without receiving approval?

**Hon. Mr. Dymond:** I said specifically that they cannot begin construction of that part of the plant that would in any way contribute to air pollution. They might be pouring footings for a large building, but they cannot do anything as regards their power plant—that is if it is a thermal generating plant they cannot put in their boilers or prepare their stack or do anything in association with that—until their plans have been submitted and approved by our department.

**Mr. Shulman:** Thank you Mr. Chairman.

Then may I suggest that there should be some communication between the Minister and his colleague the Minister of Trade and Development because Hydro appears to be under the impression that they are able to go ahead with their present plan and they have announced no plans to put in either scrubbers or low sulphur content fuel.

So I am delighted to hear that we can be assured that the plant will not begin to pollute that environment next year; because if they do, the Minister is on record—

**Mr. R. J. Boyer (Muskoka):** May I say that the hon. member seems to be overlooking the policies of Ontario Hydro with respect to controlling air pollution, as much as is possible with the equipment that is available today. An amount, I think now of \$33 million, has been spent or already committed at all of our coal burning plants in providing precipitators, which are 99.5 per cent effective in removing fly ash, that is the heavy particulate matter from smoke, and this already—

**Mr. Shulman:** The fly ash is no problem, it is the sulphur dioxide—

**Mr. Boyer:** I will come to that if I may.

Perhaps I might mention this first because I think that this is highly important. The smoke does contain, as everyone knows, dust and material which can also have its effect in making the air less clean than we would like to have it be. We have therefore installed, and are installing into older stacks, this type of equipment. We are also, at the Hearn plant in Toronto, having a new consulting engineering study of that plant because it was built before there were higher standards for air pollution control. It is expected that by June, we will have a study report which will reveal whether the stacks at that particular plant should perhaps be reconstructed or revised in some way to overcome difficulties that we see at that particular location.

Now the sulphur dioxide, which the hon. member mentioned, is one of the very difficult problems in connection with the burning of coal to produce electricity or for any other purpose. It is the policy of Ontario Hydro to burn low sulphur content coal. The coal used at all our thermal plants is of the lowest sulphur content available on a long-term contract basis. Yet for particular periods of the year, when our meteorological staff—and we do have such a staff within our organization—when they give notice to the plants that there is a period of temperature inversion coming when there could be difficulty as a result of atmospheric conditions, an even lower sulphur content coal is used.

But all throughout the electrical industry on this continent, or in Europe, in Germany and Britain and other parts of the world, there are research studies going on constantly and vigorously in an effort to find a means of overcoming a particular problem in connection with air pollution—that is the one created by sulphur dioxide gases.

It is the general opinion of engineers throughout the world that the best method at the moment is the dispersal of these gases. They should be well heated; they should be emitted from high stacks at high velocity.

I have heard people say that a high stack will only spread pollution farther afield. I doubt if that is so. I think hon. members will think of a chimney or a stack, they will realize that the emission from it is in the form of a plume, a narrow channel of gas or smoke, which is carried some distance away by the wind.

The lower the stack the sooner that plume will hit the ground and will pollute the ground that it hits, to some extent. But the higher the stack then the farther away this plume will be carried. The air will dilute the sulphur dioxide gas. In the location where we are here, in Metro Toronto of course the prevailing wind is from the west and the gases are carried out over the lake and gradually dispersed and diluted and are perhaps not as great a problem to this city as sometimes is made out.

I know there are times when there are onshore winds, and that again is a matter for our meteorological staff to consider and to arrange that there should be special provisions taken at the Hearn and Lakeshore plants.

It was my intention, Mr. Chairman, later on in the estimates of The Department of Energy and Resources Management, to go into this matter a bit more thoroughly. I am not prepared as well as I might be to discuss all these matters tonight and there are some other things that I hope I will be able to say to the House at a later time when the estimates, including those of Hydro, are considered.

**Mr. Shulman:** Mr. Chairman, through you, sir, to the member—

**An hon. member:** What is the present solution?

**Mr. Boyer:** Build higher stacking!

**Mr. Shulman:** To built higher stacking!

**Mr. Martel:** On a point of order, Mr. Chairman, on a point of order.

To suggest that stacks will not result in pollution being spread further out—I cannot buy this.

**Mr. Chairman:** This is no point of order. It is an expression of opinion.

Order please!

The member for High Park.

**Mr. Martel:** Mr. Chairman, I have to disagree with the ruling of the chair.

**Mr. Chairman:** The Chairman has ruled that the member for Sudbury East does not have a point of order in his statement.

The member for High Park.

**Mr. Sopha:** Are they engaged in civil war? Are you—



**Mr. Shulman:** Mr. Chairman, through you, sir, to the hon. member, I would like—

Interjections by hon. members.

**Mr. Shulman:** I would like to follow up on what the member for Sudbury East said. Pushing your stacks up in the air just disperses it. All you are doing is sending your problem next door. You are still going to have the same amount of pollution.

But what is disturbing me on this particular problem is not that we are polluting, but we are polluting while other people have solved the problem. Our next-door neighbours have solved the problem and we are still wandering in the dark.

New York which has just as big power problems as we do here, has solved the problem. There is a big company down there, called Consolidated Edison Company. They have just the same problems as Hydro do and they have converted their power-producing plants into plants that—it cost them \$19 million incidentally—into plants that now use a combination of natural gas and high grade oil. I have a statement here from the *New York Times* which says that already in the one year that it has been in effect, they have already eliminated some 97,000 tons of air pollutants through conversion to this low sulphur content—

**Mr. Boyer:** Mr. Chairman, I am quite familiar with that article and I—

**Mr. Chairman:** Is the member rising on a point of order?

**Mr. Boyer:** No.

**Mr. Chairman:** The member for High Park has the floor.

**Mr. MacDonald:** What was the point of that?

**Hon. Mr. Grossman:** So what is new?

**Mr. Shulman:** The point which I am making is that if we are prepared to spend a little more money we are going to save a lot more money and we are going to save in health as well. This is the initial cost here which is paying itself back in New York already and rapidly. We should do the same thing here. It is going to cost us a little more. The fuel is going to cost a little more, the Hydro is going to cost a little more but you are going to get all the money back in the savings from not having the air pollution.

**Mr. Boyer:** You are way behind the times.

**Mr. Chairman:** The member for Welland.

**Mr. E. P. Morningstar (Welland):** Mr. Chairman, thank you very much.

First of all, Mr. Chairman, I would suggest to the hon. Minister of Health that we should have people like the hon. member for High Park with your department. I think he would be very helpful indeed.

**Hon. Mr. Dymond:** On a point of order. What have I ever done to the hon. member!

**Mr. Chairman:** The Minister's point is well taken.

**Mr. Morningstar:** Mr. Chairman, as the hon. members and the hon. Minister of Health know, I come from a highly industrialized riding—greater Welland—and I wanted at this time, to thank the Minister for establishing the air pollution offices in Welland where a staff will be working, and I am sure will help the riding of my hon. friend from Welland South very immensely.

As you know, we have had several complaints not only in Welland and the surrounding area but in the township of Thorold and the town of Thorold, and I do hope that we will get results from this office.

But I wanted to point out also that I hope The Department of Health is working along very closely with the federal people, because we do not want our industries moving to other provinces and that is something that has got to be considered also. So again, Mr. Chairman, I wanted the hon. members to know that we do appreciate the co-operation we have been receiving from the Minister in having those offices established in Welland.

**Mr. Chairman:** The member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, although the hon. member for Welland thinks that the hon. member for High Park would be a great addition to the hon. Minister's staff, I might suggest that he himself would be a most welcome addition. I think he is probably the greatest public relations man in this House, without any doubt.

**Mr. Chairman:** On February 14, 1968, I had the honour to sit in this seat for the first time and listen to His Honour, the Lieutenant-Governor, deliver from the chair of the Speaker the Speech from the Throne and I must say, with all respect to the honourable gentleman, I recognized that he was merely

conveying the attitude of the benches of the government.

**Hon. Mr. Crossman:** Oh, you are suspicious.

**Mr. Bullbrook:** Well I think he was! Let me say I think he was because the words were all so platitudinous; it sounded Tory all the way, really. But I want to—

**Mr. Nixon:** That is what made us suspicious.

**Mr. Bullbrook:** But I want to read, if I might, to the hon. Minister of Health the following, which is from page 5 of that learned speech. It says as follows:

My government will continue to pursue excellence in the provision of services for the health and human betterment of all the residents of this province.

**Hon. Mr. Crossman:** That was quite right.

**Mr. Bullbrook:** I must confess, Mr. Chairman, I think the hon. Prime Minister must have written these words himself.

**Hon. Mr. Roberts:** I did not write them, I checked them.

**Mr. Bullbrook:** They drip with adulation; really: "Programmes will be accelerated to improve the purity of the air we breathe."

Now, I want to direct, if I might, a preliminary question to the hon. Minister of Health. Now, Mr. Minister, if you would listen to me I would greatly appreciate it. Just a general question to you.

How, in heaven's name, can we accelerate these programmes to improve the purity of the air we breathe when we are faced with the financial fact that last year, according to your estimates, you intended to spend \$540,000 and this year you spend \$222,000?

**Hon. Mr. Dymond:** On a point of order. I have already explained to the hon. member for Welland South that this is a separate item. This is the item involving only grants paid to municipalities who are still running their programme. It is reduced because we have taken over Metro Toronto.

**Mr. Bullbrook:** Well, might I ask what your total expenditure for 1968 will be, as related to the expenditure of \$540,000 last year?

**Hon. Mr. Dymond:** It will be \$3,148,400.

**Mr. Bullbrook:** And what expenditure relates, sir, to Metropolitan Toronto?

**Hon. Mr. Dymond:** It is not broken down, Mr. Chairman. I am sorry, we have to break this down and I cannot do that with the figures we have.

**Mr. Bullbrook:** Well am I correct in assuming, sir, you have conservatively, or rather liberally, elevated your expenditures in connection with Metropolitan Toronto. Am I correct there?

**Hon. Mr. Dymond:** We have taken over the whole programme in Metro Toronto.

**Mr. Bullbrook:** You have taken over the whole programme? Can you give us any idea, sir, what the elevation of your expenditures are in connection with the rest of Ontario?

**Hon. Mr. Dymond:** The total bill last year was the \$540,000 and the figure this year, as I stated is \$3,148,400.

**Mr. Bullbrook:** Yes, but you are taking over the Metropolitan Toronto programme which you did not have last year. What expenditure do you anticipate outside Toronto?

**Hon. Mr. Dymond:** We are adding Peel and Hamilton, we have opened an office in Welland, and we are opening an office, as stated, in Windsor, and another one in Sarnia—we expect the opening date in December of this year.

**Mr. Bullbrook:** What is your addition of staff, sir? In the air pollution control section of your department, what is your addition of staff?

**Hon. Mr. Dymond:** Fifty-five additional to what we now have and we have gone up to—I read these figures out earlier.

**Mr. Bullbrook:** Oh, I am sorry, sir.

**Hon. Mr. Dymond:** Not today, I do not mean that. We have 69 on staff—we have a total of 140—69 active, 71 vacancies—there will be a total for this current year of 140. We now have 69.

**Mr. Bullbrook:** Mr. Chairman, I am very much interested if I might—the people who discussed the question of air pollution with me in my own constituency, the majority of them are extremely knowledgeable in this and they try to instruct me as sort of a "tabla rasa". I do not know anything when I begin. These people almost without exception are Ph.D.'s and chemical engineers, and I want to ask you how many doctors you have on your staff?

Hon. Mr. Dymond: We have only two Ph.D.'s in our complete staff, but we have 22 engineers on staff—we will have 43 by the end of the year. We have two chemical scientists and we will double that to four. We have nine engineer assistants who are not trained university people and we will add one for a total of 10. We have three technicians and will add four for a total of seven. We have 20 inspectors and will add 12 for a total of 32. A clerical staff will go from 13 to 44.

Mr. Bullbrook: I am very interested in the academic background. The reason I ask this, Mr. Chairman, is as follows: The Minister has mentioned, as has the hon. member for Muskoka, the question of self policing and I, as representing the Sarnia constituency, agree that the Lambton industrial society, which is a voluntary grouping of industries in our area, are doing a significant job in connection with self policing and self control in respect to polluting. But the thing that disturbs me, Mr. Chairman, is this. I want to be content tonight that you have adequate educated staff to deal with these people. Now I want to know what academic background you have. You say you have two Ph.D.'s in your department. Is that correct?

Hon. Mr. Dymond: Yes.

Mr. Bullbrook: I wonder if you could give me some indication of their background and training.

Hon. Mr. Dymond: I would have to undertake to get that information for the hon. member. I have not got it.

Mr. Bullbrook: I can well understand that, Mr. Chairman.

Hon. Mr. Dymond: I can just say that the engineers and the scientists are all university trained people.

Mr. Bullbrook: Surely. This is the problem that I see throughout. I would like to have it recorded, as it will be in *Hansard*, that I am quite content that the industries themselves are attempting to do a job in connection with self policing, but the thing that I am unalterably opposed to, sir, is the fact that they seem to be judge and jury of this right now. I think this is the function and responsibility of government that we must establish aside from these regulations.

I am not going to go into detail and waste your time and the time of this House. But you are knowledgeable, and the hon. member

for Muskoka is knowledgeable, and you realize that any statistical evaluation can be most self-serving. I have sat down with Ph.D.'s in Sarnia who can show me sulphur dioxide evaluations on an hourly basis that can absolutely prove to me that there is no contaminant situation in the city of Sarnia.

But in point of fact I can be shown by other people equally knowledgeable in the field that there is. And I can be told, sir, as I have told you in a letter—I perhaps took advantage of you because it was my maiden speech in this House, and because of the fact, that I was not prepared to be called upon that day. I did not have available certain correspondence that I had directed to Mr. W. D. Drowley who, I believe, is the chief of your air pollution control section.

In that correspondence I requested of him certain information in connection with emission of SO<sub>2</sub> at the Lambton generating station; that letter emanated on December 20 from my office and I received a reply one week later from you. I thought to myself as a new member of the House that as this was a significant matter, a matter that required such individual attention and which was of such concern to the government, the Minister would undertake to answer it.

Either that, or this Minister was on top of everything within his department. And after I listened to you I am still not convinced which is the answer, because as far as I am concerned, it is obvious that you are on top of most things in your department. But, sir, in replying to me on December 27 I talked to you about conversations that I had that concerned me in connection with the Lambton generating station, and I talked to you about information that had been given to me in connection with the possibility of fumigation in our area.

The problems that concern me are these. We have the Hydro issuing under their volume, *Hydroscope*, a special report—"There is Hope in the Air". They talked as follows on page s3: "For a long time air pollution in Ontario has been treated with apathy by the public". And we agree with that, Mr. Chairman. For about 23 years it has been treated with apathy by the government over there. They have done nothing about it.

Two years ago you came to the realization over there that you had a problem and you should start doing something about it. We are told that. But what concerns me more than anything else is when they talk about the surveys done by the Hydro, and I am reading from page s9—"Surveys are also



being carried out on a routine basis in these areas". And they refer to Lambton, an arc nine miles in radius on the Canadian side of the St. Clair River, that does not include my home. It does not include my children and it does not include approximately 60,000 people in the city of Sarnia, and I for one, sir, am not content at all that you undertake a survey in connection with undue emission that does not include the highest metropolitan area involved.

What you are doing, in effect, is surveying vacant farmland on two sides, but I am concerned with the vacant farmland; I am concerned with the question of fumigation. In effect, if I recall correctly, Mr. Chairman, in answer to the hon. member for High Park, the hon. Minister of Health said that the necessary accoutrements would not be built. There would not be permission to have them built unless The Department of Health was satisfied that there would not be an undue emission of sulphur dioxide—this is what I gleaned from what you said approximately 15 minutes ago.

I wrote you a letter, or wrote Mr. Drowley a letter, and you replied, and you said in paragraph three:

Should vegetation injury occur, or should the levels be such that at full production under normal atmospheric conditions it is likely to occur, then the Ontario Hydro will have to burn low sulphur fuel.

Now the thing that causes me concern—somewhere along the line I cannot follow you. You are saying to the member for High Park that you will not permit the erection of a station which will emit a degree of sulphur dioxide that will adversely affect property or persons in a certain area. You are saying to me, in effect, that in Lambton, with respect to that generating station, that if there is injurious affection to persons or property, you can go on low sulphur content fuel.

It seems to me, if I am logical in my reasoning, that in carrying low sulphur content fuel you anticipate the possibility of full or partial fumigation; you anticipate the possibility of an undue emission of sulphur dioxide.

If I am logical again, you have permitted the erection of this station, which verily anticipates the thing that you tell the hon. member for High Park you will not permit.

The point I want to continue on is this, sir. I have heard at least a dozen times in the last six months, in querying this, the

question of the meteorological involvement of the Ontario Hydro Electric Power Commission. This is the great panacea. This, sir, is the supposed answer to everything that concerns me. We have low sulphur content bunkers and we think we know when inversion will occur, and this in effect is what have said in this paragraph. The plant is designed with small storage bunkers to provide for a quick change of fuel during predicted periods of adverse meteorological conditions.

This is what I say to you, in all fairness to the people of Ontario, and primarily in all fairness to the people of the Sarnia area; you just cannot prognosticate when inversion will take place at all times. I think the history of the Canadian Department of Transport in connection with their prognosis of weather over a weekly period is something like 42 per cent successful. What I put to you is this, firstly, that surely the people of Ontario are not to be subjected to partial or full fumigation on the basis of what you hope and think the weather might be.

This is a very shallow answer, and I say this most respectfully to you. We just cannot gamble on things like this. And the second thing that I want to take up with you is this. The last paragraph of your letter, as I mentioned in my maiden speech, and which you could not reply to, says it should be noted that there are other sources of sulphur dioxide in the area and that the total area must be considered with the relative contribution of all being assessed in order to arrive at an equitable control programme.

I said before and I say again most respectfully, I just do not care one iota whether the programme is equitable or not. It does not salve my conscience and it does not help the people of Sarnia area to be told that part of the problem is public and part of the problem is private. Whether the emission is from the Ontario Hydro Electric Power Commission, an emanation of this government, or whether it is from Polymer Corporation or Dow Chemical, or Imperial Oil Limited, or Sun Oil, or Shell Oil, or any of our wonderful chemical plants, the basic problem lies with you, sir.

The degree of equitable solution I do not care about. Whether or not Polymer is 40 per cent responsible, I do not care. You have a responsibility to assure the people of the province of Ontario—but not that inversion might occur, and not on the basis of the elevation of stacks. I can tell you that there are people in the Sarnia area who will tell

you that the stack at the Lambton generating station is not high enough. It should be at least 700 feet to diffuse the SO<sub>2</sub> emission over Lake Huron, and you are about 300 feet short.

So you just cannot answer these problems. You and I cannot, sir, because we are just not knowledgeable about them, but I say we cannot answer them to a statistical evaluation. We cannot answer them through generalities or platitudes, and this is why to begin with I was very much interested in the academic involvement of the people in your department. I think of all the things that we say, none of us is nearly as knowledgeable as W. D. Drowley, none of us is nearly as knowledgeable as those doctors of chemical engineering and chemistry in the city of Sarnia, who are involved through the Lambton industrial society in a study of this.

What I am concerned about is that this government undertake a policing attitude with respect to air pollution. This is the only answer. I am talking about industrial air pollution from plants. This is the only answer to the problem. Thank you.

**Hon. Mr. Dymond:** Mr. Chairman, first of all, I will start with the last statement the hon. member made. This is our intention, this is part and parcel of the programme. I would emphasize, of course, that there are different interpretations of policing. If we are thinking in terms of punitive measures to begin with, then I do not think that is good policing. Good prophylaxis is the best kind of policing you can have, but if prophylaxis is no good, then of course other methods are available to us and we will use them, and we intend using them.

We are very serious about our responsibility in this area and as I stated earlier it might well be argued that much more should have been done earlier. But we tried other things and we, too, learn by experience. They did not work as well with us as they did in other jurisdictions and I think this is one very clearcut illustration of the fact that you cannot transplant programmes.

A programme that is successful in one jurisdiction will not always work in another and we proved that here with air pollution control, because in the United States many of the cities were very successful in their programmes and effected very excellent control. It just did not work in Ontario and we had to take other steps.

**Mr. MacDonald:** Why?

**Hon. Mr. Dymond:** I do not know why, it did not work. They passed bylaws and they did not enforce them. This is just recapitulation, but of the 28 bylaws that were passed, only three and a half municipalities did anything really concrete to implement the programme, or to put the bylaw into operation.

**Mr. MacDonald:** Resolve the mystery of the half municipality.

**Hon. Mr. Dymond:** We gave them grants—well one and a half time service. We gave them grants, as you will recall, and even that did not effect the improvement that we hoped we did get into it. But this now is history and recrimination will not gain us anything; we have got to get buckled down to—

**Mr. Bullbrook:** No, I am not interested in recrimination. I agree with that.

**Hon. Mr. Dymond:** I was not suggesting, Mr. Chairman, that the hon. member had been recriminatory in his remarks.

**Mr. Bullbrook:** I realize that.

**Hon. Mr. Dymond:** I do not for one moment suggest that. The Hydro's own survey is a limited thing, but it is for its own information. What publicity it gives to its results, I really do not know, but apparently it is making its results public. I could not agree more with the hon. member that figures are amazing things and statistics are amazing things. You can almost work them around to suit your end, no matter what. It is like the devil citing scripture.

The survey on which we place more reliance is that being carried on by the Ontario research foundation, which has been on-going for ten years. They make available to us their findings and they surely can be looked upon as a totally objective body with no axe to grind, no vested interest, and again I repeat, we depend on their findings in this matter. Their survey area is the city of Sarnia, I believe, and Corunna, so that this would take in the city, I presume, the area where you live.

**Mr. Bullbrook:** Your survey might, Mr. Chairman, but the survey of the Hydro will not.

**Hon. Mr. Dymond:** No, but we go on the ORF figures and reports. The plant and fuel go together and we have the power and authority under the Act. May I cite a case—when there was all the argument about the



city of Toronto hydro plant. We stated the stack had to be 700 feet high and they had to use certain fuels. The two went together and we will do the same thing here.

In the view of my people—and here again there can be professional difference of opinion, and apparently there is a professional difference of opinion—but in the view of my people a 450-foot stack was adequate for that job and they can and will dictate what the fuel shall be and according to the law this is what must be done. If the branch issues an order, this is what must be used.

And we can prognosticate—at least the meteorologists tell us they can prognosticate with a fair degree of accuracy what the weather will be. Now here again is a field in which I am completely untutored, and unversioned and therefore I hesitate to go out on a limb. I am again amazed at the weather forecasts that some of the meteorologists give us. Somehow, as I watch the prognostications develop, they never seem to come out, but then the weather man tells me that I am wrong, that I have not been watching carefully enough.

However, my people are persuaded that they can prognosticate with a reasonable degree of accuracy, that they can base certain understatements and formulate some of their opinions of these prognostications. However—

**Mr. Bullbrook:** May I ask you a question for a moment? I hesitate to interrupt because you did not interrupt me, but recognizing your responsibility as one of health—in other words you have no obligation to the Hydro or the economic feasibility of what it costs per kilowatt hour—I was wondering if you have ever investigated what the cost would be of production on a low sulphur content fuel? I would be interested.

**Hon. Mr. Dymond:** We have not ourselves, but we can get those figures and I do remember the discussions with Toronto Hydro. When I sat in on those myself there was some grave concern expressed, but there were other overtones and it is pretty difficult when you are in a horse trading deal to know just what you should accept and what you should sift out. The winnowing is a process—

**Mr. Bullbrook:** Yes, but if you are trading with health and dollars, and I do not mean to be overly romantic, but if you are trading with health and dollars you surely would not—

**Hon. Mr. Dymond:** No, no, our concern is the health of the people. We recognize this, and I believe air pollution control is a health matter. The other things come in, but I believe that if we can get pollution controlled to the point where it does not affect human health, it will not likely affect any other kind of life. So that the rest looks after itself if we are controlling it enough to look after human health. We will, however, in the light of the statement that you have put before us tonight, having regard to their resources, and we do know that there is a sizeable group of very sophisticated scientists in the chemical alley. Is that what they call it, alley?

**Mr. Bullbrook:** No, valley.

**Hon. Mr. Dymond:** Pardon me, chemical valley area, and their opinions must be listened to at least. And we will consult meteorologists before we give our final decision but again I repeat that our concern is ideally to eliminate air pollution altogether. Now we know that we will never achieve that, but at least it is to get as near as it is humanly possible to that point, making use of all the scientific aids that are available to us. We do not care whether it is Hydro or who it is, and maybe I was in philosophic vein when I wrote that, I do not remember. I may inject here that I wrote that letter because I try to answer members' letters myself.

**Mr. Bullbrook:** I appreciate that, sir.

**Hon. Mr. Dymond:** I do not know whether I am right or wrong. I get the advice from my people and I try to write the letters myself. But we do not care who is polluting, the law is applicable to everybody and whether it is petrochemical or Hydro or whoever it is, they must obey the law just the same as their neighbour. We agree with you that we do not care who is contributing what so long as we get after them and make them observe the law, and reduce the pollution to the lowest possible value.

**Mr. Bullbrook:** If I might, Mr. Chairman, I will just finish because I realize that I have been long. Something that causes me concern as a layman is this: You recognize that approximately eight miles away from your generating station is this God-given cavern that holds the greatest abundance of natural gas to be emitted in the whole world. Billions upon billions of cubic feet pour in there. Of course, it comes to my mind as a layman,



and of course, it must occur to your mind too, that here we are, entering into contracts—as the hon. member for Muskoka says—to buy the lowest sulphur-content type of fuel at the highest economic feasibility. Right? Now those last words are scurrilous words, because it is like calling black white. We are saying in effect that we want to buy the lowest content fuel, but the economic context of things must be overriding and this is the think that caused me some polarization of thought with respect to it.

First of all, this overriding concept of feasibility economically. I would like to close by asking the Minister this, Mr. Chairman, if I might: Could you, for my personal benefit, request of the Ontario Hydro Electric Power Commission what the cost per kilowatt hour would be in burning natural gas for the production of one kilowatt hour as opposed to the cost of Pennsylvania fuel? I would just like to know that. Because, as I say, it must cause concern to know that we have these billions of cubic feet of natural gas about eight miles away.

**Hon. Mr. Dymond:** I will undertake to get the figure because I am quite certain that Hydro will give it to us. The thought that comes to my mind immediately is the possibility of the availability of enough gas, but when you tell us that there are billions of cubic feet, then this does not appear to be as big a problem as I might have thought.

**Mr. Bullbrook:** We bring it in you see, from Alberta, we have a pipeline that brings it in and fills it in there every winter.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member did ask earlier if I could tell him, independent of the Toronto programme, how much we would be spending. The figure is roughly \$1.5 million in the rest of the province. That is the increase over last year.

**Mr. Sopha:** Mr. Chairman, we are being asked to vote some of the public money here, in this area and jurisdiction of this Minister, and it therefore is time for grievance, I realize that by way of response to what I say and revealing the sad story of my community, nothing that the Minister will say, or any advice that he may elicit from his staff here will reverse the half century of wrongdoing. Half a century of wrongdoing inflicted upon the people of Sudbury by the machinations of one company, and that a foreign company too. This is to me, as a nationalist—I use the word “nationalist”—makes it all the more oppressive when you see it done by a com-

pany that, as I said in a letter to the *Sudbury Star* on this subject of pollution last fall, comes and rips the wealth out of the earth of the Sudbury basin, a vast store of it, declines to pay the fair share of the taxes, and then blows its smoke in our faces, in a final act of contempt. All of it is promulgated on Wall Street, 1,000 or 1,500 miles away.

I sometimes wonder what they think of us. What yokels they must think we are. It must be bewildering to shrewd Yankees, it must really be bewildering in sizing us up, for them to try to understand what we stand for. And they come to the sad conclusion that we do not stand for anything. We stand for nothing. Now the statement made by the Minister that the people come first is just unacceptable in the light of what has happened in history.

I think that it was 27 or 28 years ago that the government of the day under the authority of a statute passed in the Legislature, decreed that by order in council—mark you, they did it by order in council at that time—from the date of the promulgation of the order in council that all Crown lands passing from the Crown from that time on, would be subject to the reservation of rights against the dissemination of noxious fumes over them. So Crown lands from that time went with grant of protection to the International Nickel Company from any form of action ever since the passing of that infamous order of council. You say people count more than dollars. How could they in the light of an Act of this Legislature of that magnitude of infamy?

In the intervening years, this government has been in power—come August it will be its 25th anniversary, quarter century, its silver jubilee. Nowhere in the 25 years is there a greater signification of an abdication of its responsibility than in this area of human health. It was not until last year that the Legislature passed, at the instigation of the Ministry, The Air Pollution Control Act of 1967. We were told that this was the time of new beginning in the realm of air pollution control in this province, and yet in the same year as the Act was passed, on Saturday, July 15, of last year, a tremendous desecration of conifers took place in the Callam Lake and Lake Penage area to the south of Sudbury.

My friend from Nickel Belt nods his head in agreement. In the space of one hour a fumigation from International Nickel Company utterly desecrated an area of many, many square miles. I saw it. At the invitation

of the hon. Minister of Lands and Forests (Mr. Brunelle) I was given the privilege of having a ride in one of his air force machines to have a look at the sad desolation, the devastation, that took place in the space of one hour. But people, he says—did you hear him say it?—people count more than dollars. It is a nice platitude and he is a Presbyterian Scotsman who is capable of platitudes. They just emanate like bubble gum out of the mouth of a small child—

**Hon. Mr. Dymond:** I wish I could match you.

**Mr. Sopha:** People, he says, count more than dollars, but where was the prosecution of the International Nickel Company under that Act at that time? The Minister, as far as we know, was content and silent. This giant American company, of course, is just too much for us, just too much, it has more influence with government than the Minister of Health. That is absolutely clear to me. And yet in the space of one hour—this bears repetition—in the space of one hour they desecrate square miles of conifers to the south of Sudbury in that beautiful green belt, that recreational area surrounding Lake Penage, nature's wonderland to many hundreds of Sudbury citizens who resort there in the summer for out-of-door recreation.

**An hon. member:** Was that a fire or—

**Mr. Sopha:** Fire, no—fumigation of sulphur dioxide fumes which occurred in the space of one hour. Now was that an out-of-the-way or an unusual occurrence? I shall prove otherwise. Not only was it not unusual, but it is to be expected, apparently, every year, and I am going to read the proof of that into the record.

A few years ago in what I suppose—it escaped my notice entirely and I only discovered it last year—was considered to be a daring step by a government that has developed the art of committology to its highest form on the planet, they appointed one under the aegis of The Department of Mines I suppose it is, known as the sulphur dioxide committee to function in the Sudbury area. The terms of reference of this committee, probably appointed somewhere around 1964-65—special sulphur dioxide committee, to get its accurate name—are as follows:

1. To determine if sulphur dioxide fumes are causing damage to forest areas in the Sudbury district. One has to have a sense of humour to be able to digest that one: "To determine if they cause damage to forests."

My goodness, you could ask any juvenile on the street in Sudbury, and he would give you an accurate answer. All you have to do is what that man did, and pass through the town of Coniston.

**Mr. Shulman:** Why did you not support me when I was there?

**Mr. Sopha:** I did not even acknowledge you were in the area.

All you have to do is look at the town of Coniston and one must appreciate this; that it is amazing, and indeed a source of great anxiety, I hope, to the scientists, that a very minor variation in the environment—a very minor variation because after all I say to my friend from Sarnia that the amount, the volume of sulphur dioxide that is being emitted in terms of the air mass is indeed a very miniscule proportion—so one must appreciate that the sulphur dioxide in relation to the total air supply is indeed very, very small, and so one sees that a minor variation in the environment can produce tremendous ecological effects. Again the evidence for that proposition did not need to be searched out by those on this committee; the evidence is apparent when one looks at Sudbury. That is all one has to do is look at it and one appreciates the half century of desecration that has occurred there.

The other terms of reference: 2. If damage is caused over what area does this condition exist and to what extent? And 3. Can any remedies be applied; and if so what are they?

Well, that is very challenging, that is very challenging.

Myself being a lawyer, and therefore inclined, I hope, to objectivity, I view with considerable—well let us just imagine for purposes of argument—I view with considerable scepticism the personnel of the committee under the chairmanship of the sulphur fumes arbitrator, I think he is called. The Minister of Mines will correct me no doubt. He is a very good man, a very dedicated man, I might say, Mr. D. R. Dreisinger; and he works with some 26 other people. But my scepticism is bolstered when I notice that three of them represent Falconbridge Nickel Mines and three of them represent the International Nickel Company of Canada, so who was it spoke tonight about judge and jury—they are judges in their own thoughts. These two companies, of course, create the pollution and then they are asked to form part of the committee, make the representations, and make their weight felt in the determination of these very important considerations.

Well, that is scarcely objective, scarcely of much value—the Attorney General (Mr. Wishart) will tell you—if restrictive or inhibiting measures are intended to be exercised against the perpetrators of the pollution, if they form part of the investigatory body that is in fact investigating them. It is interesting to note in respect of both companies that they treated the matter to be of so much importance. You see, this committee was not a community adjunct—sort of the community chest. They created the committee to be of such importance to their operations that in the case of International Nickel they put the three top men on the committee—their three top local management, T. M. Gates, J. A. Pigett and C. A. Young. So they treated this very seriously and they did not want friends at court. They wanted to be a court themselves when this committee deliberated.

So, they published two reports and I am going to read a portion of each of them into the record. The 1965 report makes this observation:

In spite of lower total amounts of gas being recorded, injury to vegetation was more severe in 1965 than the authors have ever seen in previous years particularly in the Penage and Callam areas. The reason for this is that vegetation became extremely susceptible in August and early September due to above average rainfall. Potentially injurious fumigations happened to occur at that time.

The disturbing conclusion about the 1965 season is that severe injury such as was seen at Naughton, Penage and Callam can occur again and again as long as potentially injurious fumigations are present. All that is needed is the right combination of factors, and this was never more apparent than during the 1965 season.

In 1966 they made this observation. It was also stated in the report from which I have just read that:

The disturbing conclusion about the 1965 season is that severe injury such as was seen at Naughton, Penage and Callam can occur again and again as long as potentially injurious fumigations are present.

Unfortunately, in 1966 severe injury occurred in the Penage area, again following a potentially injurious fumigation on August 30 which reached an intensity of 200. White Pine was severely injured for the second year in a row and markings were also seen on red pine, spruce, balsam and larch.

Among the deciduous trees, severe injury was seen on large toothed aspen and white birch and to a lesser extent on trembling aspen, yellow birch, basswood, sugar maple, red oak and willow; and I have reported to you, that on July 15 another fumigation occurred which I am told was even worse than the ones that had occurred in 1965 and 1966.

So apparently this is our annual rut, I say to my friend from Nickel Belt, through you, Mr. Chairman, this is to be our annual experience.

And potentially, the district forester told me—a very fine man, he felt very sensitive about these fumigations and the destruction of the conifers under his jurisdiction, maybe that is why the Minister moved him to Port Arthur, a very dedicated public servant—

**Mr. G. Demers (Nickel Belt):** His successor is a very brilliant young man.

**Mr. Sopha:** Beg your pardon?

**Mr. Demers:** His successor is also a very brilliant young man.

**Mr. Sopha:** Yes, his successor appears to be a very alert, talented and experienced man.

Well I am told by—I was told by the district forester—that these beautiful conifers, some of them of tremendous girth, the original growth if there is such a thing, that they can stand just so many fumigations and then eventually they will die and that the destiny of that beautiful area to the south and west of Sudbury is that it simply, if this continues, will no longer be a recreational area to the many hundreds of people who now make use of it; not to mention the economy of the rather large Indian reserve that exists on its shores.

Well we live in a time of awakening. I would like to believe that as time goes on Canadians, noted for their placidity and their docility, are going to change, become more activist and let government and power centres know that this order of things will not be tolerated as if it was their biblical law.

At this point I say thank goodness for the CBC. We do not know what a valuable instrument for the dissemination of information to the public and a vehicle for protest that it is, because in the fall of the year, I think it was November, that programme which replaced the old fashioned one "This Hour Has Seven Days", not yet called the way it is at that point, did the better part of an hour long presentation on air pollution in the Sudbury district. A very thorough—a very thorough—



exposé it was of the machinations of this Wall Street giant.

Now when I am talking in that vein I do not know how much it would cost to correct the pollution of the atmosphere that occurs in Sudbury, but I would like to believe that it would be a minor proportion, a small proportion, of the \$150 million net profits that the company takes away from Ontario and Manitoba each year.

**Mr. Shulman:** That is \$4 million.

**Mr. Sopha:** About \$4 million—thanks to my friend from High Park. Small price to pay, small price to pay but unfortunately our attitude to these foreign companies and our view of the cost of them doing business in our province, with our resources, always seems to be surrounded with tremendous inhibitions about what we will require them to do in the manner of carrying on their business.

I do not know why these inhibitions exist. I rather think the Americans would respect us if we showed a bit of spine every once in a while. If we stood up they would have more respect for us.

**Mr. MacDonald:** Do you know when they will have respect?

**Mr. Sopha:** If the Minister of Health of the province were to say to them, look, we simply cannot tolerate these annual fumigations that occur in the Sudbury area and I am authorized by my colleagues on the executive council to tell you that you must take the necessary steps and spend a sum of money that would be found to be adequate to stop this desecration of the landscape, and indeed the injury to human tissue.

But you do not get that forthrightness from government. You manage to get it from the CBC. And when they finished their excellent programme it was really sad, the ensuing two or three days, it was sad to see how the heads of local government in the city of Sudbury—it was not true in the surrounding municipalities, that was not true, I say to my friend from the Nickel Belt, through you Mr. Chairman, that was not true of Hrinivich the reeve of Dowling.

**Mr. Demers:** He is not the reeve—

**Mr. Sopha:** All right, councillor! And a leader, a leader in this field. But it was true of the heads of local government in Sudbury. I said to the *Sudbury Star* in my letter, I

have not got it here but I can remember what I said.

I said it is amazing for me to see the way in which people of local government spring to the defense of this company. The mayor got on the television and condemned the CBC to a fare thee well.

**Mr. Shulman:** What about the *Sudbury Star*?

**Mr. Sopha:** Oh yes!

She said, the mayor said, how dare that public institution come in here and slander us and show these pictures of the desecration of the landscape?

Well I sat back, when I saw her on the TV saying that, I sat back in astonishment that she would feel called upon to come to the defence of the owner of the smoke stack, that she would feel called upon to come to their defence after a half of century of the infliction of wrong doing.

Well in December you know, Mr. Chairman—no one knows better than you what happens annually, or every two years in December—in December she became irrelevant to the life of Sudbury. The people discovered she was irrelevant; a very fine lady, sits next to me in church every Sunday.

**An hon. member:** She will not now.

Interjections by hon. members.

**Mr. Sopha:** You see, I am calling attention to the stirrings of unrest and dissatisfaction in our community. The member for Nickel Belt does not often spring to his feet to give support to my protest; I hope he will tonight.

But the mayor, you see, that could be one of the reasons the electorate treated her as being irrelevant and defeated her.

I wrote to the *Sudbury Star* when this ground swell was going on and the position I took, simply put, was this: I said we ought to be grateful to the CBC for coming in here and depicting in such dramatic fashion the tremendous disruption that is taking place in our area, and indeed has taken place. It is irreplaceable, you cannot correct what has happened in that area because of the denudation of the forest cover that occurred several decades ago and will never be repaired.

**Mr. Shulman:** Why did you not support me when I said the same things in Sudbury?

**Mr. Sopha:** Well I thought you were irrelevant to the life of Sudbury, too.

**Mr. MacDonald:** One day it will catch up and the member for Sudbury will be irrelevant too.

**Mr. Sopha:** I guess we all will; but I hope, I like to think, that I am in the very spring-time of my relevance. There is the situation.

We cannot wait for the Minister of Health, we are too impatient. We are away ahead of him, and his staff under him.

I must say in talking to the staff about the effects of sulphur dioxide, I just do not understand them. When I am told all kinds of things cause lung cancer, emphysema, and other disorders to the human anatomy, I am not interested in that other things cause them. I am interested in the daily outlook to the west of Sudbury and seeing those noxious fumes pouring out of those smokestacks and invariably coming right across the city and, dissipating to the northeast, cut a veritable swath of destruction from the southwest to the northeast across that community.

I say we are ahead of the Minister of Health. In Sudbury around the New Year, the most important organization, the pluralist organization—collective organization in Sudbury—local 6500 of the united steelworkers—took hold of the situation. They formed a pollution committee to which they invited many interested and good people from outside their organization, and principally from the conservation clubs of the area. That committee has to the present time made important progress.

Right at this point, the committee, unmindful that the Minister of Health even exists, sees that the solution is not through this department. That committee is seeking funds from the various area municipalities on a per capita basis, or otherwise, in order to finance an independent and objective study of the effects of sulphur dioxide on the local area. They hope to get a graduate student, perhaps a student who is doing his thesis, from somewhere—one of the universities. I trust he will not be too hard to find—and bring him there and finance his study and let him prepare an independent and objective study of the situation.

If it achieves the validity that I hope attends it, then it can be presented to the community and the community, it is hoped, will respond. Then it can be presented to the Minister of Health and he will have no alternative course but to take the necessary action. The contribution, I say to my friend from London South, and the member for Muskoka tonight, in the realm of air pollution—

**Mr. J. H. White (London South):** On a point of order, Mr. Chairman. The member for Sudbury's remarks are very interesting and as usual he speaks with authority and with a degree of erudition that we envy, but in fact he has been out of order for a very long time, because he is not speaking directly to the vote and that is what the rules call for.

**Mr. Pilkey:** In addition to that, he brought the steelworkers in.

**Mr. Chairman:** The member, I believe, has been speaking about air pollution generally. I believe all of the members have been speaking about air pollution generally. The chair does not see fit to rule one member out of order when the others have spoken in general terms about air pollution. The member for Sudbury.

**Mr. Sopha:** Well, I suspect—

**Hon. Mr. Grossman:** You can start all over again.

**Mr. Sopha:** I suspect that is what you want me to do. In other words, the conclusion I come to has attached to it considerable cynicism. Having thought about the matter for a long time, I am compelled to decide that in the realm of air pollution, and water pollution, as well as other areas, the influence on this government of International Nickel Company is just so profound, so permeating, so pervasive, that it would take some kind of an earthquake to dislodge it. That is the conclusion I come to.

The Minister of Health, any day in the week, if he applied those standards—which, I suspect, must have been sent to every other company in Ontario, except INCO; that sheet he had—if the government were courageous, and if the Minister of Health meant what he said, and says what he means, then the prosecution of International Nickel Company must inevitably follow for its infraction of the statute.

I say to my friend from Sudbury East, quite apart, of course, from the very vexing and anxious problem of the intramural pollution that occurs, of the environmental atmosphere. If I uttered a syllable about that, no, I would not be called to order by the member for London South, because he would not know what I was talking about, but the Minister of Mines would quickly call me to order, because intramural pollution falls in his department.

**Mr. Chairman:** I hope the member will not stray far enough to cause the Chairman to rule him out of order.

**Mr. Sopha:** All right.

**Mr. Shulman:** On a point of order, Mr. Chairman.

**Mr. Sopha:** That was just hypothetical—just hypothetical.

**Mr. Shulman:** I merely wish to draw to your attention, Mr. Chairman, that a little while earlier this evening after I had spoken for some 13 minutes the chair pointed out to me there were eleven speakers to follow and asked me to draw my remarks to a close.

**Mr. Chairman:** Yes. I say the same thing to all members. The member for Sudbury, I have nine more speakers on the list.

**Mr. Sopha:** And if, indeed, he was guided by your suggestion to draw his remarks to a close, what a blessing it would be. He almost made me lose my train of thought.

**Mr. MacDonald:** You cannot lose something you have not got.

**Mr. Sopha:** Let me tell you what bothers them. Everything said in this area, according to them, is supposed to come from the steelworkers. They have to be the vehicle of the steelworkers, and until my friend from Sudbury East was elected, it was the member for Yorkview who was—

**Mr. Chairman:** Item 27.

**Mr. Sopha:** That is what bothers me. Well, I say that in this realm—

**Mr. MacDonald:** You are wandering all over the lot.

**Mr. Sopha:** What do you mean that I am all over the lot? In what way?

**Mr. Chairman:** These interjections are out of order. Please proceed.

**Mr. Sopha:** What I want you to do is to remain silent and carefully consider your remarks for May 5, which is the 150th anniversary of Karl Marx's birth. And I hope that—

Interjections by hon. members.

**Mr. Makarchuk:** It will soon be May the first.

**Mr. Sopha:** What do you mean May the first? It will soon be May the fifth. Well, if we reach May the first, let us celebrate May Day together. My remarks are coming to a close. And I depart from the subject by saying this to the Minister of Health: That I am

satisfied he has abdicated his responsibility and his department has abdicated their responsibility, by failing to call a halt to this unacceptable imposition on 80,000 people in the immediate city and another 70,000 or 80,000 people in the surrounding area.

But there are stirrings in Sudbury now that will mean that there will be a congealing of public opinion which will demonstrate once and for all that the community has had enough. It has had enough of this. And whatever the price is, whatever it is that is required, to inhibit the diffusion of large quantities of sulphur dioxide, that price will have to be paid. Now, concerning the contribution of the member for Muskoka tonight, I asked him when he sat down so that I would understand it—he said that if you build higher stacks you diffuse the fumes over a wider area with less injurious effects on vegetation and human tissue.

Well, if that is necessary then let it be done. If the stacks of the International Nickel Company of Copper Cliff and those of Falconbridge are not high enough, then what is the price of building them higher? What is the price? Much less than that \$150 million that they take away each year. And each year as they continue this infection of the atmosphere with all its ancillary sequels descended upon the people of the area, you pick up the paper at the appropriate time and the annual profit has increased.

It has increased because the Minister of Health for one thing is not going to—this is one Minister, quite apart from the Minister of Municipal Affairs (Mr. McKeough) and the Minister of Education (Mr. Davis). The Minister of Health is apparently to step in with all the authority of government at his command, with a statute, the solemn command of this Legislature, and call a halt to it.

So as I have often thought, and I say for the first time that I can recall here, for a people who complain as we do—chronically we complain; we are great complainers. We complain about our tax and our sovereignty. One of our chief troubles, the source of a lot of ills that afflict us, is our failure to exercise the sovereignty we have got.

**Mr. Chairman:** Item 27.

**Mr. Sopha:** We walk away from it. I am talking about item 27, and I am saying that if the last statement will bring home that the sovereignty needed is for this responsible Minister to call down to the Toronto-Dominion Bank building—he does not even have to go to Sudbury. He does not have to spend



money on a long-distance call to Copper Cliff. He can call down at the Toronto-Dominion Bank building and say to them, "Enough is enough, we expect some form of action, or some form of proposal within the immediate future. Put an end to the dissemination of large quantities of those gaseous emanations from your Copper Cliff works."

It is as simple as that. And if such a command were forthcoming, and such a stimulus were forthcoming, I bet you it would be truly amazing the ingenuity that would be exercised in the field of technology. They tell me it is done in Trail. I have never been there. They tell me they conquered the problem there. I recall a number of years ago, reading an article in *Life* magazine, which gave a survey of the city of Pittsburgh and showed graphic pictures of before and after steps that were taken to inhibit the dispersal of gases and noxious fumes in that city.

I am with the member for High Park; in this I am with him. He said here tonight that it is done elsewhere. Other jurisdictions have done it. Nothing this Minister has said tonight, nothing he has said indicates that it cannot be done in Ontario, but it requires a firm approach and a willingness. You think I talk off the top of my head about—

Some hon. members: Yes, yes!

**Mr. Sopha:** —about the influence of INCO? I said to a Minister of the Crown out in the corridor—he is gone now—just listen till I tell you. I said to him, "When you passed that statute, why did you not envelop INCO in it?" And his response was, "Elmer, you can only push that company so far." That is what he said. He is a magistrate now. That is what he said. Now is not that pregnant of meaning, the implications of that statement? INCO is bigger than us and even the executive council over there is not able to push them around.

An hon. member: It took you a long time.

**Mr. Sopha:** What does it matter if it took me a long time? That is sour grapes to you, is it not? Sour grapes. Instead of joining with me in a positive approach—

**Mr. MacDonald:** Oh, you were pushed into a change by local pressure.

**Mr. Sopha:** —you sit and natter and pick away. You pick away the realm of reform and positive action and never have sense enough to recognize an ally.

**Mr. Chairman:** I would ask the member to get back to the estimates.

**Mr. Sopha:** You are worse than the Russians. You always have to be first and if somebody else is first, you are jealous.

**Mr. Chairman:** Item 27.

**Mr. Sopha:** Well, that is the way I see it. Thank you for your patience.

**Mr. MacDonald:** Great indulgence!

**Mr. Sopha:** I hope that if it has no effect here—and I have given up—I hope at home that the efforts of the group that has been formed, of which three of us are members, will crystallize in action that will put an end to this unacceptable imposition upon the health of people and the character of the area.

Hon. Mr. Roberts moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** The committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, tomorrow I would like to deal with second readings. I believe there is enough there to occupy the afternoon, but in the event that we complete the second readings, we will then deal with bills in the committee of the whole House and we will return to these estimates on Thursday.

Hon. Mr. Roberts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 12:00 o'clock, midnight.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Wednesday, May 1, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 1, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Once again our galleries are full of students visiting the Legislature and we welcome them: in the east gallery from Applewood Heights secondary school, Cooksville, and in the west gallery, Lambton-Kingsway public school, Etobicoke, and Bramalea secondary school in Bramalea.

At this time also I am sure the members of the House would like to join me in expressing their greetings to the dean of the House who is today celebrating his birthday, the Rev. A. W. Downer.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves first reading of bill intituled, An Act to establish the regional municipality of Ottawa-Carleton.

Motion agreed to; first reading of the bill.

**Hon. Mr. McKeough:** Mr. Speaker, I would like to speak briefly on The Act to establish the regional municipality of Ottawa-Carleton. Based on representations by Ottawa's civic leaders and Carleton county council's awareness of the need for county-wide planning, my predecessor, the hon. J. W. Spooner, requested Dr. Lorne Cumming in December, 1963, to convene a meeting of the heads of the municipalities of this area, sir, for the purpose of considering a proposed regional study.

In May, 1964, Mr. Murray B. Jones was appointed a special commissioner to carry out a local government review of the Ottawa, Eastview and Carleton county area. At an early stage in the study, Cumberland township requested inclusion in the review area. In view of the eastward trend of develop-

ment, this was granted. Methods of procedure which evolved from this study have become useful guides for similar studies now in progress elsewhere in Ontario.

Following the presentation of the special commissioner's report, elected and appointed officials of the Ottawa-Carleton area met in February, 1967, to discuss the broad implications of the report. At this meeting a co-ordinating committee of representatives from the cities of Ottawa and Eastview, Carleton county and the township of Cumberland was set up. This committee was to make detailed studies of the proposal made by this government through The Department of Municipal Affairs.

The members of this House, Mr. Speaker, will recall that they received copies of these proposals in February, 1967, so that they would be fully aware of the co-operative nature of the studies undertaken by the co-ordinating committee and government officials of the several departments involved. Deliberations of the committee took a full year.

At this time I would like to pay tribute to the initiative shown by the members from the various municipalities in seeking a serious and comprehensive study on the local government situation. As we are all well aware, Mr. Speaker, the final responsibility for basic changes in local government organization rests with the provincial government. Having reviewed with the Prime Minister (Mr. Robarts) and my colleagues the results of all our deliberations, I convened another meeting of area representatives in Ottawa in February of this year and presented the main features of the plan. The hon. members of this House received copies of the full text of my remarks on that occasion. These features are now embodied in the bill before you.

The area to be included under the jurisdiction of the reorganized local government will be the entire county of Carleton, the cities of Ottawa and Eastview and the adjoining township of Cumberland, an area of some 1,100 square miles, with a population of 419,000. The regional council will be known as, "The council of the regional municipality of Ottawa-Carleton."



The legislation provides for the following representation on the regional councils: city of Ottawa, 16 members—the mayor, the four members of the board of control and one alderman from each of the 11 wards.

The city of Eastview, two members, being the mayor and one councillor appointed by council.

**Mr. V. M. Singer** (Downsview): Is that not the city of Vanier?

**Hon. Mr. McKeough:** As of January 1, I think it will be Vanier city.

The village of Rockcliffe Park—one member, the reeve. The township of Nepean—three members, being the reeve and two other members selected by council. The township of Gloucester—two members, the reeve and one member of council. The township of Osgoode—one member, the reeve. The township of Cumberland—one member, the reeve. The townships of Fitzroy and Torbolton—one member chosen jointly by the councils of Fitzroy and Torbolton. The townships of Huntley and March—one member chosen jointly by the councils of Huntley and March. The township of Goulbourn and the villages of Stittsville and Richmond—one member chosen jointly by the three councils. The townships of North Gower and Marlborough—one member chosen jointly by the councils.

Each member will have a single vote. The chairman may not vote, except in the event of a tie. The first chairman will be appointed by the Lieutenant-Governor in council before June 1, 1968, and will hold office from 1968 to 1972, inclusive.

**Mr. R. F. Nixon** (Leader of the Opposition): Any ideas about that?

**Hon. Mr. McKeough:** I know several people who are not going to be, I would say that to my friend opposite. At its first meeting in 1973 and every three years thereafter, council will elect its own chairman. During the first seven months from June 1 to December 31 of this year, the transitional stage, staff recruitment and organizational procedures will be carried out. The regional council will become fully operative on January 1, 1969. The corporation of the county of Carleton will be dissolved as of this date and the township of Cumberland will be withdrawn from the county of Russell and the United counties.

Municipal elections shall be held in every area municipality in December, 1969. The

members of council and local boards shall hold office for a three-year term. Local councils will continue at the present number of members. The regional council will determine the salaries to be paid to the chairman and its members. By a two-thirds vote of all the members the regional council may appoint an executive committee consisting of the regional chairman and four, six or eight other members. Not more than half the executive may be from the city of Ottawa.

The chairman will be entitled to vote as a member of the committee. Area municipal employees whose functions are taken over by the regional corporation will be offered employment by the corporation and their salaries guaranteed. Total responsibility for assessment will rest with the regional council. All responsibilities will be transferred to the local municipalities for the making of local assessments in the area on a uniform basis. This assessment will be the basis of taxation for both local and regional purposes.

The regional municipality is authorized and required to take over and operate all existing works in the area municipalities for the production and distribution of water to the area municipalities, and to assume all outstanding debt in respect to such works. It is also authorized and required to establish a comprehensive sewage and drainage system for the entire regional area and to establish a regional road system substantially in the manner in which a county does so now.

There is authority for new regional highways as well as for the assumption of existing major roads, and where existing county and suburban roads are not made part of the regional road system, they will be reverted to the local municipalities in which they are located.

Under this Act the regional area is defined as a "joint planning area" and the continuance or establishment of subsidiary planning areas is provided for. The regional council is given the responsibility and duties of a planning board under The Planning Act and is made responsible for the preparation of an official plan for the entire area. Transferred to the regional corporation are the statutory obligations of the counties with respect to various welfare and related matters.

An area-wide health unit is established under a single board of health to replace all existing health units in the area. The regional corporation will be given a responsibility for the capital financing of the area municipalities as well as that of the regional corpora-

tion. The regional council is given authority to make annual levies for its purposes against the area municipalities in a manner similar to that exercised by county councils. The general provisions of The Municipal Act and other Acts relating to municipal financing are incorporated.

For matters of education, there will be two divisional boards of education. One will cover Ottawa, Eastview and Rockcliffe Park. The second will cover the rest of the Ottawa-Carleton region. These will be similar to the other new school board divisions throughout the province.

Mr. Speaker, these are a few of the highlights contained in the new Act before us. A great deal of thought, work, and consultation have gone into its framework. The people of the new region have every right to be proud of the achievements of their officials and the manner in which they have tackled the many complex problems arising out of the necessary changes. As with our experiences in Metropolitan Toronto, there have been essential changes along the way. I have no doubt there will be changes in Ottawa-Carleton too, as time shows the need.

One important point stands out: There is no rule of thumb which can be applied to any region. Each one studied proves to be in every sense of the word, an individual. But—as with the people of Ottawa-Carleton—most problems become opportunities when the people are given a full measure of personal participation in their own affairs.

**Mr. M. Makarchuk** (Brantford): Mr. Speaker, I have a question on the announcement.

**Mr. Speaker:** If the Minister wishes to answer a question with respect to the bill, I have no objection to it.

**Mr. Makarchuk:** The question is: The Minister announced when elections will be held for council; he said December, 1969. Did he indicate when the elections will be held for the area school board?

**Hon. Mr. McKeough:** I did not indicate that.

#### THE AIR POLLUTION CONTROL ACT, 1968

**Mr. M. Shulman** (High Park) moves first reading of bill intituled, The Air Pollution Control Act, 1968.

Motion agreed to; first reading of the bill.

**Mr. Shulman:** Mr. Speaker, this bill limits the sulphur content of fuels that may be burned in this province, progressively reducing it over a period of time. It is modelled after the very best United States Acts which have been in force for some years. Without too much immodesty I may suggest that if and when this bill is passed it will completely solve the air pollution problem in this province.

**Mr. Speaker:** The Provincial Treasurer has a statement.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Speaker, before the orders of the day, I am pleased to announce today the appointment of two members to the pension commission of Ontario. They are the hon. member for Halton West (Mr. Kerr), and Paul A. Kates, of Toronto, a life insurance underwriter. Both appointments extend to July 31, 1970, and they are effective April 25, 1968.

These members will fill vacancies created by the resignations of Alfred H. Cowling, a former member of the Legislature for High Park, and Professor D. C. McGregor of the department of political economy, University of Toronto, who has served as vice-chairman of the commission since its inception.

The commission was established in 1963 to administer The Pension Benefits Act, which provides for the extension, improvement and solvency of pension plans, and for the portability of pension benefits. Some 8,500 pension programmes with over 780,000 employee members now come under the surveillance of the commission.

At this time I would like to express the appreciation of the government of Ontario on behalf of the members of this House and the people of this province for the excellent contribution made by the two members who have resigned. Professor McGregor was co-chairman of the committee on portable pensions established in 1960, prior to his appointment as vice-chairman of the commission. He has been a pioneer in this field in which Ontario's leadership has reflected across Canada. Mr. Cowling joined the commission a year following its inception and he, too, has made a significant contribution to its achievements.

I am pleased to recognize their interest and work on behalf of the many Ontario citizens and companies who are contributing to and enjoying the benefits of modern pension programmes. I know the commission will welcome the excellent advice it will receive

from its two new members. The legal background of the hon. member for Halton West, as well as his active work in this Legislature, will be a considerable help to the commission. Mr. Kates' outstanding record in the insurance field will enable him to contribute in a substantial way.

The commission now has seven members under the chairmanship of Mr. L. F. Wills, the vice-chairman is D. S. Rudd, and other members are L. E. Coward, Jules E. Fortan and Gordon Milling.

**Mr. Speaker:** The member wishes to place his question? There is another statement by a Minister before the orders of the day. The Minister of Reform Institutions.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, on April 9, I took as notice a question from the hon. member for High Park concerning a man who appeared before the parole board on March 21, 1968, and was granted parole, and then on March 25, four days later, was informed that he was not to be paroled. I took this question as notice at that time because the man's position with respect to parole could not be resolved until his status with the immigration authorities had been clarified. Mr. Speaker, when your office informed me of the question that morning I made immediate enquiries and found that the parole board was unable to confirm the man's parole because of the need for clearance from the immigration authorities. I was further advised that it would not be in the best interest of public safety to inform the man of this fact at that time.

Accordingly, I telephoned the hon. member for High Park and advised him of the facts involved and pointed out that there was an element of danger in such an immigration case being discussed publicly. It should be obvious that a man may become a greater escape risk if he knows that the possibility of his being deported is under consideration. I advised the hon. member to this effect and requested him to withdraw his question until the inmate's status had been resolved.

**Mr. Shulman:** The Minister wanted me to wait until he had been deported.

**Hon. Mr. Grossman:** However, the hon. member persisted and asked the question in the Legislature that day and in addition, used the man's name. Under these circumstances, I had no alternative but to take the question as notice.

Now, Mr. Speaker, I would ask the hon. members to keep in mind the chronology of the events which follow. That same day, the hon. member wrote to the Minister of Immigration, a copy of which letter he sent to me and I now read:

Special Delivery,  
Hon. Jean Marchand,  
Minister Department of Manpower  
and Immigration,  
Government of Canada,  
House of Commons, Ottawa.

Re John Doe

Dear Mr. Marchand:

This man is a prisoner at Burwash provincial reformatory, and the parole which he had requested was approved on March 21, 1968. Four days later, he was notified that he would not get his parole, and I am informed by the Minister of Reform Institutions that the reason is that a letter was overlooked in his file from your department, indicating that you are considering deporting him.

Considering that the parole board believes he is a good risk and as a result he was told inadvertently that he would be given parole, would you consider withdrawing your "hold" request and allow the board to release this man?

I hope you will agree that the circumstances are such that this action would be justified.

Yours sincerely  
Morton Shulman, MPP, High Park

Mr. Speaker, as a department, of course, we ourselves required the decision of the immigration authorities and had initiated steps to have that decision made available to us as soon as possible.

The Department of Immigration replied to the hon. member's letter on April 17, as follows, and I have a copy here and I quote:

Dear Dr. Shulman:

In the absence of the Minister, the hon. Jean Marchand, I wish to acknowledge receipt of your letter to him, dated April 9, concerning (John Doe).

I wish to advise that prior to receipt of your letter, enquiries were received here from the office of the hon. A. Grossman concerning (John Doe).

You will no doubt be receiving shortly, further correspondence from the Hon. A. Grossman.

(signed) R. G. Latimer,  
Administrative assistant.



On Saturday, April 20, a representative of the immigration branch visited the Burwash industrial farm and interviewed the inmate concerned. On April 23, they advised us verbally that they had clarified this man's position and that we could consequently release him at the appropriate time.

This information was transmitted to the Ontario board of parole, who then confirmed their original decision to release this man on parole on the date originally decided upon which is still some time in the future. Two days after giving us this verbal decision, we were sent a copy of a letter that the federal immigration department had sent to the hon. member, which reads as follows, dated April 25:

Dear Dr. Shulman:

This is further to my letter of April 17, concerning (John Doe). As a result of an investigation it has been ascertained that John Doe has now acquired Canadian domicile and consequently we will not hold an immigration inquiry. Mr. Frank Potts, chairman of the Ontario board of parole, has been apprised of our findings.

(signed) R. G. Latimer,  
Administrative assistant.

A reply to the hon. member's question 34 was therefore prepared for me to present to the House today. This procedure on the part of my staff and myself, I regard as proper procedure in accordance with the traditions of this House.

I believe that it is incumbent upon a Minister to answer any questions put by an hon. member as soon as possible, keeping in mind the need for adequate and accurate research of the information required, and in my own particular department keeping in mind the need for public safety and security.

I was astounded late yesterday afternoon to be informed that the hon. member had issued still another statement to the press in which he had the gall to suggest that he had been responsible for this man being given clearance by the federal Department of Immigration, and further, he had the temerity to ask me to release this prisoner immediately. Immediately, Mr. Speaker!

Now, I have not the power and he knows it. It would not be advisable, and he knows it. This man is to get his normal parole release, and he knows it. The normal parole release date established for this man is the earliest legal date on which our parole board can release him. This is in the best interest

of the man and of society, and the hon. member knows that too. But, by allowing the events to take their normal course, by following the correct procedure of this House, there was no publicity to be gained for the hon. member, and he knows that, and that is why I have recounted to hon. members the chronological sequence of events, to allow hon. members to make their own judgment as to why the hon. member persists in bringing to public notice the private affairs and the personal names of prisoners in our care.

It is not the practice of members of this government to imply motives in the actions of the members of the Legislature. I have given hon. members the facts. Let the facts speak for themselves. But I must again advise the hon. members that this continuation of publicizing names and situations without accepting the full implications can be a definite catalyst in the emergence of very difficult situations, detrimental to the inmates, to the institutions, to the programmes in the institutions and, in many cases, to public security.

**Mr. Shulman:** I rise on a point of personal privilege inasmuch as the comments by the hon. Minister have indicated that my actions were, perhaps, not in the best interests of all. I wish to point out to you, sir, and through you to the House, that my request to the Immigration Department was that this man be released, or rather that their immigration hearing not be held. The request that came from The Department of Reform Institutions was that the hearing be speeded up. If I had not intervened on this I am quite sure that man would now be back in Europe and on this I am quite satisfied with my activities.

**Mr. D. C. MacDonald (York South):** How can you prove otherwise?

**Hon. Mr. Grossman:** Mr. Speaker, the suggestion that the federal Minister of Immigration would keep a man in this country who should normally be deported except for the request of the hon. member for High Park is so ridiculous as to be hardly worthy of comment.

**Mr. Shulman:** The Minister of Reform Institutions did not inform the Immigration Department of all the facts.

**Mr. Speaker:** Order, order!

**Mr. Shulman:** The Minister of Immigration was not informed by the Minister that

this man was given a parole and then was told it was all a mistake, no parole would be given.

**Mr. Speaker:** Order, order! Has the member a point of order or a—

**Mr. Shulman:** Yes, I have a point of order, sir, if you will hear it. I wish to point out that the Minister of Immigration and his department had not been informed by any other source of the fact that this man had inadvertently been granted a parole and subsequently had it revoked.

**Hon. Mr. Grossman:** That has no bearing on it.

**Mr. Speaker:** The member for Etobicoke has a question? Order, order!

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, I have a question—

**Mr. Speaker:** Order!

**Mr. Braithwaite:** Mr. Speaker, I have a question of the hon. Minister of Education, notice of which has been given. Is the Minister planning an investigation of the circumstances surrounding the dismissal of Michael Stanleigh, a grade 12 student, who was escorted by police from Bathurst Heights secondary school yesterday?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I am sure the hon. member fully recognizes that this is a problem which falls within the scope of the school board for that area and it is a problem that they themselves should resolve.

**Mr. Braithwaite:** A supplementary question, Mr. Speaker. According to newspaper reports, there appears to be a vendetta between the vice-principal and the family. Inasmuch as that may be so, it is my suggestion that this might fall outside of the school board's authority and it might come within the purview of your authority. I am wondering, in those circumstances, if your department is prepared to do anything?

**Hon. Mr. Davis:** Mr. Speaker, in that the hon. member's supplementary question is based on what may or may not be an existing situation, I think it quite inappropriate for me—shall we say—to speculate upon an answer.

**Mr. Speaker:** The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** A question for the Minister of Social and Family Services: Have the four members of the Minister's advisory committee on adoption and foster care been appointed? If so, who are the four members? If not, when can their appointment be expected?

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Speaker, the formal appointment of the four members has not yet been completed. I hope to do that in the very near future. I hope to have all four appointments before the end of next week.

**Mrs. M. Renwick:** A question to the Minister of Trade and Development: What is the allowance per mile and at what mileage does the mileage allowance commence, listed by the Ontario housing corporation under "travelling allowances of the family head", which may be deducted from the aggregate gross income on which the rent scale of OHC tenants is based?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, the national rent scale on which Ontario housing corporation rents are based provides for the exclusion of certain emoluments in the calculation of family income. These include living out or travelling allowances of the family head. In other words, if the head of the family receives from his employer some form of travelling allowance or living out allowance, it does not have to be declared as part of his earnings.

Under the circumstances, I am sure the hon. member will agree that the question of allowance per mile, or at what mileage the mileage allowance commences, is not a consideration.

**Mrs. M. Renwick:** Does this apply to any specific type of position that the householder may hold which involves travelling? I am thinking in terms of the families who are now living in the west end of Toronto, travelling 10-14 miles a day to their work in the east end. Would that not also be considered travelling expenses?

**Hon. Mr. Randall:** Yes. I would say if the employer allows an allowance, we would take it into consideration.

**Mrs. M. Renwick:** Question of the same Minister, Mr. Speaker. Would the Minister advise the House of the names of the nine families who were offered houses in the OHC Thistletown development recently and de-

clined them—the nine families we spoke of yesterday.

**Hon. Mr. Randall:** Yes, I have the information, Mr. Speaker. I will give you the name, the date the unit was offered and reason for refusal.

First is M. Lahey, March 19, 1968, no reason for refusal; second, C. Bennett, March 27, 1968, no reason for refusal; third, L. Walkington, April 3, 1968, no reason; J. Gormley, April 4, 1968, too far out; K. Cole, April 18, 1968, no reason; Mrs. P. Teal, April 18, 1968, too far out; Mrs. M. Maloney, April 19, 1968, personal problems; Mrs. J. Jeffrey, April 25, 1968, no reason; E. Redsky, April 25, 1968, no reason.

As the hon. member will appreciate, all application for accommodation with the Ontario housing corporation are made on a confidential basis and this is clearly stated on the application form. Therefore, the Ontario housing corporation respects this confidence at all times and for this reason I am providing the hon. member with the applicants' names only.

**Hon. Mr. Yaremko:** This is a new trend, wanting disclosure on the people who get public assistance.

**Mrs. M. Renwick:** May I ask a question, Mr. Speaker of the same Minister? Incidentally, in light of what was just said, this is from an inquiry which was directed by telephone to our department today. Can the Minister advise the House whether one of the four-bedroom houses in the OHC Thistle-town development was offered to Mrs. Gloria Dunn, of 12 Wildwood Crescent, Toronto 8, who has six children and pays rent of \$140 a month out of her welfare allowance, and who first made application for Ontario housing in 1966? If not, why not, and when can Mrs. Dunn look forward to being placed in Ontario housing?

**Hon. Mr. Randall:** Mr. Speaker, Mrs. Gloria Dunn is separated from her husband and has six children ranging in age from two to 14 years. Mrs. Dunn was formerly a tenant of the Ontario housing corporation at 14 Blevins Place, Apartment 605, South Regent Park. She was a tenant there from December 1, 1963 to November 30, 1965, when she vacated the dwelling. She gave no reason for vacating it. During her occupancy of the unit she was a troublesome tenant and on at least two occasions police were called by her neighbours to quell disturbances. There were other

incidents involving Mrs. Dunn. The gentleman who from time to time lived with her and her children, all of which were to the general detriment of the area and to the annoyance of the residents. Mrs. Dunn re-applied for housing in May, 1966. Her present accommodation is a six-room semi-detached house and this is shared by her parents. Mrs. Dunn's application was brought before the board of directors of the Ontario housing corporation for consideration and it was the decision of the board that having regard to all the factors involved, she was not to be rehoused with us at this time.

**Mr. M. Renwick:** A question of the same Minister, Mr. Speaker. Of the 465 families who have been accommodated at some time or other since January 1, 1968, at the Toronto emergency housing shelters here, is it correct that only 25 of these families have been placed in housing by the Ontario housing corporation?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member's questions, and so that the hon. members are completely familiar with the exact number of families who have been accommodated in the two Toronto emergency housing shelters since January 1, 1968, I would advise them that the number is not 465 families, as stated by the hon. member for Scarborough Centre in her question, but 126 families. In the past the Ontario housing corporation has not been advised of the families temporarily located in the hostels, and this made the matter of their relocation difficult unless the family submitted an application. However, now that the administration of these hostels is under the jurisdiction of the department of welfare of the municipality of Metropolitan Toronto, an arrangement has been arrived at whereby Ontario housing corporation is regularly advised concerning families living in the hostels so that steps may be taken to accommodate them as quickly as possible.

Ontario housing corporation has just today received a letter from Mr. John G. Anderson, commissioner of welfare for the municipality of Metropolitan Toronto, which I would like to read into the record. The letter is addressed to Mrs. Meredith, supervisor, tenant placement section of the Ontario housing corporation, and I quote:

Further to my conversation with Mr. Whaley, enclosed is a list of the homeless families presently living in our family hostels. It is my understanding that you will



be able to give families in these circumstances some particular consideration for placement. We will keep this listing updated by advising you regularly of any new admissions to the hostels, and also of any persons who may locate accommodation on their own.

The families are at the two hostels located at 87 Richmond Street East and 674 Dundas Street West. The list gives the phone numbers and the people to whom they may apply. And the final paragraph says:

Our department's procedure is to complete an application for public housing for each family admitted to the hostels who do not have an application in effect. These are forwarded to the Metropolitan Toronto housing registry and no doubt one copy is passed on to your office. If there is any further way in which we may assist in providing information or facilitating placement, please advise.

Thank you for your consideration of this referral, your co-operation is very much appreciated.

(signed) John G. Anderson,  
Commissioner.

Attached to this letter, Mr. Speaker, was a list of families presently living in the hostels, but this amounted to 22 families in total.

In reply to the specific point in the hon. member's question, I would advise her that Ontario housing corporation has, since January 1 this year, rehoused two families from the emergency shelters but during the same period has housed many families in emergency circumstances who would otherwise have no recourse but to seek shelter in the hostels.

Now, Mr. Speaker, I have a question that the member asked me yesterday and I would be glad to answer it while I am on my feet, if I may, with reference to 30 Orpington Crescent, Thistletown; is that the one we were talking about yesterday?

Mrs. M. Renwick: Is this No. 2?

Hon. Mr. Randall: Yes. This unit was completed near the end of December, 1967 and since that time it has been offered to five families, all of whom refused. Their names are W. Murrell, Abdul Batwa, H. Mullings, Mrs. M. Downey, Mrs. J. Herbertson. It has now been offered to a sixth family who have indicated they will accept. It is a three-bedroom unit. I think you can see that sometimes we have difficulty getting people to move into good public housing.

Mrs. M. Renwick: Mr. Speaker, I have a supplementary question of the Minister. Prior to the supplementary question, would he just give me the date of Mr. Anderson's letter?

Hon. Mr. Randall: It is dated April 29, 1968.

Mrs. M. Renwick: April 29?

Hon. Mr. Randall: 1968.

Mrs. M. Renwick: And he said they file an OHHC application for each family as they are entered into the shelter?

Hon. Mr. Randall: No, he said he would keep us advised of the families in there and then we could get applications made for them. Up to now, the Toronto housing authority has never given us the information of the people who were in the hostels; we could not get it from them. But now that Metro welfare has taken it over, they are prepared to give us this information so we can work with them.

Mrs. M. Renwick: Mr. Speaker, a supplementary question: Does the Minister not receive a daily report from the Dundas Street shelter of the eight or nine families that are housed there, while he does not get one daily from the shelter on Richmond Street?

Hon. Mr. Randall: I cannot answer that question; I will get the information for the hon. member.

Mrs. M. Renwick: Thank you, Mr. Speaker.

Mr. H. Edighoffer (Perth): Mr. Speaker, I have a question for the Premier.

In view of the statement by University of Toronto's job placement director, A. W. Headrick, that summer employment positions are the scarcest this year that they have been in his memory, and in view of the fact that the University of Toronto job placement service has appealed to university professors to offer jobless students any work they have available, is the Premier prepared to follow the lead taken by the Canada manpower office to set up a special youth branch as a special clearing house for summer employment, and is he prepared to provide special government jobs for such a branch?

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, this question, I believe, was originally put by the member for Wellington South so, this being the fourth time I have

answered a similar question this session, I will assume that the answer covers the question asked by the member for Wellington South.

**Mr. H. Worton** (Wellington South): The Prime Minister was not here the other day when I submitted the question.

**Hon. Mr. Robarts:** Well, that really does not matter. I am not aware whether the member is here or not, I just do not want to answer the question again, that is all.

On April 21 the leader of the Opposition asked a somewhat similar question at which time I stated that the government would do everything in its power to ensure that we as a government would employ as many students as possible this summer. I believe I pointed out at the time that the problem arises simply because there are more and more students staying in school for longer and longer periods. Thus the group of people to be served by summer employment is increasing considerably every year and I presume will continue to increase.

On April 3, I was asked a similar question by the member for Grey-Bruce (Mr. Sargent) and on that occasion I outlined the efforts which the government goes to each year and I named the departments which employ summer help and I pointed out also that it is not the responsibility of the government to provide summer employment. But I did take the opportunity to appeal to industry to recognize this problem and to do everything in their power to see that what jobs were available which could be provided.

Then on February 23, in response to a question by the hon. member for Humber (Mr. Ben), I expressed the view that it is the responsibility of the government to provide jobs for the labour force of the province—that is the complete working force—and this we do through various programmes of industrial expansion, trade missions, and so on. I went into that in some detail. We look to the general economy and the efforts we make to encourage the growth and development of the general economy to provide the opportunities for these young people.

In specific answer to the questions that are asked I would point out that the Canada manpower office is in effect a government-operated employment agency which operates from coast to coast. It is a relatively simple matter for it to set up a student division—if that is what it is called—or a youth division, because they operate these offices in all parts of Canada

as a part of their responsibility in providing national employment. We have no such government-operated employment agencies in the province and therefore it would be a little difficult to say where we would set up a special youth branch or how it would function, particularly in view of the fact that it would be established only to deal with this one problem which occurs at one specified period of time in the year; that is, in the period shortly before school ends until the young people take their jobs. So we have no plans to duplicate what is being done by the Canada manpower offices.

The final question is: Am I prepared to provide special government jobs for such a branch? I do not think today, Mr. Speaker, that the government is in a position to say that it will embark upon a make-work programme for students by creating jobs in the government service in order that the students may have jobs. I would just say that, no, we are not going to provide special jobs for students. But I would refer you back to the answers which I have given previously. In them I set out the programmes of summer employment that the government has and our appeals to industry to provide as many jobs as possible for these young people.

**Mr. Speaker:** The member for Port Arthur.

**Mr. R. H. Knight** (Port Arthur): Mr. Speaker, I have a question for the Minister of Tourism and Information, notice of which was given previously.

Is the Minister aware that the widely praised film, "Ulysses", based on the James Joyce novel, which was originally approved for screening in Toronto at the Fairlawn theatre only for a 28-day engagement at a minimum of \$5 per seat has now been permitted to return for a further 28 days under similar conditions at the Glendale cinema? What is the reason for this policy? Would the Minister agree that this type of distribution is discriminatory?

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Speaker, there are a couple of minor errors in fact from the hon. member. "Ulysses" was originally shown in the Capitol theatre here at a top price of \$5 and, I think, \$4.50 for evening performances, and a little less for matinees. It was the distributor of the film, not the theatres branch, that decided on a 28-day engagement. The ticket price is established by the theatre itself. The theatres branch has no control over theatre prices.

I understand that this further engagement has also been set at 28 days by the distributor and, so far as I understand it, these are the only theatres in the province in which the distributor proposes to exhibit the film at the present time. I may say that I believe the ticket price this time is \$3.00 and \$3.50 in the evening.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, I have a question of the hon. Attorney General. Will the Attorney General conduct an investigation into the extraordinary discourtesy and lack of hospitality displayed by the Ontario Provincial Police—as reported in the *London Free Press* of April 24—toward Randy Parke, of Nova Scotia, whose car was confiscated by the police at Napanee because the police refused to verify with Nova Scotian authorities the legality of his licence plates? Also will the Attorney General formally apologize to Mr. Parke? And why were the police reluctant to assist a stranger and force him to submit to a number of inconveniences, as reported in the above-mentioned article?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I have asked the commissioner of the Ontario Provincial Police for a full report in this matter and I would refrain from comment until I have that which I shall have very soon.

**Mr. Paterson:** May I ask the Attorney General a supplementary question at this point? Would the honoured visitor from Nova Scotia (Mr. Stanfield) to the Legislature today receive a little better treatment than Mr. Parke?

**Hon. Mr. Wishart:** Mr. Speaker, I certainly agree with the hon. member that we ought to offer every courtesy to visitors to our province. I think when the report is received it will perhaps reveal some reasons for the difficulties which were encountered here. I would hope there was no discourtesy, really.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 2nd order, House in committee of the whole; Mr. A. E. Reuter in the chair.

### THE PLANNING ACT

House in committee on Bill 89, An Act to amend The Planning Act.

On section 1:

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** The other day, in speaking of this matter, Mr. Chairman, I did raise a point that section 216 of The Assessment Act did give provision for the disclosure of information to official persons within the municipality—I have not got The Assessment Act in front of me at this moment. I have come to learn subsequently that the reason for this section is that certain assessor, and so on, of a rather churlish disposition apparently, refused to communicate to planning board officials the information that they have.

I would have thought, in the circumstances, the Minister might have simply addressed a letter to these gentlemen, indicating to them something along these lines, Mr. Chairman. "If I were the assessor and you were the Minister, I would give due recognition to any letter that you sent to me. You being the assessor and I being the Minister please be so kind as to reciprocate," or something of that nature. Then we would not have the necessity of having the section included in the Act at all and extending the verbiage in the statute books. Thank you.

**Hon. W. D. McKeough (Minister of Municipal Affairs):** I suppose perhaps, Mr. Chairman, my predecessor wrote such a letter and we probably had some conversations.

But I think there have been some cases of some very sticky assessors who, quite properly, stand on their rights and their interpretation of the Act, which is correct, and this will get around that situation.

Section 1 agreed to.

On section 2:

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, on section 2. I would like the hon. Minister to indicate just what the townships will be doing with the bylaws that allow them to put through the 25-acre severance without reference. Does that mean that these bylaws will no longer be in force and will have to be treated as any other subdivision bylaw? Is that correct?

**Hon. Mr. McKeough:** No, I think they would still be in force, but this would take—I do not think they would be cancelled out—but this, of course, would take precedence. If they approved an official plan, they might well, within the terms of their official plan, decide that this is the kind of development which they wanted. Then, subject to my approval and the approval of the board, that could be granted, so the bylaw would



then still be operative. I cannot envisage that happening too often, but I do not think there would be any necessity, particularly, to repeal these bylaws.

**Mr. Nixon:** Might I just follow this one step further, since there has been some enquiry about it. If a township has an official plan that has been approved, and part of it is a bylaw that permits the township to sever 25-acre lots, then this would not be affected by the amendment that is before us. They could then proceed just as they have in the past?

**Hon. Mr. McKeough:** I think that is right. Yes. Of course, I doubt whether there is an official plan which would include that kind of a provision, but hypothetically if there were.

**Mr. Nixon:** I think that there are several townships that have approved official plans and also have that bylaw.

**Hon. Mr. McKeough:** I doubt it, Mr. Chairman. Subject to correction, I think those townships are probably in the process of preparing official plans. They have probably passed those kind of bylaws in desperation, which they hoped would get them over the hurdle.

**Mr. J. E. Bullbrook (Sarnia):** I would like, Mr. Minister, through the chair—am I not correct, you are talking about a subdivision control bylaw? There would be no necessity to have the exception in the bylaw. I take it you and the hon. leader of the Opposition are discussing the question of a ten-acre exception which you are now taking out of The Planning Act. So am I not correct in assuming, Mr. Chairman, that there would be no necessity of having in the bylaw that exception that was previously in The Planning Act. At least to my knowledge there never has been that exception provided in a municipal bylaw since it was in The Planning Act, in any event.

**Hon. Mr. McKeough:** I am in agreement, I think, with my friend from Sarnia. The zoning bylaw provisions re lot sizes are not affected by this amendment, because we are really talking about two different things—plans of subdivision and zoning bylaws.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, has the Minister given any further thought to this matter of placing the responsibility under the planning board rather than the committee of adjustment? The reports I receive from many areas are that the commit-

tee of adjustment would not be properly capable, or in a position to handle this type of subdivision—or breaking up—that would be now thrust upon them by this clause, and that it should properly come under the planning board.

**Hon. Mr. McKeough:** I dealt with this on second reading. I think perhaps the hon. member had left.

**Mr. Deacon:** I did not quite—

**Hon. Mr. McKeough:** I have not given any more thought to it since yesterday, no. I would be glad to discuss this. I did deal with it quite extensively yesterday in my reply on second reading and I would be happy to discuss it, but I do not think it is necessary to go over that ground again now.

Section 2 agreed to.

On section 3:

**Mr. Chairman:** The member for Downsview.

**Mr. V. M. Singer (Downsview):** Mr. Chairman, regarding some discussion on this yesterday, I think I extracted from the Minister the admission that if he wanted to exercise the power to insert a gasoline station in an exclusive residential area, he could do it without a hearing, without notice to anyone affected, and without the opportunity for anyone to object. The Minister was assuring us that we could trust him. We heard that phrase from another Minister earlier in the day, and while I have the greatest trust for my good friend the Minister of Municipal Affairs, he might have a bad day some day and improperly exercise the trust that we place in him, or his successor, whoever he might be, might not be nearly such a trustworthy person as he is.

What I am objecting to, Mr. Chairman, very simply, is placing in the hands of any Minister of the Crown, the absolute and unfettered discretion to change municipal zoning bylaws without notice and without hearing. I think this is wrong. I think the power can be exercised in an arbitrary manner and I do not think it should be in the Act. I would suggest, sir, that there is a very simple remedy for this, and that is the removal from section 31(a) of the words, "without the approval of the municipal board." Therefore, sir, I am going to move that the words, "without the approval of the municipal board," be deleted from section 31(a) and I think this will accomplish the intent of what I have been saying.

Sir, let me just underline my concern in regard to this kind of an arbitrary power that is being given to a Minister. I would think we have heard enough in this House from time to time about protecting the rights of citizens. I think we are familiar with the various recommendations made by Mr. McRuer about the importance of public hearings, about the importance of natural justice and so on. And I think, sir, that we have had two examples in the estimates in recent days here in this House about the real danger that could arise where a Minister chooses to exercise a kind of a discretion that sometimes he has power to do, without taking the members of the Legislature or the people of the province into his confidence.

In other words, it may well be necessary that this kind of power should on very rare occasions be exercised. But my strong objection is, sir, that it cannot be and should never be exercised without a hearing and without notice and without some form of review. For these reasons, sir, I move the amendment and I commend it to the attention of all hon. members of the House. We always have to be on guard about granting arbitrary powers and here is an example where the Minister asks for an arbitrary power to be granted again, and I think that should be refused.

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, in reviewing this matter yesterday, I thought after, and wondered whether the Minister, with all respect, had actually thought through, or looked through to, the possible implications of this section. It does constitute the Minister, a petty despot, and I am sure that the Minister does not wish to be a petty despot, or for that matter a despot of any kind.

At the same time, that is the power conferred upon him. It gives him an arbitrary authority far beyond anything that I hoped he would wish to exercise over and against the municipalities for which he is responsible. We hear so often in this House, the hon. Cabinet Ministers of the Crown standing up and saying that we have to have faith in them as individuals, and to a point I suppose we must have, perforce. But the whole precedent of British law, the fundamental running theme, which is a good one, through the McRuer situation, is that we are not governed by men, but we are governed by law. For a single Minister, relying upon the exuberance or the charm of his personality, to ask this House to bow their heads before him person-

ally seems to me to be pushing a little hard. It is a rather common thing and I would hope that it would not occur too often.

The discretionary powers conferred upon Ministers must be guided by criteria; we must be made cognizant and aware. The people are being most terribly affected by this; local municipal councils, whose power is being, I suggest to you, divested from them, in a crucial sense. The Minister probably has good reason because of certain antiquated bylaws of a restrictive nature, covering clothes lines in the countryside, which are on the books, and he is trying to get a plan through to simply abrogate these things out of hand. There are many of these bylaws around, I agree, and perhaps his department would winnow them out over the course of his suzerainty, but the fact is that at this stage of his career, to simply attract to himself all the power and prestige in the province, and to rule out the whole functioning of The Planning Act, so far as these bodies are considered, at least in the last analysis, is something to which I think the Opposition must take severe exception and the Minister in all rationality should agree.

I have thought overnight as to many various manners and means of trying to amend this thing, and I have come to the conclusion that it is virtually impossible, without considerable study, to segment or divide up the areas of responsibility that ought to be left to the Minister, to get him that overriding power that he will need in certain touchy situations in order to get plans through, in a perfectly rational way, over against what the municipalities do in some instances or simply leave kicking around in their books, and I have not been able to arrive at any particular conclusion.

Certainly the suggestion of my friend from Downsview is in order. It does place the Minister somewhat at the mercy of the municipal board; whether he enjoys that prospect or not I do not know. My first thought was that some kind of an appeal from the Minister's ruling should be written into the section; it ought not to be left where it stands. I am going to suggest to the Minister, without moving any motion, that the Minister in all good faith consider withdrawing that particular section from our perusal today, give it further consideration in the light of all its implications, and bring it back on a subsequent occasion to this House. I am sure it is not as pressing a matter as all that.

The crux of this bill lies in the second section, I think you will agree, and this matter

is peripheral—of no great consequence just at this time—whereas the other section is of terribly great importance and must be passed immediately. With that in mind I would ask the Minister to place that under consideration. The Act may look inconsequential, but from the legal point of view and away beyond that to the life of this province and the civil rights invested in its citizens, it has very grave consequences indeed.

**Mr. Chairman:** We have a motion before us. Does any member wish to speak before the Minister replies? The leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, I have mentioned before in the discussion of the responsibilities of this Minister the fact that his own discretion does prevail on a specific and rather lengthy list of occasions. In my view there is at least some semblance of reason for leaving it to the responsible Minister to pass judgment on what perhaps his officials have recommended to him in certain planning decisions. But the amendment that has been placed by my colleague from Downsview removes from the Minister the ability to make a final decision and allows it to rest with the municipal board. I understand that in this very area at the present time an appeal beyond the Minister to the municipal board is permitted on certain matters, I am informed, and even beyond that from the municipal board back to the Lieutenant-Governor in council.

Many people do not accept that as a very satisfactory avenue in the last instance; at least there is not a rigid decision arrived at without appeal. The amendment itself could perhaps have been worded with removing the suffix in the word “without” so that it would read “with the approval of the municipal board”, and emphasize that part of the decisive nature of the municipal board in controversies of this particular type.

There is no doubt that the Minister's predecessor was in no way afraid of making the kind of Ministerial decisions associated with this kind of a situation. We have seen the Minister's predecessor in the wings in the last few days and there is no doubt that his interest in the development of planning and municipal government is a continuing thing, and this may become even more apparent in the future than it is now.

But surely the new Minister of Municipal Affairs would be looking for ways in which he could extract himself from the very difficult

situation whereupon perhaps a private petition he has to make a decision in response to certain facts placed before him. I think his colleague, the Minister of Transport (Mr. Haskett), in years gone by, has found that it has been impossible for that particular part of the administration to hold with the individual Minister the power to pass his personal opinion on these matters. So surely it would be in the best interest of a fair and modern and effective approach to matters of planning and also assist the Minister in the carrying out of his duties, if this were to carry.

**Hon. Mr. McKeough:** Mr. Chairman, this has been very interesting and I did give some thought to this particular section in the last 24 hours since we discussed it yesterday. I think I have to say to you that at this moment in time this is not the most vital piece of legislation which we have been presenting to you. On the other hand, I am not prepared to withdraw it and I am afraid I cannot accept the amendment made by my friend.

If I might just correct a couple of things. My friend from Lakeshore suggests that we are ruling out The Planning Act. Perhaps I misinterpreted him, but that is precisely what we are trying not to do. It is in a situation where the provisions of The Planning Act—as I said yesterday and you put it this way too—have been passed and are not being used. And what we really want to do is to get The Planning Act back into play again and that is why the Minister would exercise this authority.

My friend, the leader of the Opposition, then referred to appeals from the Minister to the Ontario municipal board. There are no such appeals at the present time.

**Mr. Singer:** Relating to official plans.

**Hon. Mr. McKeough:** Relating to official plans, as my friend from Downsview knows these matters come to the department. They are not recommended to me. I never see them.

**Mr. Singer:** It is done in your name.

**Hon. Mr. McKeough:** No, no. The wording, as you well know, is—someone in the branch writes, “We are not prepared to recommend this to the Minister”. It is not a question of the Minister turning something down and in most cases I never see them.

**Mr. Singer:** I am not questioning that. The power is really yours to make appeals.



**Hon. Mr. McKeough:** No, if I make a decision, as he also knows, then it is not appealable to the Ontario municipal board.

**Mr. Singer:** You are quibbling.

**Hon. Mr. McKeough:** No, I am not quibbling.

**Mr. Singer:** If it comes out of your department, it is you.

**Hon. Mr. McKeough:** Exactly, and here is the point, I suppose, more than any other. But I wanted to correct that one statement which both the leader of the Opposition and my friend from Downsview have made—there is no appeal from the Minister's decision to the Ontario municipal board. There is an appeal from something which is not recommended to me but there is a distinction and it is—

**Mr. Singer:** A distinction without a difference.

**Hon. Mr. McKeough:** I know, but you just should not say that my decisions are appealable because it is not so.

**Mr. Singer:** It is so.

**Hon. Mr. McKeough:** It is not so.

**Mr. Singer:** The municipal board every day reviews decisions made in your name.

**Hon. Mr. McKeough:** No, not made in my name, made by the department; not recommended of the Minister. There is quite a difference and I am sorry that it escapes my friend. But I think there is a more fundamental point here and I am quite willing to admit to the members of this House that I have not sat down and digested McRuer. I am not a lawyer. I am not sure when I am through reading it whether I will understand it completely. But I do know this much about it and, of course, he refers to the functions of the Ontario municipal board and then indicates that he is going to deal with them more extensively in the fourth and fifth volumes, and we are looking forward to that.

He does talk a great deal, as have others, about Ministerial responsibility, not only in this area, but in other areas, and he and I think many others would say that the Ontario municipal board should become a place for hearings. I am not saying whether I agree with this or not. It would become a place for hearings, for a proper atmosphere in which people could come forward

and make their case, in which lawyers could present their case and argue it, but the ultimate responsibility must be on the Ministry. McRuer, I understand, says this rather vigorously and this is really the position which you are running counter to with your amendment.

I think a more appropriate circumstance, or more appropriate example—one which perhaps I can understand a little bit more easily—has to do with the national energy board. As members know, the national energy board hold hearings, but their only responsibility is to recommend to the federal Minister. It is his ultimate decision. And I think this is the point here, that if we are to have Ministerial responsibility, either the Minister sitting here is responsible for the Ontario municipal board, or he is not. I think I should be. I do not particularly relish the responsibility.

Smith, of course, goes much further, not only in the planning area. He suggests that the decisions which are made by the Ontario municipal board on behalf of the 967 municipalities as to their five-year plans and whether they can issue debentures or not, should be made by the department. Heaven knows, Mr. Chairman, I do not want all this responsibility, but I do see the point which Smith, McRuer and others are directing to us.

**Mr. Lawlor:** It is different, though.

**Hon. Mr. McKeough:** The sum and substance of it is, either the Minister carries the responsibility or he does not. This amendment, I think, states that it is the Minister's responsibility.

**Mr. Singer:** Mr. Chairman, the Minister raises a very interesting point. He has said this is an inconsequential amendment, it really is not important at all. But as he begins to explain his reasoning to us, he apparently now has embarked upon a new concept of his role in planning.

**Hon. Mr. McKeough:** No, I have not.

**Mr. Singer:** Yes, this is what he said, because the authorities that he brings to support him, Smith and McRuer, suggested an entirely different concept. I am sure that if the hon. Minister had read Smith and McRuer carefully, he would have noted that where they recommend this change in direction—and it should not be done as an inconsequential part of an amending statute, it should be done as a matter of policy that

applies across the whole broad field—both those reports insisted on ample opportunity for public hearings and notice and proper safeguards to the protection of individual rights.

Our objection to this particular amendment is that there are no safeguards here at all. The example that I put yesterday, Mr. Chairman, is quite in line with what could happen if the Minister chose to act arbitrarily on private representations which were communicated to no one except the Minister. One could find tomorrow morning, permission given by the Minister to erect a glue factory in their residential neighbourhood.

It could be done that way, without any notice to the municipal council, without any notice to the neighbouring residents, without any hearing, without any safeguards at all. And I would think that my friend would have to reach a long, long way into Smith or McRuer to arrive at the decision that their remarks about Ministerial responsibility mean that.

Quite to the contrary, Mr. Chairman, what they talked about and what I have talked about on many occasions in relation to expropriation, as the Attorney General well knows, is that there should be Ministerial responsibility, but it should be exercised after an opportunity has been given for a full and complete public hearing.

There is nothing about public hearings in here. There is nothing about notice in here, and therefore I say that the Minister is asking for unusual arbitrary powers which he can exercise, completely to the detriment of the public interest, and the public will be completely unaware of it, because there is no necessity for notice or for public hearings. It is for those reasons, sir, that I suggest this amendment must carry.

**Hon. Mr. McKeough:** Just one point. If all of this is true, and I am not quite prepared to concede that all of it is as correct as it might be, then all I can say to you is that all this power reposed in the Minister under section 27, and has for some time.

**Mr. Singer:** Well, that is different.

**Hon. Mr. McKeough:** No, it is not.

**Mr. Singer:** Because he then acts where there is no bylaw and where the municipality has been negligent. Here he proposes to act where the municipality has brought its discretion to bear and passed a bylaw, whether it is a good one or a bad one, but at least it has done something. There is an

excuse for 27, where the municipality has been negligent and done nothing and he moves in to protect, but here he can take away.

**Mr. Chairman:** The Attorney General.

**Hon. A. A. Wishart (Attorney General):** I just want to point out, Mr. Chairman, that this power of discretion, and decision, in the Minister does exist in this section and has existed for a considerable time, I think since passage of The Planning Act or thereabouts, and has worked well, as my friend from Downsview points out. It has been exercised where there has been no bylaw.

**Mr. Singer:** That is the only way it can be exercised.

**Hon. Mr. Wishart:** But there has been experience with the operation and all the amendment does now is to expand to the area where land is brought—it takes the land which formerly was under bylaws, which was excluded from the Minister's discretion; it now opens it up, so that it reads, "any land in Ontario."

One other comment, Mr. Chairman. Much has been said about the recommendations of Mr. McRuer as to liberties, rights, rights of appeal, and rights of review, and with all of that I agree. I have great respect for the hon. Mr. McRuer. But as I have read him, and I have read his reports, I think, at least once carefully and several portions more than once, he speaks generally of those very fundamental rights of liberty and the taking away of one's property. With those rights, certainly one cannot be too careful to provide the utmost review to the highest level.

But here, while it is true that it affects property and it affects the use of property, it has nothing to do with the liberty of the individual, it has nothing to do with the expropriation of property, although I will concede that the curtailment of the use may affect the enjoyment of the property to some degree. But we have that at many levels of government, three levels anyway, and I would think the lowest one, the municipal council, without any question, may decide tomorrow or today to pass a bylaw and place parking in the front of my lot and curtail my use and enjoyment to that extent, or it may decide to run a road through it.

**Mr. Singer:** They have to pass a bylaw and discuss it.

**Hon. Mr. Wishart:** On a parking matter, I do not think they have to go anywhere beyond the municipal council. They can affect the use and enjoyment of my property, and so on. There are certain things, but they are not fundamental to our liberties and our possession, and these things governments do. I agree with my hon. colleague that there is a point at which, certainly at this level of government, Ministerial responsibility must be exercised, and in these matters I think this is the proper case for the maintenance of that responsibility and the exercise of it.

**Mr. Chairman:** The member for Oshawa.

**Mr. C. G. Pilkey (Oshawa):** Mr. Chairman, some of these Acts are rather complex for new members and I just want to suggest that the government make a much better explanation so that we, as laymen and new people in the House, can understand it a little more.

I want to put a question to the Minister. As I understand this amendment, where there is a restrictive bylaw in a municipality, if the Minister wanted to repeal that bylaw, he would have the authority. The question that I would like to ask is this: If the residents in that area, for their protection, thought that this restrictive bylaw should stay in force, is there any way that the citizens or the ratepayers in that area have a right to appeal the Minister's repeal of the restrictive bylaw?

**Mr. Singer:** None.

**Mr. Pilkey:** Because if there is not, then I think that the Minister should reconsider this section. I can understand the Minister's position, that there may be a restrictive bylaw in a municipality that really should be repealed, but the council have not repealed it, and it is creating a hardship on the people in the area, yet they cannot get through to their municipal council. I think that there should be some authority to repeal that bylaw. I can understand the complexities or the complications that the Minister is confronted with, but I do think that if we are going to give the people some opportunity, because of an incorrect decision on your part—and I am not suggesting for a moment that you would make this decision unilaterally on a basis of affecting anyone, I am not making that suggestion—all I am saying is that there should be some avenue for them to make an appeal, even if it is to

you or your department, so that they can explain their case before you institute the question of repealing that restrictive bylaw.

**Hon. Mr. McKeough:** I do not think there is any question that they do have a right of appeal to me. If we put an order on today, there is nothing to prevent citizens from coming in tomorrow and saying, "You have made a mistake and should not have done this; would you reconsider it?" We can take the order off, and put it back where it was before, and presumably if I am unco-operative and I will not see them and will not listen to them, then they certainly have an appeal to, in effect, any member of this House and they have an appeal, I suppose, to the Prime Minister himself to do exactly what you said.

I appreciate the concern that my friend from Oshawa has expressed. He has come at it from the other angle, where the residents may well want us to put on some sort of a restriction. This has happened in several instances; they wanted something more restrictive than the council have approved.

It was pointed out to me that under the present section the council can pass their bylaw in three readings, the OMB may have never approved it and I am still precluded from acting. The Ontario municipal board may never have given their approval. Council have given the bylaw three readings and I have no power in those instances to do what the citizens may well want me to do.

**Mr. Pilkey:** No, I raised this point because I recall an area in my municipality. I was a member of the city council at the time. I think that the zoning was R2B—it may not mean anything to you but I think it was R2B—where the land use called for apartments; they could build apartments in the area. Now, the Minister could very well, and I want to make this point, affect the landowners' wealth—could very well, if I understand this, under The Planning Act say that "This land is for single family dwellings and therefore you cannot build apartments."

Obviously the citizens of that area I suppose would be satisfied; but what if the reverse was true, what if the reverse was true where it calls for single family dwellings and the bylaw was restricted in that area and then the Minister repeals the restricted bylaw because of some pressures—I do not know what they could be—and he rezones the land so that there now could be apartments built, which would then reflect on the value of the homes in the area. All I am saying is that



they ought to have an opportunity to appeal your decision some place so that their equity is maintained in their homes and the land that they live on.

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** I notice the Minister nod his head, but just where is this tribunal to which one may appeal?

When we are passing laws in this House, it is not what is actually done or is actually taking place at the present time. Again, it is not a question within the ambit of the mere goodwill of some Minister who is of deciduous quality and will disappear tomorrow—I trust not tomorrow, but in due course.

We are not concerned with what actually is; we are concerned as legislators with what may be. We cannot permit, without raising our voices, the granting to a Minister of extensive and arbitrary powers in a matter which, it becomes more apparent to me, has not been thoroughly thought through. The Minister is up against the problem of default, in some cases, and simply obstructive restrictive covenant bylaws imposed by municipalities, and he wants to be able to get rid of them. But in order to get rid of them, he throws out the baby with the bathwater, out go the municipalities with their bylaws. Surely they can pass them under section 30 still, no one pretends to think that section 30 is not, in any way, overridden. I mean, it still remains in effect.

But, in the last analysis it is the overriding power granted to the Minister in this regard, as my hon. friends say, without notice, without any type of hearing whatsoever. If the Minister would write into the clause some form of tribunal, some hearing process, some way in which the Minister is actually accomplishing his purpose fine; but instead he says that the citizenry must approach him after the event. I daresay you are not going to get much of a hearing that way. When McRuer talks about reposing ultimate power in Ministers of the Crown, as I read him, he is quite right. As I read him he is saying that within the democratic system that we are under, that is where the power must, ultimately, reside. But he points out that the reason for that is because the Minister is beholden to this House. And I say to the hon. Minister we can go over to a comparison, perhaps, with the energy board; but in these matters, in the matters of an infinity, if I may say so, of restrictive convenience—there must be literally thousands of them throughout the province—that we as members of this House,

cannot in every spot-zoning or every time a Minister takes such decisions at his discretion, be expected to be knowledgeable about the matter. It is purely within the privacy of the Minister's office. We in this House, ought not to be standing on our feet hour after hour debating the fact of us putting the glue factory into—I do not want to push this too hard—but for sheer political purposes, or for reasons of friendship—perish the thought and so on; but it is possible that as legislators, we may be concerned with it; and it is possible that somebody exercising undue pressure might prevail upon the Minister, through his deputies, or in any other ways, to get in an area of his problems certain privileges and certain amenities which he would not otherwise get because the grass roots men down below, the politicians down below know it is not in the best interest of that municipality and have passed bylaws under section 30 to prevent it taking place.

Surely, as I said yesterday, these are the people who can really determine the best thing for their local municipality, and not the Minister sitting on high in some fourth level of cloud, looking down his long nose at the possibilities and ruling them out as they come along. Just to give you that power, just to grant it to you, seems arbitrary. Again, I would think that you should reconsider, write a clause into the section, providing for public hearings, some kind of notices to the citizens of the region if you intend to make any material alteration to the amenities of that area. This is an arbitrary piece of legislation. It is not inconsequential, it can have the utmost effect if exercised badly, and on some afternoon, some Minister very well could do so.

**Mr. Singer:** Mr. Chairman, I would have hoped—and I am very disappointed—that the introduction of this amendment would have had some appeal to the Minister and to the Premier, who listened to it and listened to some of the remarks about it. But up till now, apparently it has had no effect.

The remarks of the Attorney General, when he spoke a few moments ago, I think, tend to play down the possible effect here. He talks about allowing parking in front of somebody's house. It could, to be very dramatic about it, allow a glue factory next door to your house without any notice—Mr. Chairman, to the Attorney General—without any notice to his own council, without any public hearing and without giving him any opportunity to know that it is happening until the glue factory is, in fact, built.

Surely, sir, there is some good commonsense in going back to McRuer and the Attorney General was pointing this out. He talks about protection to person and protection to property. If you deteriorate the value of a man's property you are hurting that property and if you allow improper uses adjacent to him, which are going to have a deleterious affect on the value of his home, you are acting as though you have expropriated part of the value of his property. You do not just have to do it by taking, you can do it by allowing obnoxious use beside him and that will deteriorate it just as quickly and can hurt him just as much. And it can happen to him without notice and without hearing and without giving him an opportunity to make any representations.

**Hon. Mr. McKeough:** If the municipality—

**Mr. Singer:** But the municipality has to issue a building permit.

**An hon. member:** No they do not.

**Mr. Singer:** Oh come now. The Minister of Municipal Affairs surprises me on some occasions, Mr. Chairman. If the zoning is proper and the plans are in accordance with the building bylaw, the permit has to be issued and if the local municipality refuses, there are judges in the Supreme Court of Ontario who will be anxious, eager and able very quickly to issue mandatory orders directing the municipality to issue the building permit.

It may be that some municipalities are acting in an arbitrary fashion and occasionally get away without it but I can show the hon. Minister all sorts of decisions in Metropolitan Toronto where arbitrary building commissioners are haled into court and the Supreme Court judges have very little patience with those municipal officials who do not obey the bylaws of their municipality. That follows as simply as night does after day.

There is no such power. The bylaws are there. They speak and if you act in accordance with the local bylaws and the bylaws are properly passed, you have rights to do the things that they say. So what the Minister is saying in this section is "I want the power to pass a bylaw", and once he has done it, you can have your glue factory provided you comply with the building bylaws for glue factories. It could happen next door to the Attorney General and he could wake up one morning and there it is, and he would have had no notice, no chance to recoup the value of his property that has been taken away from him.

I think this is just an atrocious approach for the government to allow into the statute books. On the question of appeal, I am surprised again, Mr. Chairman, at the hon. Minister suggesting that, of course, you can always appeal from me to me; the appeal from Caesar to Caesar is just a joke. We have always known that and we have argued that so many times. What is the point of appealing from the person who makes the decision to the same person? It just makes no sense.

I would have hoped that the Minister after having had the advantage of hearing this discussion, if he wants to embark on this new type of Ministerial exercise of discretion, would have said so, would not have buried it in an obscure statute in an obscure section, which he pretends is meaningless, because he is in fact embarking on a major policy change. If this is his view and this is the view of the department and this is the view of the government, fine. There are many good arguments whereby this kind of approach can be sustained. And I am certain that the members of this House would probably listen with great interest and probably with substantial sympathy to this kind of approach provided, Mr. Chairman, that when Ministerial discretion of this kind is going to be exercised, the people affected by it would be given notice, would be given the opportunity of a public hearing and would be given the opportunity to make representations on their own behalf. Surely if you notify no one else, out of courtesy, Mr. Chairman, and out of respect for what we hear from the government are such important people in this province—the members of the local municipal councils—surely you would think there would have been something in here that would have said that where the Minister is going to act under section 30 he would at least tell the local council that he is shoving one of their bylaws aside. But we have not even that, Mr. Chairman.

Now I am quite willing to withdraw that amendment if the Minister will withdraw the section and come in with some safeguards. But in the event he is going to persist in the view he has taken, then that amendment will stand, sir, and we will ask for a vote of the members of this House on it, because it is wrong in principle. But if the Minister will withdraw this section, reconsider it, bring in some provisions for notice and public hearing, then, fine. Otherwise, that amendment will stand and the government members probably will support it but it will be there and the

record will show that we tried to protect the rights of the public.

**Mr. Lawlor:** Mr. Chairman, just a brief word at this stage. If the Minister is not prepared to withdraw this and give it reconsideration in the light of the arguments being used—which I think are far-reaching, pointing out to him the nature of the power that he is beginning to exercise here—it is a new departure, it is arbitrary, sir, it is a matter that ought not pass through this House. The Minister in all graciousness need not be obdurate about this matter. Why does he seem to push it so far? I would ask him to reconsider the matter for a final time.

I can only say that as unhappy as we may be about the motion as moved by the official Opposition, we will vote with them in this matter in protection precisely of all the best interests of the people of this province. I say we are a little unhappy about the amendment because we feel that for the Minister to have to go to the municipal board is perhaps not quite proper; it is a board that is under the discretion of the Minister himself. I would think he might be treated—well, he might find himself in a rather anomalous position. Nevertheless, since that is the only amendment, and this is the only way of expressing our thorough-going distaste for this sort of legislation, we will vote in favour of it.

**Mr. Bullbrook:** Mr. Chairman, I am going to rise to advise you, sir, that I intend to vote in favour of the amendment but I do so with a great deal of concern and reservation because of the remarks made by the hon. member for Lakeshore. Sir, I just for the life of me cannot see the Minister of Municipal Affairs being put in the position of having to appeal to the Ontario municipal board. There is something, as the member says, anomalous about it. But it seems to me, sir, that as I listened to the debate, as I listened to the hon. Minister of Municipal Affairs, as I listened to the hon. Attorney General, there are distinctions here that are extremely significant, in my opinion.

The hon. Attorney General says that there are now vested in the hon. Minister of Municipal Affairs under section 27 certain rights, certain unrestricted rights, and this is true. I point out to you, Mr. Chairman, that these unrestricted rights are in the situation where a municipality has been lethargic, has not been carrying out its duties to the public, and the Minister can come in and intervene, as he must. This is the ques-

tion here; it is the question of the involvement of the Minister's responsibility for the social good, as against the rights of the individual.

In some of our municipalities, certainly in some of our suburban and rural municipalities, we all have been involved with municipal councils who through lethargy or through some lack of interest on their part have not properly undertaken proper planning in their area and the Minister has had to come in for the public good. But now what is being contemplated is the superimposition upon the free right of a council to make a decision by a bylaw, the arbitrary decision of the Minister. I suggest most respectfully to the hon. Attorney General that there is a distinction between the rights exercised under the present legislation and the rights purported to be exercised under the amendment as it is envisaged.

I say this to you, sir: The hon. Minister of Municipal Affairs, when he rose to discuss this point, said, "It is not that significant a matter." As far as you are concerned, sir, as I understand it, Mr. Chairman, section 2 is the legislation that he wishes to get through at this time. I think this does become very significant. I must say most respectfully and with regret to the hon. member for Downsview that I just cannot fully grasp the appropriateness of a Minister of the Crown being subject to appeal by himself to an emanation that is under his control.

**Mr. Singer:** He is now.

**Mr. Bullbrook:** Well, he might well be now but I still do not really like the position. But I exhort the Minister through you, Mr. Chairman, to consider the withdrawal of this section at this time. We are happy with the rest of this legislation but it does have far-reaching effects and I would ask you, sir, to withdraw it.

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if I might be permitted just a further word. I think this might bear particularly on the remarks of the hon. member for Oshawa as well as the hon. member for Sarnia. Let us for a moment consider in what circumstances the Minister would act under this proposed amendment.

**Mr. Singer:** Would or can?

**Hon. Mr. Wishart:** Would.

**Mr. Singer:** How about can?



**Hon. Mr. Wishart:** Well, can, if you like. He can act now with respect to any land not covered by bylaw. When would he act if this amendment is passed? When a municipality has gone to the other extreme from being lethargic, when it has legislated by a bylaw which has disturbed a lot of people or a number of people in that local municipality and they come to the Minister. One cannot conceive, I think, surely, of a Minister acting on his own initiative without any urging, without anything being brought to his attention. But some people, some body of people in the municipality feel that they are aggrieved, feel that an injustice has been done, feel that a trespass on their enjoyment and use of their property has resulted from the passage of the bylaw.

**Mr. Bullbrook:** But do they not have the right of appeal now?

**Hon. Mr. Wishart:** All I am saying here is that the Minister is not going to exercise his discretion just out of the blue without any urging, without some representation, without the fullest report being made—

**Mr. Singer:** How do we know that?

**Hon. Mr. Wishart:** I can hardly conceive of any Minister sitting in his office and without any notice that something is wrong in some local municipality's bylaw suddenly saying, "I am going to reverse that." He is going to do it, of course, only—

**Mr. Singer:** Let us not make it possible.

**Hon. Mr. Wishart:** He is going to do it, of course, only when people bring to his attention the considerations which will apply against the effect of that bylaw, so he is going to do it as a judicial matter, exercising his discretion. Certainly it is not something he is going to do without full knowledge and with everything being brought to his attention. Mr. Chairman, I grant you that this is a different matter from appeal from his decision; I grant you that possibly some procedures must be worked out, perhaps some regulations. I concede that it could be, in this section, by way of notice that he is going to do this, perhaps to the municipalities or to the parties who are interested and concerned. But I do point out that this is the other situation than lethargy. It is an activity that has gone beyond the bounds of reason and has hurt people and they say, "We think that the hurt is grievous enough that you should exercise your discretion and reverse it." I think that we should

try and relate it to what the actual situation would be.

**Mr. Bullbrook:** Mr. Chairman, in connection with what the hon. Attorney General has said, I was under the impression, and I might be subject to correction, that the people as a matter of right had a right of appeal, with respect to restricted area bylaws, to the Ontario municipal board. If the hon. Attorney General is telling us in the House that this again is a superimposition over the Ontario municipal board, am I correct in assuming therefore that the Minister, under this section, will become a court of last resort over the Ontario municipal board?

I think, in effect, and as I said before, when a municipality has done nothing then the Minister has an obligation for the good of society and the good of the people and the proper controlled growth of an area to intervene, and this is what section 27 gives him. But where a municipality, of its own volition has attempted to see to its proper growth, and sir—accepting the position of the Attorney General—if it has unduly trod on the rights of individuals, then those individuals have now enshrined in the statute, the right to go the Ontario municipal board. I certainly cannot accept the need, after an OMB decision, to go on to the hon. Minister.

I hope that this is not the intent of the legislation. I say this most respectfully, but I do continue to see this paramount distinction here for the need of the exercise of your discretion under section 27, and your undue interference with properly constituted bylaws after they have been passed by the people at the so-called grass roots level.

**Mr. Pilkey:** Mr. Chairman, as I understand it, if there is a change or a restrictive bylaw in a municipality and the city council wants to change that bylaw and the zoning, then they notify the residents of the area. It depends on the municipality how far they go. Some are 300 feet, 400 feet, and so on. Now, if the residents do not agree with that change in the rezoning, then they have an appeal to the Ontario municipal board.

Let us go one step further; let us say that the municipality will do nothing with this restrictive bylaw, but the Minister steps into the picture and he changes it. Now, they have no appeal?

**Mr. Singer:** They have no appeal, they have no rules, they have no—

**Mr. Pilkey:** Yes, but just a moment. They have an appeal from the council's decision.

Yet you are putting yourself in a position where they do not have the same appeal, just because the Minister made the decision.

This is where I think that the Act as it is presently constituted is wrong. As I said, I understand your complexities and the problems that you are faced with, in terms of restrictive bylaws that may in a community. But I do believe that there should be some notice—if you were going to repeal a restrictive bylaw obviously the people in the area ought to know about that change. They have to know about it before you put it into effect. They should have some area of making an appeal even, as I said, if it is to you. You are making the appeal before you repeal the restrictive bylaw because obviously, at the municipal level, they are notified. At least they can go to the council, and say that "We want to make representations to you, because you are going to change the bylaw in our area."

Obviously they can go one step further, but at least they have that opportunity to appear there as a group and point out their dissatisfaction with the change.

I think that the people should have the opportunity at the provincial level, as I say, even if it is an appeal to you. I disagree with the amendment of my friend from Downsview, because I cannot see you appealing to the Ontario municipal board. I really think that this is wrong. Obviously I would have to support it, if that is the only alternative, but you should take this back and talk about it some more and let us find some way.

As I say, I understand the complexity that you are faced with, in regard to the statute, and the Attorney General pointed out that something should be done in the regulation, but even if they could come back to the House and say that there is some manner that the people can make an appeal from your decision, I think that we ought to find it.

**Mr. Lawlor:** The gist of this legislation is that the Minister may not only override local councils, but, of course, it means also that he effectively overrides the municipal board too. In other words, the whole weight of these decisions revolves upon the head of a single person—the Minister. And the Attorney General then tells us that we must trust that the Minister will make a thorough review—that the Minister will look at all the facts. He will hear the aggrieved parties. He will not do anything out of the ordinary, he is a gentleman, he has a judicial temper and will absorb all the various elements in the

case. He will make a decision that will be spendid in its righteousness. Now, really, this is pushing it too hard.

We are in thorough agreement, Mr. Chairman, with the Minister—with what you are after here. But you are doing it wrongly. You are extending yourself beyond the necessity of what you have thought. At least, you are not building in safeguards against an indiscreet decision, or against a hasty decision, or against a decision within your department that is wrong-headed, or against undue pressures.

You are saying that some partisan group, or some agreed faction, will appear before you saying that the local municipality passed a bylaw last night which erects apartment buildings or the glue factory in the middle of the block. No doubt aggrieved parties will so appear, and I think that you should throw some kind of barricade against them doing so. If you watch the papers every morning, you will see that there are factions arising out of any of these matters. I think that you will be rather overwhelmed at the people who will be approaching you in this regard.

It would, perhaps, be better to have an advisory committee shielding you from the distemper of the crowd. It would be in your own interest to adopt some of the recommendations being made by people to you in this House in connection with this bill. Again we state that we really do not want to vote against a bill on such a course. The section nevertheless, goes too far, and the Minister usurps the functions and affairs that are not even in his own interest, and he can provide himself, I am sure, by giving this some more thought. I am sure that we would be very pleased to assist in one of two things. Either to reword the section 27(1), permitting the remaining in effect of certain municipal bylaws passed under section 30, and saying in what conditions or circumstances you may enter into the thing in the interest of the province and of the community to override those bylaws.

Or, you could do the second thing—have provided some type of hearing and some form of notice to those who are affected or disaffected and not have to listen to partisan groups only, in regard to a matter of this importance to the regular life of the community. What could be more important these days to taxation policy, to assessment ratios, to the kind of amenities with which we live, than the restrictive covenants that are being gradually imposed across the province? I would again seek to prevail upon the Minister

not to be obdurate in this regard—to bend a little with the breeze, and to rethink this section providing the type of civil rights, the kind of community recognition you are all so proud of over on the other side of the House and say that you are the saviours of—

**Mr. Chairman:** I would ask the member to get back to the bill and avoid repetition and irrelevancies. We have a motion before us.

**Hon. Mr. McKeough:** Mr. Chairman, just let me try and sum this up a little bit. I may have said that this was not significant and that there was no great urgency, to our way of thinking at this time, of having this particular amendment. On the other hand, there are situations where it may become necessary that we should have it.

Where I say there is no significance at this moment in time to have it, it is not that significant, but I have to say to my friends opposite, that the significance here this afternoon is getting out of all proportion. Let us just read section 27 as it now stands, and relate it back to the remarks of my friend from Lakeshore:

The Minister may, by order, with respect to any land in Ontario that is not within the scope of a bylaw passed under section 30 or a predecessor of such section, exercise any of the powers concerned upon council by section 30 without the approval of the Ontario municipal board.

My friend from Sarnia used, I thought, some good language. He said—and let us be practical about this—is not taking place in built-up areas, in urban areas. I say to my friend from Oshawa, what we are talking about is rural areas where, I think my friend from Sarnia said, the councils are sometimes lethargic and where the public interest is not being served because there is not the right kind of planning going on. Where section 27 has largely been used, with a couple of exceptions, is in northern Ontario, where there are people, where there are rights, where there may be some form of municipal organization, but where it was necessary after a great deal of notice.

The Minister does not go around throwing out these sort of orders just off the top of his head. The staff works with local councils, with interested groups, with pressure groups and non-pressure groups, that have been mentioned here. We sit down with them, we beg with them, and undoubtedly we say at a certain point, “If you cannot get on with this we may have to use section 27”, and ultimately it is used.

This is exactly the same circumstances. They pass a bylaw, it may not have even been to the Ontario municipal board for approval. They may have given it third reading, and let it sit there. The Minister is precluded from acting, and the same sort of situation is cropping up. The council is lethargic. They are not willing to act, they do not want to act and the process begins again and the Minister—

**Mr. Singer:** On a point of order, Mr. Chairman. Surely the Minister is incorrect when he says a bylaw that has received third reading, but has not received the municipal board approval prescribes him from acting under section 27. Such a bylaw is not a bylaw. It does not become effective until the municipal board has given its consent.

**Hon. Mr. McKeough:** My understanding, subject to correction, is that the way the section reads, if they have given it three readings, even though it has not had OMB approval, it precludes my acting under section 27. Now my advisers are nodding their heads—so I am not a lawyer!

But the situation then has become exactly the same. The council, and it is a rural council undoubtedly, has become lethargic. They are not acting, they are not moving. They do not have the will, they are not willing to move. And where this has been particularly prevalent, my staff go out and pray with them, and meet with them, and get down on their knees, and say, “Let us get moving, let us see a little action, let us try”.

My friend from Peterborough (Mr. Pitman), would know of several instances in the cottage country where the bylaw has been completely inadequate in terms of my predecessor's speech and my speech, as far as urban development in rural areas is concerned. Without knowing what they are doing, they have been allowing all year around growth in areas which should have only cottage growth. And the staff have been out. They talk to the council, they talk to the planning board, if there is any; they have talked to everybody.

The Minister has probably got into the act, and finally we get to the point where, under section 27, we want to say: “We want to move, we want you to get back to planning again.” And believe me, all kinds of notice has been given.

And I think it is fair to say that obviously any order which the Minister would put on would be more restrictive than what is there. And if there is a bylaw there which permits any kind of residential growth, the Minister's



order would undoubtedly be more restrictive. If there was a bylaw there permitting only residential growth, why would the Minister, under any circumstances, suggest that in one part of that township he could allow a glue factory? Let us be practical.

I have said that there has been all kinds of notice given. We talked to them, we have heard about it. My friend made light of my suggestion about a building permit. Well, I think if a council were mad enough at me, and they disagreed with this order—and I know a little bit about rural Ontario—and they wanted to come down and shake their fists at the Minister, they would refuse to issue that building permit, with great respect.

**Mr. Singer:** And the court would force the issue of it.

**Hon. Mr. McKeough:** But how long does that take? That does not happen overnight. They would be down here and I am sure they would be seeing my friends opposite. If they could not get anywhere with my friends opposite, or my friends in my own party, they would be in to see the Prime Minister (Mr. Robarts). There is an appeal from the Minister, and the Minister is subject to changing his mind. I really think if my friends had been so concerned about section 27 and the powers which the Minister may exercise under 27, I think they would have made a greater impression on me. But what you have said is, the Minister needs the powers under 27, but where a council is doing nothing, where they have done nothing, the Minister cannot use 27. I have to ask my friends to vote against the amendment—

**Mr. Singer:** Oh, that is not what we have said at all.

**Hon. Mr. McKeough:** —and support the motion, Mr. Chairman.

**Mr. Chairman:** Mr. Singer moves that the words, “without the approval of the municipal board”, be deleted from section 3, subsection 1, clause (a).

Those in favour of the motion, will please say “aye”.

Those opposed, will please say “nay”.

In my opinion the “nays” have it.

Call in the members.

The House divided on the amendment which was negatived by the following vote:

**Clerk of the House:** Mr. Chairman, the “ayes” are 35, the “nays” 59.

**Mr. Chairman:** I declare the motion lost and section 3 carried.

Sections 3 and 4 agreed to.

On section 5:

**Hon. Mr. McKeough:** Mr. Chairman, section 5, I would move an amendment to divide it into two parts:

1. This Act, except subsection 1 of section 2, comes into force on the day it receives Royal assent.

Subsection 2 would read:

Subsection 1 of section 2 comes into force on the day following the day this Act receives Royal assent.

That is the end of the amendment. That is deemed to be at 12:01 in the morning rather than at whatever time His Honour happens to come into the chamber and it is a little bit easier for the registrars of deeds, of titles, to sort things out if it comes into force at 12:01 the next day.

**Mr. Singer:** There was no notice of that amendment. I think we had better postpone that for 24 hours.

**Mr. Chairman:** The Minister of Municipal Affairs moves that section 5 be amended so that the section will read:

This Act, except subsection 1 of section 2 comes into force on the day it receives Royal assent.

And subsection 2 of section 5 reads:

Subsection 1 of section 2 comes into force on the day following the day this Act receives Royal assent.

Shall the motion carry?

Sections 5 and 6 agreed to.

Bill 89, as amended, reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

**RESOLVED:**

*That*, moneys required for the purposes of The Residential Property Tax Reduction Act, 1968, shall be paid out of the consolidated revenue fund, as provided in Bill 91, An Act to provide for the reduction of municipal taxes on residential property.

Resolution concurred in.

## REDUCTION OF MUNICIPAL TAXES ON RESIDENTIAL PROPERTY

House in committee on Bill 91, An Act to provide for the reduction of municipal taxes on residential property.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): I would like to hold this bill. There will be an amendment with respect to it to be considered by the House at another time.

## THE COMMUNITY CENTRES ACT

House in committee on Bill 49, An Act to amend The Community Centres Act.

On section 1:

**Mr. D. Jackson** (Timiskaming): Mr. Chairman, when I first spoke on the principle of the bill, I stated that I felt that the bill did not go far enough, and I would like to introduce an amendment to it at this time. I let my previous remarks stand. I would like to move that subsection 1 of section 1 of Bill 49, An Act to amend The Community Centres Act, be amended by adding after the words "community centre" in the fourth line, the words "or the expansion of established community centres" so the section shall read:

The Minister may grant aid to any municipality to assist in the establishment of a community centre or the expansion of established community centres, but no grant shall exceed the lesser of—

And that subsection (a) of subsection 1 of section 1 be amended by adding thereto "or indoor artificial ice rink" so that the section shall read:

—\$10,000 or 25 per cent of the cost of a building or that part of a building designed for a community hall or skating arena or the cost of an athletic field or outdoor skating rink or indoor artificial ice rink.

**Hon. Mr. Rowntree**: With great respect, I have to say that you have to rule this out of order, Mr. Chairman. This is a money bill and it is the prerogative of the government to present money bills. They are either carried or otherwise.

**Mr. Chairman**: Yes, the Minister has pointed out that—

**Mr. D. C. MacDonald** (York South): Mr. Chairman, before you rule on that I would like to draw your attention to one aspect of

this. I think I am correct; it is in reference to the first portion of the amendment, namely, "or the expansion of established community centres." When this was discussed in the committee the Minister said, "This is the fact; we do now grant money for the expansion of existing community centres." And for a reason that completely mystifies me he resisted our argument: "Well, if you do that, surely your bill should be clear and not read 'to assist in the establishment' and exclude expansion."

**Mr. Chairman**: May I point out that the chair, in my opinion at the moment, erroneously said it was a money bill. It is not a money bill, it provides for future grants under certain circumstances; it is not a bill voting moneys. However, I would point out that the amendment in my opinion seems to change the entire principle of the bill.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): As far as I am concerned, I respectfully differ with you, sir, in that it is a money bill to some degree, in that it provides grants; and part of the amendment at least calls for an expansion to which the grants can be paid. As far as the expansion or contributions to an established community centre are concerned, the first part of the member's amendment calls for this. This is an established fact, grants are being made and considered now, and as late as yesterday afternoon I told him that in his own case and in his own area a grant would be provided. I even determined how much money was available from the previous grant made to his community centre and how much would be available under this one.

For the life of me, I do not know why he does not believe what I told him yesterday. This is a fact in the Act, the establishment of a community centre. The establishment of a community centre in this day and age would, it would seem to me, include the extension or expansion of existing facilities to provide a better service in the community under the new grant structure. It is implied in the bill; there is no problem with it whatever.

**Mr. MacDonald**: Mr. Chairman, since the amendment is now legally before us—

**Hon. Mr. Rowntree**: No, it is not.

**Mr. MacDonald**: Have you ruled it out?

**Hon. Mr. Rowntree**: The Chairman said on another basis, that the amendment changed or affected the principle of the whole bill.

**Mr. MacDonald:** If I may, Mr. Chairman, I want to speak to the first part of the amendment. I made my point but I got interrupted. It seems to me the Minister is just indulging in bad drafting. If I were a lawyer or if I were a person interested in a community centre out in an area where we now had a community centre, and we were contemplating expansion, and I read the Act: "The Minister may grant aid to any municipality to assist in the establishment of a community centre." It does not say anything about the expansion of an existing community centre. Then I think I would rightfully come to the conclusion, sir, that the expansion is excluded. The puzzling thing about this is, Mr. Chairman—those members who were at the committee recall this incident—we drew this to the attention of the Minister and said, "Why not accept an amendment at the committee stage to clarify this?" For a reason that mystifies me the Minister refused; he said, "We are now doing it, we do not need to change the Act—"

**Hon. Mr. Stewart:** Exactly.

**Mr. MacDonald:** "—to make it clearer." All I am saying, Mr. Chairman, is that if this is what you are doing you should have the statutory authority to do it and the statutory authority should be clear. And I submit to you that to assist in the establishment of a community centre is not the same thing as the expansion of an existing community centre.

**Mr. Nixon:** Mr. Chairman, on a point of order, if I may.

**Mr. Chairman:** I would like to speak to the previous point of order if I may.

**Mr. Nixon:** Was there another point of order raised? I thought you had made a ruling.

**Mr. Chairman:** I am talking about a point of order.

I would point out that on the order paper all money bills do have the recommendation of the Lieutenant-Governor and there is none before Bill 49. Therefore there is no vote for any money in this bill but it is my opinion and I put it that the motion extends and changes the principle for which this bill was intended in the first place.

**Mr. Nixon:** Then, Mr. Chairman, on the point of order that I was about to raise, surely the Minister's statement would refute

the ruling that you have just made because he has said really that it does not change the principle, that the principle of extending is inherent in the Act as it presently exists, and the amendment that has been put before us would simply make this obvious to anyone who wanted to make use of the Act. I cannot agree with this, sir, that this changes the principle, when the Minister who has the responsibility for administering it says that it is already in there.

**Mr. Chairman:** The chair has expressed the opinion that it would seem to be a matter of changing the principle of the bill. If the Minister feels that it is not, then I would have to accept the amendment.

**Mr. E. R. Good (Waterloo North):** Mr. Chairman, speaking to this. In committee, when this was discussed, the Minister assured us that these extensions are being used, as he has again assured the House this afternoon. There is no doubt in our mind that this is covered in the Minister's viewpoint, but this is where the problem is: Municipalities are not aware of this. I have checked this out in two municipalities in my own riding, and neither municipality is aware of the fact that extensions may be made to existing community centres and receive additional grant under this Act. And I think this is the point which is very greatly in need of clarification in this bill.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, we had this discussion in the committee and it simply amounts—as has been said this afternoon—to the fact that we are just saying we want what the department is presently doing clarified in the bill so that everybody knows that this is being done and this money is available to people who have an existing community centre and want to expand the same.

**Mr. MacDonald:** Statutory authority should conform with the reality of your programme.

**Mr. Chairman:** I would still suggest that the sections which it has been proposed to amend, specifically state that the bill is for certain purposes, for new cost of a building, part of a building and that the amendment goes beyond the intent of this bill. I therefore rule that the amendment is out of order.

On section 1:

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, may I ask under section 1,



if the Minister would come along and notify communities that they may receive grants for extension to community centres because I am fairly sure that my own community does not understand it. I think they do realize that the establishment of a new community centre would enable them to receive grants from the department, but additions and modifications to the present facility do not allow them to receive grants. And according to the Minister's assurance this afternoon, were they to modify a community centre they would be eligible to receive grants.

**Mr. Ruston:** Mr. Chairman, with regard to this, I would assume that the Minister in his wisdom is right. This is what he is using. I was told that if a community had a centre that they were using and wanted to expand it, then they would make it into a community centre and then apply for a grant and this would be their establishment of a community centre. In other words, they would be, in fact, establishing a community centre with some present buildings or whatever they may have. They would be changing the status of it to a community centre and I suppose that you could take it as being such in that section of the bill.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, before the section is passed, I wonder if the Minister could tell me whether this is going to change the situation where we have a group of senior citizens, such as we have in Rexdale in my own riding, who have a community centre and who wanted to expand it. It was my understanding that they had to go through the Minister of Social and Family Services (Mr. Yaremko) and his department. They had also to secure some moneys from the municipality. The thought that comes to my mind is that this particular Act is going to change the situation. Would these ladies and gentlemen be able to come to this Minister's department now if they want to enlarge and improve the present community hall that they have?

In Rexdale we have senior citizens who have an existing community hall, which is too small. I am wondering if the Minister might clarify for me, whether they could now come to his department to ask for some assistance.

**Hon. Mr. Stewart:** Mr. Chairman, answering the question from the hon. member for Etobicoke, it would all depend on whether or not that community hall which you referred to, or community centre, was established

under The Community Centres Act. If it were established under The Community Centres Act, then if they wish to expand it they would be quite eligible to reapply for the additional grant, to expand their facilities. But I gather, from what you say, that that community centre was not provided under the terms of The Community Centres Act.

**Mr. Braithwaite:** If my memory serves me correctly, Mr. Minister, through the Chairman, the particular hall was donated by the Lions club, one of the service clubs in Rexdale. What they are trying to do now is enlarge and improve it. I am certain it would not be under The Community Centres Act. However I think that they are trying to find out whether they can now come to your department to seek assistance.

**Hon. Mr. Stewart:** Not unless they change the structure of their board. If indeed they are not under The Community Centres Act and they are not operating under a community centres board, as stated and stipulated in the original Act, then they would just not qualify. But if they did reapply or if they were to apply now, to change their status and come under The Community Centres Act, then they could make application for the grant.

**Mr. Nixon:** Mr. Chairman, does the Minister find when they are processing applications under section 1 that there is always a request as to what further funds might be available from the community programmes branch of The Department of Education? My experience is that there is a great deal of confusion as to these two programmes, and it might very well be that one Minister or the other—in my view, the Minister of Education (Mr. Davis)—should have the administration of the processing of the requests and the grants that are finally acceded to. What is the Minister's experience?

**Hon. Mr. Stewart:** We were talking about two different things here, Mr. Chairman. The grants under The Community Centres Act are purely capital grants. Under the community programmes branch, administered by The Department of Education, these are maintenance or educational grants that provide services. One is complementary to the other.

**Mr. Nixon:** But in the applications for the assistance that is forthcoming under section 1, the people in the local community who

are concerned with this are always as concerned with financing the operation of the centre, and it seems strange that they should then have to go to another department for this sort of assistance. It seems to me that it might be better co-ordinated under one Minister or the other. As a matter of fact, when we phone the community programmes branch, we find that the man there who is in a position to give us information, got his grounding in this with The Department of Agriculture and Food, working in community centres although he is under no circumstances working for The Department of Education.

**Mr. Jackson:** Mr. Chairman, I would just like to ask a question of the hon. Minister. He has indicated in committee that he agrees that the expansion of established community centres is already in this Act. However, in the information that he has given me he said: "You have already received the grant to build the community centre, and any expansion of this community centre would be limited to the amount of money that Bill 49 increases the grant by." So that actually it does not provide for expansion of the community centre.

**Hon. Mr. Stewart:** Oh yes it does.

**Mr. Jackson:** What you are saying is that only the unused portion plus the additional grant can be used to expand the community centre. What I was trying to get across to the Minister was that by changing or amending it the way that I wanted to amend it, an artificial ice rink would receive the full \$10,000 grant.

**Hon. Mr. Stewart:** Oh, no. You are really changing the meaning of the Act.

**Mr. Jackson:** I would like to point out to the Minister once again that many of these community centres have been built for several years, under the Act, and that in many cases the town councils have changed the people who administer the centres, the whole township has changed since then. And the money is in many instances required to build the artificial rink. Because of our northern climate without the artificial ice, we are unable to heat these buildings. And because most of these communities are poor the smaller grant is not sufficient to allow us to build artificial ice rinks.

**Mr. Chairman:** It seems to me that all these suggestions should have been discussed at

the second reading of the bill, and that they are, in fact, part of the principle and intent of the bill.

**Mr. B. Newman:** Mr. Chairman, I would like to speak to section 1 and the principle of the bill as this outline—

**Mr. Chairman:** This is already covered on second reading. This is committee and we have covered the principle of the bill; it has been thoroughly debated at second reading.

**Mr. B. Newman:** All right, I will speak to section 1 concerning the grant of \$10,000 or 25 per cent of the cost. Now, that means that the community would be better off to build their building in stages and only build one portion of it in the one year. That way they would get their maximum of \$10,000. Let us say a \$40,000 building in one year, add to it the second year for another \$40,000 and in the third year—

Interjections by hon. members.

**Mr. B. Newman:** Why not?

**Hon. Mr. Stewart:** Because the grant only applies on the full cost of the project. It is just the same as it has always been. All the amendment does here is increase the grant from \$5,000 to \$10,000, and in the case of the swimming pool, from \$5,000 to \$15,000. The basic principle is just the same here as it always was.

**Mr. B. Newman:** Mr. Chairman, the community can still have the building designed in such a fashion that it can be a complete entity for the cost of \$40,000, and in the following year add to it another \$40,000 project and get the maximum grant once again. Whereas if they built an \$80,000 project in the one year, they would get only \$10,000.

**Hon. Mr. Stewart:** Mr. Chairman, my hon. friend is a bit confused, and if he keeps on much longer he is going to confuse me too. We will say that they build a community hall this year; the community centre board would then apply for 25 per cent up to \$10,000. Next year they decide to add a skating rink or arena. So they again qualify for 25 per cent of the capital cost up to \$10,000 as an addition, and they could be built right together. The next year they might say, "We want to put a swimming pool in", so they qualify for the 25 per cent of that pool up to \$15,000, and all three could be joined together.

The next year they might decide to build a playing field or a playground in connection with it; ball diamond may be established. So they qualify for 25 per cent of that, or another \$10,000. But if they were to expand their original community hall to a hall twice as large as they got the grant on, they would not qualify for a grant there. This would simply mean that on a community hall the maximum grant that can be obtained is 25 per cent up to \$10,000 and it does not matter whether they expand it the year after or five years hence. That is the way the Act reads.

**Mr. B. Newman:** Mr. Chairman, that is exactly the way that I understood it and I tried to explain it that way. The thing is that if the community turned around and decided to build the whole facility at one time, they would only be entitled to a \$10,000 grant.

**Hon. Mr. Stewart:** Oh, no, they would qualify. And if my hon. friend would read subsection 2-3 (a) and (b), he will see that where there is a joint combination of the community hall and the skating rink they qualify for \$20,000. They qualify for \$10,000 on each, you see, and \$15,000 on a swimming pool. If they build them all in the same year they qualify for all the grants.

**Mr. B. Newman:** Thank you, Mr. Chairman.

**Mr. Bullbrook:** Mr. Chairman, if I might ask a question through you to the hon. Minister. I am concerned with the vesting of title. As I read the statute, I must confess that I am not too knowledgeable in connection with this. I believe that under part of section 3 the title is vested in the municipality except in some instance, I think, within a board. I am concerned with an application of an Indian band. Could you tell me if there is anything that might cause you concern as to the propriety eventually of an application by an Indian band? I imagine that they would hesitate to vest title other than in the band itself. Do you anticipate any concern in this connection?

**Hon. Mr. Stewart:** No, there is no change in the administration of the Act in that regard or in the vesting of titlement. It has been working very well in the old Act. There is no change here at all, no problem whatever.

**Mr. Bullbrook:** Mr. Chairman, I take it that the vesting of title would remain in the band itself in the reserve?

**Hon. Mr. Stewart:** I cannot give you the exact answer on that because I am not sure

how it works, whether or not is in the band. But arrangements have been worked out whereby grants are made to Indian bands, and some arrangement has been made with the department of Indian affairs, so it is legal.

**Mr. Bullbrook:** Thank you, sir.

**Mr. D. A. Paterson (Essex South):** Mr. Chairman, before we leave that point I more or less have to relate subsection 3 to the maximum grants allowable. But in the amendment or the section that we are going to deal with shortly, is it not feasible for each one of a multiplicity of municipalities to acquire the maximum grant should it still be within the maximum 25 per cent?

**Hon. Mr. Stewart:** We will come to this section later in the bill.

**Mr. J. E. Stokes (Thunder Bay):** I have one question for the hon. Minister, Mr. Chairman, and that is a continuation of the question that the hon. member for Sarnia asked. A brief time ago I was in touch with your deputy and it was not quite clear to me whether he indicated that in the town of Armstrong—it is not an Indian reservation and they do not have a band council as such—they have set up what they choose to call the northwestern Ontario Indian association, Armstrong branch.

**Mr. Chairman:** Order, please! I permitted the member for Sarnia to start his pursuit of questioning the Minister and the Minister did reply. But this particular bill has nothing whatever to do with vesting titles, and the remarks are out of order. Section 1 carried?

**Mr. E. Sargent (Grey-Bruce):** One point, Mr. Chairman. It says the inclusion of capital grants to the society along with this?

**Hon. Mr. Stewart:** Yes, I mean a building. For instance, there are certain buildings that are established—say, a community hall or a rink, and the agricultural society and the local municipality or a joint group of municipalities may wish to use that community centre or community hall or arena for purposes of the society, such as fairs, meetings, what have you. So there is a formula that is applied on the total cost of the building. It first of all qualifies under the community centres grants. Then over and above the maximum that is available, there is a percentage taken that is determined as being used for the agricultural society and a grant is paid on that amount of money.



**Mr. Sargent:** On the same ratio of capital?

**Hon. Mr. Stewart:** No, it is not quite on the same basis as this. I cannot recall what the exact figures are. But there are several illustrations of this in Ontario where buildings qualify for grants under this Act and a grant under the agricultural society. And frankly I like that idea. It is a good sound basis for joint use of facilities.

**Mr. Stokes:** Mr. Chairman, on a point of order, how can we digest the impact of this if we are not allowed to discuss who it is going to be paid to?

**Mr. Chairman:** You may debate it on second reading of the bill. There is no point of order.

Sections 1 and 2 agreed to.

On section 3:

**Mr. J. P. Spence (Kent):** Mr. Chairman, I may have something along the line of the hon. member for Essex South where a municipality may pass a bylaw and join with another council or municipality and build an outdoor swimming pool. By subsection 2 of section 3 it sounds like the Minister could, if he wished, give the same grants to the two municipalities if he so desired. I believe it refers to section 1(b) "\$15,000 or 25 per cent of the cost of a building or that part of a building designed for an indoor swimming pool or of the cost of an outdoor swimming pool."

There is some misunderstanding by different municipalities, Mr. Chairman, that the two municipalities could receive \$15,000 apiece, but the grant could not exceed 50 per cent of the cost of the project. We would like the Minister to clarify that.

**Hon. Mr. Stewart:** I will try and clarify that.

**Mr. Paterson:** To the Minister through you, Mr. Chairman, I have a somewhat similar problem that I have delved into in my own riding, of a municipality and two adjoining townships proceeding to develop a \$250,000 arena. In interpreting the Act they feel each of the three municipalities should pass a bylaw that they would, in fact, be entitled to a maximum of \$60,000 in grants as this amount would still be less than the 25 per cent of the total cost of the building. It is this point that I would like to verify.

**Hon. Mr. Stewart:** Well, I can understand why there might be some misunderstanding

there, but actually the way it will work is this: Where there is more than one municipality they may each draft a bylaw to establish the joint community centre project—say it is a community arena. This is where the widest application will be. The grant will be based on 25 per cent up to a maximum of \$10,000 on the contribution that is made by or through the participating municipalities. So there you have it.

Now, the municipalities can go together. This is why we drafted the bill to encourage the joint participation of municipalities in the project because we realize these are costly projects. But with the mode of transportation today and our roads kept open 12 months of the year, why, they can all get together and travel farther than they could many years ago. So we feel that this is a fair way to do it, they can each qualify for a grant, but it is all co-ordinated towards the cost of one community centre.

**Mr. Spence:** Mr. Chairman, the second municipality that joins would get only 25 per cent of the grant, is that right?

**Hon. Mr. Stewart:** No, I am sorry, they would qualify for 25 per cent of what they contributed, you see, as a municipality. We will take municipality A and the arena may be located in that municipality and they say, "Well, we will put up \$40,000 because it is going to be right here in the centre of our town." They will qualify for 25 per cent of the \$40,000, which is \$10,000, and that is the maximum they can get. They qualify for the full amount.

Municipality B may take the approach that "We can contribute, say, \$16,000, we will take this up through a local subscription, canvass the roads and we will generate some interest in the women's institute and junior farmers and what-have-you, and we will get some money." And they contribute \$16,000 towards the cost of that community centre and we pay 25 per cent on that, which is \$4,000. That will be their share.

Municipality C may say, "Well, we will put up \$30,000, we have been able to raise a little more money," so they get 25 per cent of \$30,000 or \$7,500. Now this is the way it will be done, and I think this is the fair way for everybody. And then they will reach a mutual agreement as to the management, that is, the number of people they will each provide for the board and will come to that section that we have taken out—in the old Act there was a specific number

had to belong to the board, we have removed this. They will decide who will be on the board, how they will be appointed and they will decide on the agreement for maintenance, the costs of operation, management and what-have-you. This will be a part of that mutual agreement.

Section 3 agreed to.

On section 4:

**Mr. Sargent:** On section 4, subsection 3, would I take this in the broadest sense then? You say refreshments can be served there; how broad can you make that? Do you have any objection to alcoholic beverages, is that refreshment?

**Hon. Mr. Stewart:** The member is not hoping to open a community centre and get around it that way in Owen Sound, I gather? I would say we feel The Liquor Control Act supersedes this legislation.

**Hon. S. J. Randall** (Minister of Trade and Development): If you make it the cider centre of the north, you will get away with it.

Section 4 agreed to.

On section 5:

**Hon. Mr. Stewart:** Mr. Chairman, I have an amendment to make to section 5 and this is as a result of discussions that were held in the committee on agriculture. If I may, I have a copy here for the Chairman and for the leader of the Opposition and the leader of the New Democratic Party.

Mr. Chairman, I move that section 8 of the Act as re-enacted by section 5 of the bill be amended by adding thereto the following subsection. This would mean that "8" will have to be numbered "1." This will be "2":

In the establishment of a community centre of a kind referred to in subsection 1, a board as defined in The Schools Administration Act, and having jurisdiction only in territory without municipal organization, may enter into an agreement with the council or councils of any municipality or with a like board for the joint use of the community centre upon such terms as may be agreed, respecting contribution to the cost of the community centre and the maintenance thereof, and the Minister may make grants to the board in the same manner as grants may be made to a municipality under subsection 2 of section 4 (a).

**Mr. Nixon:** Just one question, and it does not really pertain to the amendment the Minister put forward but to the section itself. This will permit the Minister to make grants to a community centre that is really under the auspices of a school board. On the other hand, would it be possible in the Minister's experience that grants from education sources could be made available through the school board to a community centre, if in fact that community centre is going to be used by the school board for, say a replacement for a gymnasium, or the playing field is going to be used by the school in a regular and formal way? Does he know of any instances where support for a community centre that is not vested in the school board does get funds from education because its facilities are used by the school board—by the children under the school board?

**Hon. Mr. Stewart:** Mr. Chairman, I cannot answer that question, for the simple reason that I cannot think of an illustration. I do not know of any. The Minister of Education is not in his seat just at the moment. I do not know whether he is in the wings or not, but to my knowledge there has never been such a case.

But the purpose of this amendment is to permit school boards in unorganized areas to join together to form a community centre, the same as we are allowing municipalities to join together, and each qualify for a grant for joint community centre projects.

**Mr. Nixon:** But in some instances, even in organized territory, you can make grants to a board under the school administration. Is that right?

**Hon. Mr. Stewart:** That is right.

**Mr. Chairman:** Shall the amendment carry?

Amendment agreed to.

Section 5, as amended, agreed to.

Sections 6 and 7 agreed to.

Bill 49 as amended, reported.

**Hon. Mr. Rowntree** moves that the committee rise and report a certain resolution and certain bills with amendments and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report a certain resolution and certain bills with amendments and asks for leave to sit again.

Report agreed to.

**Clerk of the House:** The 3rd order; second reading of Bill 7, An Act to amend The Private Investigators and Security Guards Act, 1965.

#### THE PRIVATE INVESTIGATORS AND SECURITY GUARDS ACT, 1965

**Hon. A. A. Wishart (Attorney General):** moves second reading of Bill 7, An Act to amend The Private Investigators and Security Guards Act, 1965.

Motion agreed to; second reading of the bill.

**Hon. Mr. Wishart:** Mr. Speaker, I should like to say at this time that, when this bill reaches committee stage, I shall move then that section 2 of the bill be deleted.

#### ONTARIO ECONOMIC COUNCIL

**Hon. S. J. Randall (Minister of Trade and Development)** moves second reading of Bill 51, An Act to establish the Ontario economic council.

**Mr. R. F. Nixon (Leader of the Opposition)** Mr. Speaker, the bill establishing the economic council is really going to regularize the situation that we have had in the province for some considerable time. The economic council of Ontario has been established just as a branch of the hon. Minister's department, as I understand it, in years gone by.

The principle of this, of course, is, I believe, an excellent one. The government of no province should be without some objective assessment of the course of the economic development of that area and with an objective group to assess the findings of the federal council on the growth and development of the smaller jurisdictions.

Some time ago, when we were discussing another matter, it occurred to me as a possible extension of the responsibility of this council—and that could very well be included in the principle of this bill—that this board have its responsibilities to co-ordinate its approach with the economic council of Canada on a more specific basis.

I am thinking, particularly, of federal attempts to bring about wage and price guidelines that were announced by the government of Canada some months ago. If these are going to be effective, and truly effective, then we must have similar guidelines in the provinces, and we in Ontario can provide considerable leadership in this regard.

So I was wondering if the Minister might consider, before the bill goes to committee, the introduction of an amendment which would give this specific responsibility to the economic council which has already been acting in this province for four or five years. I do not want to use my time in commenting on the principle of this bill, simply to ask that question, but it is an area of expansion of the jurisdiction of this council that I think should be considered.

The council itself, by having its own bill is, I believe, going to have its independence reinforced. There is no doubt that we ought to require from the council a yearly report of the economic status of the province that would, in many ways, replace the budgetary papers that come down with the annual report of the Provincial Treasurer (Mr. MacNaughton) when he presents the Budget.

In my view, the report of the economic council might well replace that addition to the Budget that has come about since the days of the former Minister of Economics and Development, Mr. Robert Macaulay, who made quite a presentation of what, in fact, would be a report of an economic council in assessing the economic trends of the past year and laying out the future for the guidelines of those who make policy and those who criticize policy.

So I welcome the strengthening of the independent nature of the council and would suggest to the Minister that added to their responsibilities would be, specifically, the implementation of wage-price guidelines, in co-operation with the economic council of Canada and the recommendations that come from the federal government. And beyond that, to stress the independence of an objective assessment of our economic development for the past year and the projections of this development into the year that would lie ahead, at each budgetary period. There is a tendency, certainly, for the reports that come to us, at the present time to be slanted and perhaps shaped to a considerable extent by the policy of the government of the day. Only with a truly objective assessment, similar to the one that the economic council of



Canada provides at that level, can we get the full measure of assistance that this council should provide.

**Mr. Speaker:** The member for Windsor West.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, I can echo some of the comments made by the hon. leader of the Opposition, but not by any means all of them.

I disagree strongly with him in the suggestion that the economic council's stature and its independence would be enhanced by having it implement in the province of Ontario those wage and price guidelines that his counterparts in Ottawa, in the federal administration, have been suggesting in recent months. That would not be, in my view, the correct function for such an independent economic council. In looking over the regulations under which the council was first set up, and the duties assigned to them in the present bill, I fail to see much of a change that, in effect, does enhance the independence and the stature of the council. I would suggest that only through the assignment to the council of the fairly broad tasks that now lie within the hands of the economic council of Canada, will we achieve that greater stature and greater independence. Only through the actual, as well as legislative, provision of the position of full-time chairman, full-time directors, full-time staff, will we achieve the enhancement of the economic council of Ontario that we ought to see and give it these broad tasks.

I would suggest, also, that it should be more than simply a means of providing this government with the guide posts by which it will decide how Ontario shall participate in the targets and goals set for the national economy by the economic council of Canada in its annual reviews. I think that the economic council of Ontario has a much more specific role to play. It has a role, Mr. Speaker, which I believe should be that of setting forth, setting before this government, the economic tasks which Ontario must undertake in order for Ontario to help meet the national goals that the economic council of Canada has set. It must show clearly that those goals must exceed the national averages that the economic council of Canada talks about in its annual reviews.

In other words, Mr. Speaker, what we are suggesting in this group for the Ontario

economic council is, in effect, a planning function—a taking of an inventory of the province's resources, a drawing up of the catalogue of its basic economic needs and a writing out of its major economic goals and targets that we have to achieve in order to sustain full employment, maintain a reasonable stability of prices, expand our export industries. Mr. Speaker, if that is to be the function of the economic council of Ontario—surely it should not be attached to The Department of Trade and Development but, with the transfer of the regional development branch to The Treasury Department, ought to be an adjunct of The Treasury Department and ought to be carrying out, as the leader of the Opposition has suggested, some of the work that appears in the Provincial Treasurer's budget statement.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I too am pleased to see that the formalization of the organization of the Ontario economic council. However, there are one or two areas of concern that I have.

One is in connection with the appointment of the members of the council and the form of their reappointment. It has often been found in hospital boards and in similar groups of those who are, in effect, volunteers, that the same group stays in office for a great period of time and sometime beyond their useful time. We just do not want to hurt the feelings of those members by not reappointing them automatically. A procedure that has come into vogue in recent years—and, I think, a very good procedure—is one of providing for a one-year gap between appointments. In that way it is quite possible for one to decide whether or not they want to reappoint a member and there are no feelings involved in the same way.

I do not agree with the principle that the members of the economic council should be full-time members. I think we have enough people in ivory towers and I think this council should be made up of people involved in the day-to-day economy in various ways. They should be people who can contribute as a result of their practical experience and knowledge of conditions. It is most important that we have a good strong representation of people who know when they are assuming office that they will not be there for an indefinite period of time, that they have a three-year stint during which they can make their

contribution. By having a full-time chairman here and a staff that he can draw on, we surely are providing the background and back-up of the work of the council that is required for them to provide the province and the government with good advice and counsel as to the economic conditions in the province.

**Mr. Speaker:** Is there any other member who wishes to speak to this before the Minister has the floor?

**Mr. E. Sargent (Grey-Bruce):** My only concern about this new development board here is that the personnel of this board be truly representative of all the people of Ontario to bring better standards of living through all of Ontario, and that these people who sit on this board be truly representative. I would hope that it would have bigger powers than outlined in this bill, in that it should attack the real problems facing the people of Ontario—such things as wage review and rental review boards. These things are so important to the people today, and here we have a board being set up now that has not got into the act at all yet. I think they should have more powers than outlined in the recommendations.

**Hon. Mr. Randall:** Mr. Speaker, commenting on some of the suggestions made. May I say that when the council was established in 1962, it was established by order in council and as I said here earlier, when introducing the bill, our hope is to qualify now and specify, perhaps, the new responsibilities of the economic council in view of the years of experience we have had, plus the fact that some of the things we are set up to do, such as work closely with the productivity council in Ottawa, no longer exists. And we also find that in some of the responsibilities that the economic council has undertaken for such departments as Labour, Education, Municipal Affairs and Treasury, they have had to go into other jurisdictions.

When they go into these other jurisdictions, they are dealing with bodies established by legislation, similar to the economic council of Canada and for that reason, I agree with the hon. leader of the Opposition. We think that by legislation, they now are probably in a better position to sit down and discuss matters such as he has referred to, with the economic council, with regard to guidelines.

We go along with that with regard to the guidelines that should be established at the federal level and we should co-ordinate our activities with them. For that reason we are establishing by legislation for operations—under this council I should say.

Now, insofar as the guidelines are concerned, this is an independent group, as you know, and I am referring to the hon. member for Grey-Bruce. I think if you will look at the list—and I could give you a list of the members—not only you will find they come from all areas, all sectors of our economy, labour, universities, consumers affairs, the financial field—

**Mr. Sargent:** Not at that development game again—

**Hon. Mr. Randall:** Now wait a minute. Do not get excited. We are well represented I think from all sectors of the economy, and I would like you to keep this in mind: This is an independent body of men from these various areas I have outlined, and we want to give them as much independence as we possibly can. We want them to advise us; that was the reason why the economic council was set up. I know something about it because I was invited to be its first chairman. Perhaps that is the reason why I am here today. They say if you hang around with writers you become a writer, you hang around horsemen you become a horseman, hang around a politician you become a politician. So that is what happened.

I think that the economic council will carry out many of the suggestions the hon. members have made here this afternoon and I am of the opinion that the legislation we have gives us the opportunity to do the things that we believe should be done in working with these other jurisdictions without spelling it out any clearer than we have here.

A suggestion was made by the hon. member from Windsor that perhaps it should be tied in with the departments of Economics and Treasury. I cannot agree with this because if we want to keep it independent then I do not think it should be associated with a civil service group. I think that it should be independent and that is the reason why we are keeping it in The Department of Trade and Development, where it will have the freedom that I think it requires to work with other departments of government, and to be

of service to them. As you know, the economic council of Canada, while it has a board similar to our own, of 25 businessmen and people from various walks of life. They do have, as I understand, about 150 economists, so it is a pretty big operation in Ottawa.

We do not have that kind of an operation here. We have ten people on the staff: five economists and five clerks and we do not want it to get much bigger than that because what we are doing is using the economists that we already have in the government to give us what information they can, and where that information is not available then they use outside consultants. And they can enter into research contracts with the use of outside consultants. We hope to keep it a small, viable body that works very quickly and moves on some of the problems that they foresee and problems that the various Ministers will pass on to them to research for the various departments.

And perhaps in the committee of the whole I could outline many of the things they have done in the last few years, which are rather unusual. They would not be done by a particular department. So, in view of this, I feel the legislation we have right now is adequate to do the job we want to do and give us the information we want to get.

Insofar as the writing of the long-term economic review for the province of Ontario is concerned, certainly I think in my first few years in government we did this because we had a different set-up at Treasury board but in the wisdom of my colleagues and the government, it is felt that the economic review, the past and the future and the present, should be presented by the Provincial Treasurer and certainly we can provide him with as much information as he requires. Some of the information in the Budget presented this year was probably some of the recommendations from the economic council. I am sure they will be accepted in the future.

So I think Mr. Speaker, that what we have attempted to do is spell out and specify what the activities of the economic council will be, and I am sure that the hon. members can rest assured that we are going to work very closely with the authorities at Ottawa, particularly the economic council of Canada, where I believe that the guidelines that are national guidelines should emanate from. I do not think that in the province we are in any position to study guidelines that may interfere with the economy of this province if other provinces do not accept them.

I think that the Prime Minister (Mr. Robarts) the other day made a comment about capital gains. In other words, if a capital gains tax were introduced in any one province and not in the others it would have the tendency to drive the industry that was going to invest in that province, out of there and somewhere else. But if that was a recommendation of the economic council of Canada and was national legislation then I think that we could all abide by it. And I think that these are the areas where the economic council can work in closer co-operation with the economic council of Canada. So I believe that the legislation that we have here, which will probably be discussed in more detail in the committee of the whole, will serve our purpose and certainly serve to make the economic council more productive in the future.

**Mr. Speaker:** The motion is for second reading of Bill 51. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

#### THE CHARITABLE INSTITUTIONS ACT

**Hon. J. Yaremko** (Minister of Social and Family Services) moves second reading of Bill 61, An Act to amend The Charitable Institutions Act.

**Mr. L. A. Braithwaite** (Etobicoke): I wonder if the hon. Minister might agree to deal with 61, 62, and 63 at the same time; they seem to be quite comparable.

**Hon. Mr. Yaremko:** I think, Mr. Speaker, that this is an excellent suggestion and I would be very happy to have that done subject to any—

**Mr. Speaker:** I would just point out that we did that recently in the House and we got into considerable difficulty, because either the press was not listening or something and the reports of the debate indicated that we were debating a bill, which we were not. If the House is agreeable and the leaders of the government and the official Opposition and the other Opposition party are agreeable, I am quite agreeable to having the three of them discussed together. Otherwise, I think it would be much better that they would be dealt with separately.

**Hon. Mr. Yaremko:** Mr. Speaker, I think that perhaps on reconsideration, your suggestion is good. Since discussion of these bills is a discussion in principle, that when we



deal with Bill 61, there will be certain comments made on principle. Then, when we come to the other bills, I should hope that, having established the principle, we will not necessarily have repetition. If there is anything new, it will be brought up at that time, so I think that we will revert to the ordinary course and deal with Bill 61. I will move and we will deal with the bills separately.

**Mr. S. Lewis (Scarborough West):** These two points, that is first rate, because we think that there are one or two differences in principle that should be isolated amongst the bills.

**Mr. Speaker:** I have put to the House the motion made by the Minister, and the motion for second reading of Bill 61, is now before the House; is there any member who wishes to speak to it?

**Mr. Braithwaite:** Mr. Speaker, I am pleased to see that the grants are being increased from 75 to 80 per cent. Also that the basis for such payments has been improved—that is, the subsidy will now take into account the increase of expenditures quarterly, instead of annually as previously. Since these institutions provide residences where retarded persons and children, in particular, can stay while receiving treatment, education and training, I think that any improvement is to be welcomed.

However, Mr. Speaker, I think that the operation of these centres—charitable institutions—requires a training staff and teachers, nurses, guidance people and so forth. The big factor here is that we have an inadequate number of these individuals. I am sure that all members of the House would agree with me as to the importance of these trained individuals.

About a couple of weeks ago I was at a public meeting and the subject came up. It comes up quite often when this question of charitable institutions and other centres where children are looked after are discussed. Quite a few of the people there made mention of the fact that the centres were being run, but the big difficulty was that they did not have enough staff. One of the things that I would like to see, would be that the Minister of Social and Family Services co-operate with the Minister of Health (Mr. Dymond), and the Minister of Education (Mr. Davis), to see if more funds could be provided to lure or encourage more young

people into training in guidance, nursing, teaching, and related careers. The staff of these centres could be improved and we could get more people in.

After that has been done, I am wondering if something could not be done towards providing more funds, so that higher salaries could be paid to these individuals who are interested in serving in charitable and like institutions. The thought comes to my mind that if the salaries were raised, perhaps in time this might take care of the shortage. At the meeting that I mentioned, one of the things that was brought up—and I think that it was by a trained social worker—was that salaries were insufficient to compete with the money that could be made in other areas. I throw that out to the Minister for his consideration. Since the Act does provide for improvement we have no complaint with it and will support it.

**Hon. Mr. Yaremko:** Mr. Speaker, I will deal with the matter of training of personnel and those other related matters in detail in the discussion of the department estimates. Otherwise, if there is nothing else, they can be dealt with as sections by themselves, in the committee of the whole House.

**Mr. Speaker:** Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

#### THE HOMES FOR RETARDED PERSONS ACT

**Hon. Mr. Yaremko** moves second reading of Bill 62, An Act to amend The Homes for Retarded Persons Act.

Motion agreed to; second reading of the bill.

#### THE CHILDREN'S INSTITUTIONS ACT

**Hon. Mr. Yaremko** moves second reading of Bill 63, An Act to amend The Children's Institutions Act.

**Mr. Lewis:** Mr. Speaker, I have some remarks to make on this bill; it may be a trifle extended. I would move the adjournment of the debate.

Motion agreed to.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow we will resume the estimates of The Department of Health.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6:00 o'clock, p.m.

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#### ERRATUM

Thursday, April 25, 1968

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
2168	1	22	The quotation should have ended at the word "pollution".









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 2, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 2, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature and today we welcome as guests students from the following schools: in the east gallery, from Ridge public school, Leamington; and Franklin Horner public school, Toronto; in the west gallery, Capreol high school, Capreol; and Emery collegiate institute, Weston; and a delegation from the United Kingdom junior farm members. And later on today, in the east gallery, O'Neill collegiate institute, Oshawa; and in the west gallery, Strathroy collegiate institute, Strathroy.

We welcome all of these, and particularly the junior farmer members from overseas who are with us today.

Petitions.

Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, I beg leave to present to the House the following reports:

The 1966-67 annual report of the Ontario Department of Transport.

The annual report of The Department of Public Works for 1967.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, it gives me a great deal of pleasure to present to the members of the Legislature the annual report of the Ontario municipal employees' retirement system for the year 1967.

As the Minister responsible for OMERS and for the municipal institutions in the province I have been most gratified by the acceptance of OMERS by the municipalities, the local boards, and by municipal employees. OMERS has made available to the employees of any municipality or local board in Ontario regardless of size and location—a comprehensive and reasonable package of pension benefits at uniform rates of contribution. Many of our smaller units of local government would not have been able to provide these pensions to their employees without OMERS.

The growth of membership in the five years that OMERS has been in operation has been most remarkable. At the end of 1967 there were in excess of 47,000 members. Another 1,200 retired employees were receiving pension benefits. 377 municipalities and 521 local boards were participating in OMERS. Eighty per cent of the municipalities with populations of more than 3,000 persons provide the pension benefits to their employees through OMERS. This centrally administered plan has been operated, and I might say, very successfully, with only 17 or 18 persons since 1963. It is a very well run and tightly run organization.

Benefit claims are paid in many instances within two or three days. The members are informed each year of the status of their contributions and their earned pension to date with OMERS. The system is required by statute to be entirely self supporting with the costs of pension benefits and administration to be met solely from the contributions of the members and the municipalities. OMERS has not remained stationary. Amendments have been made to reflect the changing retirement patterns and needs of the members. Many of the features of OMERS are unique in the field of state wide and province wide local government pension plans.

I am pleased to report to you that the Minister of Municipal Affairs is no longer on the board of OMERS. Commencing in 1968 an eleven-man board of management as contemplated in the Act has been appointed. The members of the board represent the municipal employees, the municipalities, the local boards, and the province.

Since my acceptance of the responsibilities of the Minister of Municipal Affairs I have become familiar with the growth, the development, and the achievement of OMERS, since the OMERS Act was unanimously accepted by the Legislature back in 1962. It is my opinion, and I am sure it is the opinion of all members of the House that the decision of government six years ago to establish OMERS has been more than justified.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

The Provincial Secretary? No. The Minister of Reform Institutions.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, as all members are aware, today marks the occasion of the 20th anniversary of the founding of the state of Israel. I know that people of good will, all over the world, will share the hope that Israel continues to prosper in peace.

Certainly it must be evident to all those with a deep sense of justice, that the Jewish people for over two millennia, with blood, sweat and tears, have struggled to establish a spiritual homeland and a haven for their oppressed and persecuted members—that tiny island of freedom and democracy situated amidst a vast area which has been neglected for centuries.

Hon. members of this House, I am sure, are knowledgeable in the history of Israel and, therefore to detail the account of its founding and progress over the past 20 years would be redundant.

Let me say, as a native Canadian, and as a Jew, the son of refugees from Russian-occupied Poland, that I would not be worthy of my cultural heritage if, on this occasion and in this place, did not express my fervent wish for the state of Israel—in fact for the whole of the middle east, Jew and Arab alike—peace and prosperity for all time to come.

Certainly such peace and prosperity will be of benefit, not only to the Israelis but also to the millions of Arabs who have existed in a state of extreme poverty for centuries in that part of the world.

The Arabs, my brother Semites, have a great deal to gain from peaceful co-existence with Israel—and in the end, on the basis of peace, which Israel so earnestly seeks, a strong and prosperous Israel will be the mainstay of a stable and prosperous Arab-Jewish middle east.

Since the founding of the state of Israel, some quarter million Arabs living within its boundaries have enjoyed Israeli citizenship. They have found that the enlightened and humane approach of the Israelis in respect of all peoples has been of tremendous benefit to them.

I hope, sir, I express the views of all those in this Legislature when I say “Long live the state of Israel”.

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I take great pleasure in joining with

the hon. Minister of Reform Institutions in the most appropriate remarks that he has just made.

Certainly, sir, I know that all members of the House will join in our commendation of the celebration of this important day of the state of Israel and will commend and honour the courage and the integrity and the zeal to have a land of one's own that inspired and brought about that state and has allowed it to continue as a successful nation of the world.

We all join too, in the plea that peace will come to the middle east, which will allow all of the peoples of the middle east to live in peace and will promote prosperity and improve conditions in the world.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I would like to join with the hon. Minister and the deputy leader of the Opposition in their comments on this occasion of the 20th anniversary of the founding of the state of Israel.

I can do no more than echo the sentiments expressed in admiration of the imagination, industriousness, and accomplishments of the state of Israel and particularly to underline the paramount fact that if peace can be achieved in that part of the world, not only can these accomplishments be pursued, but they can be expanded to include all the people of the middle east. That, I am sure, is the fervent hope of Jew and Gentile who join in expressions of this appreciation today.

**Mr. Speaker:** The member for Brant and leader of Her Majesty's loyal Opposition now has the floor.

**Mr. R. F. Nixon** (Leader of the Opposition): I could see, Mr. Speaker, that you were going to be using quite a bit of the valuable time of the House in this regard and I can assure you, sir, that I will respond however you wish to refer to me.

I would like to put a question to the Minister of Municipal Affairs.

Will the Minister comment on the report in the Toronto *Daily Star* of May 1, to the effect that leases for 36 Thorncliffe Park Drive contain a clause which effectively waives the tenants' rights in respect of the basic shelter exemption rebate?

**Hon. Mr. McKeough:** Mr. Speaker, section 4, subsection 2 of the bill presently before the House, instructs owners to refund the full amount of the tax reduction to tenants. As the members of the House are

aware, the matter was not drawn to my attention until Tuesday and quite frankly, I have not had time to consider this particular news story. Let me assure the members of the House, however, that my concern in this matter is that the tax reductions are passed on to tenants in the most effective manner possible.

I am concerned about irresponsible actions by anyone in respect of this system. Most landlords, I believe, will be responsible and, for example, I was handed a press release just as I came into the House which was issued this morning by the urban development institute. I think this is of some interest to members of the House, and I will place it on the record:

The urban development institute announced today that the full benefits of the property tax rebate system will be passed on to the tenants of buildings owned by its members. Murray Webber, president of UDI's Ontario division, said the institute's members are wholeheartedly in accord with the property tax reduction plan and agree with its proposals as a unified body.

The urban development institute as a whole represents most of the major apartment land and property developers in the province of Ontario. In total members account for more than 50,000 individual apartment suites.

We are delighted with the proposals contained in The Residential Properties Tax Reduction Act and are pleased to see that the provincial government has recognized that apartment tenants have an equal status with home owners, said Mr. Webber.

Apartment tenants pay property taxes as part of their monthly rent and therefore are entitled to the same reduction benefits as home owners. As a result the members of the UDI are happy to co-operate with Municipal Affairs Minister D'Arcy McKeough and his department in ensuring that the full benefits of the rebate plan are received by our tenants. In addition our members have agreed although substantial administration costs will be incurred the tax credits will be passed on to our tenants in the exact amount received from the government under the plan.

**Mr. Speaker:** The member for York South.

**Mr. MacDonald:** Mr. Speaker, my question is to the Attorney General.

Would the Attorney General advise the House which Crown agencies and commissions come under The Crown Agency Act?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I have not had as much time as I would like to investigate or do some research on this question, having just received it a short time ago. But I would like to answer the hon. member as far as I can, and to ask his indulgence to afford me some further time.

The research I have been able to manage is to this effect, that The Crown Agency Act was enacted in 1959. In that Act a Crown agency means a "board, commission, railway, public utility, university, manufactory company or agency owned, controlled or operated by Her Majesty in right of Ontario or by the government of Ontario—" I think the important word there is controlled, actually "owned, controlled or operated by Her Majesty in right of Ontario or by the government of Ontario or under the authority of the Legislature or the Lieutenant-Governor in council."

Section 3 of the Act exempts the Ontario Hydro Electric Power Commission from the application of the Act.

I was able to find one decided case in the time at my disposal. That was the case of Regina vs. The Ontario labour relations board, a judgment of Mr. Justice Schatz, in August 1962, in which he reviewed a good deal of the common law after pointing out it was necessary to go to the common law to determine the meaning of "owned, controlled or operated". He said the real issue is whether the board is controlled by the Crown and in order to ascertain the meaning of control, as used in The Crown Agency Act, it was necessary to refer to the common law decisions. In referring to those decisions and after pointing out that many of them, particularly in British common law—although the members of boards and agencies were appointed by the Lieutenant-Governor in council and could be removed—and one would think this would be the utmost control—nonetheless many of those decisions found that agencies of this kind were not Crown agencies within the definition of the word "control".

That citation is from the 1962 Ontario Reports, page 981. And in that case which Mr. Justice Schatz decided, he held that the food terminal board of Ontario was not a Crown agency because it was not subject to such control by the Crown that would entitle it to be designated as a Crown agency. He went on to point out that each case must be determined on its own facts.



I think, Mr. Speaker, I would be prepared to say that a list of government commissions and agencies and boards would contain the following—and I will not undertake that this is a final list, we need to do further checking and research on the matter. There is no list in my office which lists or files all those agencies which are considered to be Crown agencies.

But a list would contain the following: the Ontario energy board, the Ontario highway transport board, the industry and labour board, the Ontario labour relations board, the liquor licence board, the Ontario municipal board, the Ontario northland transportation commission, the Ontario water resources commission.

There is some question on that last one but I think I may say it was considered, in our opinion, at least, to be a Crown agency—the housing corporation limited and the Royal housing finance corporation, the Ontario development corporation, Sheridan Park corporation, the Niagara Parks commission, the Ontario student housing corporation, the Ontario deposit insurance corporation, the Ontario education capital aid corporation, the Ontario municipal improvement corporation, the Ontario universities capital aid corporation.

I think I would say, Mr. Speaker, at this time the question of the workmen's compensation board would be one of those agencies that I should like to consider further, along with some others. I believe I can say with confidence that those I have recited, if such a list were prepared, would be found upon it. And I will try to pursue the matter to a final point and have it as a list because I think it is worthwhile that we should have one.

Mr. MacDonald: Mr. Speaker, if I may just express appreciation to the Attorney General for giving this information to us, but I would hope that we can have that as soon as possible. Eight years after the passing of an Act is surely time to know to what that Act applies in terms of agencies of the Crown.

Hon. Mr. Wishart: Mr. Speaker, I think I must say to that, that the Act itself, of course, does not specify the agencies to which it applies; it uses the expression in section 3, "agency, company, manufactory" and those words I used, "owned, controlled and operated by Her Majesty" and then we have to go to the law to get a definition. So the best

I can do would be to furnish as firm an opinion as I am capable of giving and this I shall do.

Mr. W. G. Pitman (Peterborough): Mr. Speaker, I wonder if I could address a question to the Minister of Education? In view of the recent developments, indicating an interest in larger units of administration on the part of separate school trustees, would the Minister consider encouraging some form of representation on the interim school boards by representatives of separate school boards in the larger units?

Hon. W. G. Davis (Minister of Education): Mr. Speaker, I think this is being done on many of the interim committees already and we could consider doing this although, I think, quite frankly, if we move ahead with legislation for the separate school system we will be encouraging them to set up comparable or similar interim committees. It should also be pointed out, of course, in that there are separate school representatives on the secondary school boards already, that these people are eligible. In fact, in some cases they have been appointed to the interim committees.

Mr. Pitman: In the case where there is no such representation, could the Minister indicate how the separate school boards in a particular jurisdiction might secure such representation? Could they appeal directly to the interim school board and ask to be represented?

Hon. Mr. Davis: I am sure that if they were interested in listening to or joining in the discussion, that they may contact the chairman of the interim committee; this is how it has happened in several areas.

Mr. Pitman: I have another question, Mr. Speaker. Has the Minister any specific plans to alleviate the difficulties of the Royal Ontario museum in view of the recent statement of Dr. Peter Swann, director, that takeover by the Ontario government will cost the museum \$104,000, and that in relation to the Ontario government, it is trying but always too little and too late?

Hon. Mr. Davis: Mr. Speaker, I think I should point out that the government of the province of Ontario does not intend to take over the Royal Ontario museum. As was stated in the Speech from the Throne, it is the intention of the government to establish

a board of directors or governors for the institution, and it will separate from its traditional relationship from the University of Toronto, although there will be an agreement between the two institutions.

So I think it should be made very clear it is not a takeover and, of course, it cannot cost the museum \$104,000 because the funds go to the University of Toronto and through it to the museum.

I think also one might observe that, despite Mr. Swann saying the government is trying but it is always too little and too late, the funds allocated in the current budget quite obviously cannot be too late because they are already established. And it should be pointed out that the committee on university affairs has recommended to the government for this current fiscal year—and that will be for the university or the ROM from July 1—a sum of \$2.7 million, and this, Mr. Speaker, represents the consideration of the committee with respect to the cost of this transition.

If the hon. member looks back over the last two years only, he will find that in the present fiscal year, that is, the university's fiscal year, the sum is \$2.15 million and the year prior to that it was \$1.4 million.

And I think, Mr. Speaker, when one looks at it in total context, and the percentage increase being given to the ROM this year related to other increases in various government departments or other institutions and with regard to the economic situation which we face in this jurisdiction, that there will be some who would term this treatment rather generous.

**Mr. Pitman:** I have a supplementary question: In view of the Minister's statement and in view of the further statement of Mr. Swann that nobody tells him anything, and that his only contact appears to be a telephone call from the Minister, I wonder if there could be some effective liaison between the department and the Royal Ontario museum?

**Hon. Mr. Davis:** Mr. Speaker, in discussions with the director of the ROM it was pointed out, and I think he understands this, that really until July 1—and the members here will have a chance to study the legislation in a very few days—that really his communication, as has been the case in the past, is to the board of governors of the University of Toronto, who are always quite prepared to discuss these problems; and I think Mr.

Swann now has a better understanding of the problems involved.

**Mr. Pitman:** I have another question, Mr. Speaker, to the hon. Minister of Education.

In view of the expanded use of educational television, particularly the use of television at the secondary school level, can the Minister tell the House whether any or all of the following items can qualify for grants if purchased by individual school boards: video tape recorders; accompanying TV tuners and monitors; a master antenna; equipment to permit more than one lesson to be put into a coaxial cable at one time; coaxial cables linking video tape recorders and antenna to the classroom?

**Hon. Mr. Davis:** Mr. Speaker, at the present time under the existing grant regulations, the television receivers *per se* are the only items of equipment that receive grants. All the other items mentioned—and quite frankly there are an additional two or three changes that have taken place in the technology, and there may be some others that will be developed in the next few months—these are all under current study now and some decision will be made in the fairly near future.

But it relates once again—that is the timing of it—to the determination of just exactly how our transmission programming is to be developed here and we are still waiting some reply from the federal authorities in this regard.

**Mr. I. Deans (Wentworth):** I have a question for the Prime Minister. Will the Prime Minister inform the House whether the government has completed its study of the ownership of beaches? And when will the government's position in this matter be known?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, in answer to the first part of the question, the government has not completed its study of the ownership of beaches; in reply to the second part of the question, it is impossible to suggest a date for completion because of various legal difficulties involved.

Now, perhaps I could give some idea of the status of this matter at the moment. It was last summer that The Department of Lands and Forests began taking inventory of all the beach property in the province. By this, we mean property which has sand beach abutting on water, and, as you can understand, over the years we have a real

legal hodgepodge of titles embodied in the descriptions of various properties. Some go to high water, some go to low water, some go to so many feet above high water, some of them go to butternut trees that no longer exist, and things of this nature.

The Department of Lands and Forests has completed an inventory of the beach property. This was done, sir, on the basis of township lots and subdivision lots within municipalities. There are 1,495 township lots which have abutting beaches. That is what the inventory shows. There are 498 subdivision lots with beach frontage and as of April 11, 1968, the patents have been checked on 1,406 township lots to determine whether the beach area was actually included in the original grant of this property from the Crown.

The lands branch in the department has not yet begun its investigation and search of the title to the subdivision lots.

The lands branch has taken the information, which it has accumulated in these searches, and of the township lots, and it is now being processed for internal legal opinion within the department itself. After this has been determined, we will have to form a policy decision as to what the legal position of the government would be if we were to attempt to acquire on, what might be termed, a wholesale basis for this beach property.

A great deal of difficulty arises, of course, because of the beaches that are situated in very old parts of the province. Titles go back a very long way and there really is no common approach to the problem. Some areas dealt with in one way and some in another.

You might be interested to know that the department has been following an active programme of acquiring beach frontage where it was available on the Great Lakes and between 1962 and 1967, The Department of Lands and Forests acquired 45 miles of frontage of beaches on the Great Lakes. There is another 37 miles of frontage under negotiation at the present time and, in our interior lakes, we have acquired some 13 miles of beach frontage and have about the same amount under negotiation.

I think from this you can see that it is a very complex problem. No doubt, we will end up by dealing with individual situations because they vary so much from one area to another.

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, a question for the hon. Minister of Energy and Resources Management.

Will the Minister instruct Ontario Hydro to give employment preference to qualified local residents on the lower notch hydro project in the Cobalt area to help ease the unemployment problem in that area?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, the answer is no. I do not see a need to do so. I am satisfied that Ontario Hydro prefers to employ qualified local residents on construction projects. The work of the lower notch site on the Montreal River is handled by contractors. Agreements made between the contractors and their employees may require union members.

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, a question of the Minister of Lands and Forests.

Will the Minister advise the House, what improvements are planned to existing facilities in trailer parks now that the fees to campers have been increased?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. member for Sudbury East, it is planned that to the recently completed trailer dumping sanitary facilities in 26 provincial parks, we will add this year 50 more. In other words, by the end of this year we will have in provincial parks, 76 trailer dumping facilities. Also \$1 million will be spent this year on improving and expanding water supply and sanitary facilities. This is the building of comfort stations and so forth. Also, I would like to mention that for persons who are using campsites this summer—those persons who are using campsites for no longer than five days—there is no increase over last year, up to five days.

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman (High Park):** Question of the Attorney General, Mr. Speaker.

Did Mr. Peter McWilliams, Crown attorney for Halton county, three weeks ago send a report indicating a startling increase in suicides in the county?

**Hon. Mr. Wishart:** No, Mr. Speaker, the Crown attorney of Halton did not send me a report.



**Mr. MacDonald:** Mr. Speaker, before the orders of the day, I rise on a point of order.

I am today, in receipt of a letter and an accompanying document from W. R. McMurtry, solicitor for Mrs. Gurman, operator of the Cara Villa nursing home in Collingwood. A copy of this, I understand, has gone to the leader of the Opposition.

This document presents evidence in sharp conflict with the statement of the Minister of Health in the House the other evening, and appended is an affidavit sworn by 15 of the present and past employees of that institution.

The substance portion of the affidavit reads as follows:

This is to certify that we, the undersigned employees and former employees of the Cara Villa nursing home have never, at any time, witnessed brutality to any patient by Mrs. Janet Gurman or any staff member during our employment at this house.

And the affidavit proceeds to say that there are four former employees who would have signed except that they were out of town and unavailable on short notice. They all signed except for one employee who had been fired because of differences with the operator.

Now Mr. McMurtry insists, and quite rightly so, that his client has been convicted without trial and he protests the gross injustice of such procedure.

I submit, Mr. Speaker, that this underlines the necessity for reference of this matter to the standing committee and Mr. McMurtry—with whom I have had my first contact today, and no other member of my caucus has had any contact earlier on this matter—indicates that he would be willing, indeed anxious, to come to any meeting of the standing committee in which there is further investigation.

I express the hope, Mr. Speaker, through you to the Prime Minister, that in the name of justice this matter should be immediately referred to the standing committee. In any case, I draw your attention, Mr. Speaker, to the fact that the Health estimates which are still before the House, contain in sub-vote 4 of vote 804, an estimate dealing with the removal of patients to and from the Ontario Hospital, where the matter could be raised again.

But, I think it would be much tidier and much more appropriate if it were referred to the standing committee where the full story, and some reconciliation of the conflict of evidence, could be dealt with.

**Hon. Mr. Robarts:** Mr. Speaker, Mr. McMurtry did not do the government the courtesy of filing with it, a copy of the material that he has obviously filed with the hon. member, and according to his statement—

**Mr. MacDonald:** It is a public document released to the media yesterday.

**Hon. Mr. Robarts:** Well, I have not seen it, let us put it that way, nor has the Minister concerned.

**Mr. MacDonald:** He tried to get in touch with the Minister but could not reach him.

**An hon. member:** Good story!

**Hon. Mr. Robarts:** In any event the matter is on the floor of this House, without it having been brought to the attention of the government. That is the point I make regardless of the reason why, and as far as I am concerned there are several aspects of the situation that are raised by what you have said and by contents of this document.

I propose to get a copy of the document mentioned and in due course I would like some time to look the situation over and perhaps on Monday I will be able to advise the House as to what course of action the government will be taking.

**Mr. Speaker:** Orders of the day.

### THIRD READINGS

Bill 49, An Act to amend The Community Centres Act.

Bill 89, An Act to amend The Planning Act.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, His Honour the Lieutenant-Governor is standing by to give Royal assent to these bills. With your assent I will escort him to the chamber.

**Mr. C. G. Pilkey (Oshawa):** Mr. Speaker, could I ask a question please?

**Mr. Speaker:** While the Prime Minister is out I will be glad to—or is the question of the Prime Minister?

**Mr. Pilkey:** No, through you, sir, with regard to The Planning Act bill. Did I understand the Minister to say that there would be 24 hours before this went into effect after it received Royal assent?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** The amendment was to

that section—the ten acre section—the exemption to ten acres comes into effect tomorrow, which legally is deemed to be at 12:01 a.m. tomorrow. If it came into effect today, which is the way it originally read, there would be things that would have been deemed then to come into effect, as I understand it, at 12:01 this morning, and there are undoubtedly things which have been registered in the registry office this morning and who would ever know. Right now they are safe so get going.

**Mr. Pilkey:** I do not have any land to register really.

**Hon. Mr. McKeough:** The Provincial Secretary tells me that the registry offices close at four, so you have about 40 minutes.

The Honourable the Lieutenant-Governor of Ontario entered the chamber of the legislative assembly and took his seat upon the Throne.

**Hon. W. Earl Rowe (Lieutenant-Governor):** Pray be seated.

**Mr. Speaker:** May it please Your Honour, the legislative assembly of the province has, at its present sittings thereof, passed two certain bills to which, in the name and on behalf of the said legislative assembly, I respectfully request Your Honour's assent.

**The Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed.

Bill 49, An Act to amend The Community Centres Act.

Bill 89, An Act to amend The Planning Act.

To these Acts the Royal assent was announced by the clerk of the legislative assembly in the following words:

**Clerk of the House:** In Her Majesty's name, the Honourable the Lieutenant-Governor doth assent to these bills.

The Honourable the Lieutenant-Governor was pleased to retire from the chamber.

**Clerk of the House:** The 53rd order, House in committee of supply; Mr. A. E. Reuter in the chair.

## ESTIMATES, THE DEPARTMENT OF HEALTH

(Continued)

**Mr. Chairman:** Item 27; the member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Chairman, I believe the Minister stated on Tuesday night that air pollution control in Ontario had been under the jurisdiction of municipalities for many years, but that only 28 communities had bothered to pass bylaws and only two or three had seriously enforced them. Would the Minister indicate which municipalities these were?

**Hon. M. B. Dymond (Minister of Health):** Mr. Chairman, I suggest that this is totally out of order because this is all past history now and not relevant to today's conditions whatsoever.

**Mr. Burr:** The hon. member for Sarnia referred to pollution problems there—

**Hon. Mr. Dymond:** I cannot hear the hon. member.

**Mr. Chairman:** I have noticed as well that it is very difficult to hear the member. If he will speak up because I could not hear what he was saying too well.

**Mr. Burr:** The hon. member for Sarnia referred to pollution problems in Sarnia the other night. A good friend of mine who lives in Sarnia has told me—is it coming through?—that employees and former employees of the Polymer plan regard pollution inspection there as a joke.

They claim that there is foreknowledge of the visits of the inspectors and that on inspection days the emission of pollutants is substantially reduced. Now whether this refers to water pollution or air pollution or both, I cannot say, but would the Minister know whether there is a definite schedule or a definite pattern of inspections by which the company could forecast inspections?

**Hon. Mr. Dymond:** There is no definite pattern of inspection nor is there warning by the inspecting staff that we will be visiting on any specific date or at any specific time.

**Mr. Burr:** Thank you. According to the Windsor Star of about November 19, 1967, there is a Windsor firm that has a licensing agreement with what is probably the foremost designer and producer of pollutant control equipment in Europe today. This is a German firm in Essen with 50 years' experience; its equipment is used even in Russia and South America. They claim to be able to remove over 99 per cent of the pollutants and to have comparable success with gases. A few examples are the following: hydrogen-chloride, 99.9 per cent; ammonium-chloride, 99.6

per cent; SO<sub>2</sub>, 97.1 per cent; SO<sub>3</sub>, 98 per cent.

Now if equipment as efficient as this were used, would there still be the necessity to talk in terms of a 700-ft. chimney in the heart of Toronto?

**Hon. Mr. Dymond:** If the equipment is as efficient as is claimed for it, Mr. Chairman, no, there would not be the necessity. However, we have only heard of this licensing through the press or through verbal reports. The agent who claims to have been given this licence has not yet approached us with any particulars concerning the equipment. If he does become the licence holder for the distribution of this equipment, we will make it our business to investigate it and determine its value.

If it is as valuable as is claimed, or is even worthy of a place among the other types of pollution control equipment, we shall certainly make use of it.

**Mr. Burr:** Thank you, Mr. Chairman. Perhaps I might mention that the same company has also built a pilot plant mounted on a trailer which can travel to a factory and test the gases being emitted and through this device can guarantee the results to be obtained from actual installation. I suppose the Minister is not familiar then with this device?

**Hon. Mr. Dymond:** We are not familiar with it, but we will certainly welcome it and we will certainly seek to investigate it, too.

**Mr. Burr:** Thank you. About the end of October last year, the CBC produced a programme called "Air of Death" centering around the ERCO plant in the Dunnville and Port Maitland area. Dr. George Waldbott of Detroit was interviewed on the programme and gave some opinions relating to the damage to the health of humans living in the vicinity.

In a statement a few days later, the hon. Minister of Health made two statements I wish to recall; first, that Dr. Waldbott was one of the world's leading experts in fluorosis and secondly, that there is some question whether fluoride poisoning can be detected in the living body particularly by the ordinary medical practitioner or specialist.

Now Dr. Waldbott is an allergist whose fame has spread to many parts of the world. If it is true that an allergist is to an ordinary practitioner what a detective is to a policeman, then Dr. Waldbott is the Sherlock

Holmes of the allergists. In my maiden speech of April 2, I gave a brief history of the role of fluorides in air pollution and I sent a copy of *Hansard* to Dr. Waldbott. A few days later I received a request from him as follows:

Knowing of your interest in the Port Maitland air pollution situation, I would appreciate it if you would present the enclosed letter and the brief covering my observations on local cases of chronic fluoride intoxication to the hon. Dr. Matthew Dymond.

Yours sincerely,  
George L. Waldbott, MD.

The letter to the Minister of Health says:

Dear Sir:

On January 8, 1968, in reply to an invitation by the Ontario pollution inquiry committee I offered to appear as soon as I had accumulated sufficient data concerning the Port Maitland individuals afflicted by fluoride air pollution.

On February 16, in reply to my second offer to testify before the commission, the secretary requested an outline of "the general nature of the evidence" I wished to present and asked, "to what purpose this evidence is directed". I stated on March 4 that I was prepared to present the data originally requested of me, namely—"a discussion of the disease which appears to be endemic in the Port Maitland area, with diagnosis and measures for its prevention."

To date I have received no further communication from the committee. In response to a request by Attorney Brooks that the committee furnish me with some of the findings on the persons I had interviewed, the committee's chairman, Dr. G. E. Hall stated on January 24, 1968, "With extremely competent physicians and diagnosticians in Ontario, Dr. Waldbott's request will be reviewed by the committee".

I have had no further word from the committee. Indirectly through Mr. Brooks I have learned that neither the final data on the individuals hospitalized in Toronto nor my own presentation in case I were permitted to testify, would be given in hearings open to the public, as was all previous testimony and that no further public hearings would be scheduled regarding Port Maitland.

Because of this decision, and because no other physician with personal knowledge



about fluorosis, not connected with industry and government, had been heard by the committee, I considered it inappropriate to make further efforts to appear. Instead I am herewith submitting my completed report to you. I trust that the data which I have accumulated will assist you in assessing the ill effects due to air pollution in the Port Maitland area.

Yours sincerely,  
George L. Waldbott, MD.

Now as is the custom in the United States, when an expert is giving testimony at a hearing—

Mr. J. H. White (London South): Mr. Chairman, on a point of order.

Mr. Chairman: State your point of order, please.

Mr. White: I draw your attention, sir, to page 148 of the precedents of this House, dealing with no debate on orders before commissions and I would ask you if this hon. member's remarks are in order with this precedent and the rules in mind.

Mr. Chairman: I had not noted anything out of order so far. Would the member care to enlarge on this submission why he feels they are out of order?

Mr. White: It was my understanding, and I may be mistaken about this, that there was a Royal commission investigating this problem. Now if this is the fact, and if my memory serves me correctly, it does seem to me that debate in this House is undesirable and contrary to the rules of this House.

It is not that the hon. member is saying anything offensive, but he is probably prejudicing to some extent the status of the Royal commissioner. I do not know how I can elaborate further than that, except that I do wonder now if these remarks are in order, having that other investigation in mind.

Mr. Chairman: I would ask the Minister if, in fact, the matters being referred to are under investigation by a Royal commission?

Hon. Mr. Dymond: Mr. Chairman, this is correct. It has been referred to a committee of inquiry with all the powers of a Royal commission and I asked about this before I came into the House with my estimates, but I got conflicting advice, and I am not sure. I have to be guided by your ruling, sir, I do not know whether this is *sub judice* or not.

Mr. Chairman: It would be my opinion that it is undesirable. Although I would have to say in fairness I do not think the member has dealt specifically with the matter. He has mentioned the Port Maitland area but he has, as I interpret it, been talking rather generally about fluorosis and about one specific person.

Might I ask the member for London South if the precedent that he referred to the Chairman included commissions?

Mr. M. Shulman (High Park): It does not refer to committees.

Mr. White: Mr. Chairman, I have not had a chance to research this very thoroughly, although obviously I am several paces ahead of the hon. member for High Park, so—

Mr. J. B. Trotter (Parkdale): You are wasting time.

Mr. Chairman: Order, please!

Mr. White: —I do not suppose I will apologize very much. I refer to page 148 of the precedents, which was a ruling by Mr. Speaker Morrow, and this has to do with a matter that was before the courts.

Mr. Trotter: This is not before the court.

Interjections by hon. members.

Mr. Chairman: I would just like the member to finish answering my question.

Interjections by hon. members.

Mr. White: It is perfectly obvious, Mr. Chairman, that we have considered a commission inquiry the same as a court case, and I remember—

Mr. Trotter: No, nothing like it.

Mr. White: Oh yes, we have. The Royal commission on crime and any number of others. So there is no question about that.

Now you are faced, I suppose, Mr. Chairman, with the—

Interjections by hon. members.

Mr. Chairman: Order, please.

Mr. White: You have the responsibility, I expect, of deciding whether a committee of inquiry with all the powers of a Royal commission should be considered in the same way as a Royal commission, so far as debates in this chamber are concerned.

In view of the fact that the two bodies are virtually identical to all intents and purposes, I suggest that they should be con-

sidered the same, and the issue under investigation by the committee of inquiry should be precluded from debate in the chamber, which, of course, can prejudice the fair investigation of the matter at hand.

Now, while my learned friends opposite stand up to debate this in their airy-like fashion, I will do a little more research and will perhaps be able to add to my remarks.

**Mr. Chairman:** Well, it seems to the Chairman that there are certain areas of doubt as to whether or not this specific matter is before a Royal commission and whether a Royal commission is *sub judice*. In view of the area of doubt, I would suggest to the member for Sandwich-Riverside that he should try to speak in generalities with regard to air pollution rather than specifics.

**Mr. S. Lewis (Scarborough West):** Mr. Chairman, on a point of order. With respect sir, and I appreciate your dilemma, there are substantial differences which this House has recognized between something which is *sub judice* before the courts, and indeed a Royal commission itself. But it should be pointed out, Mr. Chairman, that this is an Ontario pollution enquiry committee set up by a Minister without the powers of a Royal commission. It does not parallel a Royal commission in—

**Hon. Mr. Dymond:** Mr. Chairman, I would submit for your consideration that it was not set up by the Minister. It was set up by the Lieutenant-Governor in council with all the powers of a Royal commission.

**Mr. Lewis:** Mr. Chairman, it is not in fact a Royal commission and indeed it has been demonstrated before, in this House, that there are many matters that are perfectly debatable within the Legislature so long as they are not *sub judice* and there is nothing in this which is *sub judice*.

**Mr. Shulman:** Right!

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, if I might speak to the point of order, I think that we are altogether too quick to rule matters out of order here, which may be under investigation of some sort elsewhere. It is surely our responsibility in this House to bring forth facts associated with circumstances such as this, and I would support what you said a moment ago in your decision to permit the hon. member to continue with his remarks, but I would say that I do not see why he should be circum-

spect even in referring specifically to the Port Maitland matter.

Some hon. members: Hear, hear.

**Mr. Shulman:** Mr. Chairman, on a point of order, I would like to point out that the hon. member has already read into the record a letter from Dr. Waldbott in which he points out that he has not been given the opportunity to present this evidence before the Royal commission, and certainly if it is not a Royal commission, then before the committee of enquiry. If he has not been allowed to present this there, surely this is the place where it should be presented?

**Mr. Chairman:** Well, I was trying very carefully to follow the remarks of the member for Sandwich-Riverside and as I said before, I do encounter difficulty in hearing it as audibly as I would like to, and I was debating within my own mind whether or not he was out of order. However, in view of the points that have been raised, I see no reason why he should not be allowed to continue, but to try to speak in generalities on the subject.

**Mr. Lewis:** It is an explosive document, Mr. Chairman.

**Hon. Mr. Dymond:** Mr. Chairman, with great respect I have to suggest to you, that this is not the place to present one specific person's opinions concerning the matter. This has nothing to do with my estimates. The total subject matter of air pollution control does, but Dr. Waldbott is one person who has certain very definite and decided views, as certain persons in this Legislature have, but this does not mean to say that they need to be aired, or they have any right or justification to be aired during the consideration of The Department of Health.

**Mr. Shulman:** Mr. Chairman, on this particular subject, I would like to point out to the Minister that I have had an opportunity to peruse this document, and it is not the views of Dr. Waldbott that are presented, but the findings of Dr. Waldbott that should have been presented in front of an enquiry, and were not. He was not given that opportunity and they should be brought here, and they are not views, they are findings.

**Mr. White:** Mr. Chairman, I am now able to refer you to page 359 of the 16th edition of Erskine and May's "Parliamentary Practice", which reads as follows:

—the following types of questions have been ruled out of order. Subsection (d) dealing with matters referred to a Royal commission, or with matters before a parliamentary committee or with matters within the jurisdiction of a select committee, or the authorities of the House.

Now, sir, this is very broad indeed, and while the words committee of enquiry are not used, there can be no doubt in anybody's mind that the very broad structure is intended to cover committees of enquiry also.

**Mr. Chairman:** Well, it seems to me that this was a Royal commission, commission of enquiry set up by the Lieutenant-Governor to enquire into certain specific matters, and it seems to me that anything that might prejudice or interfere with the findings of that commission should not be introduced at this time specifically. I have permitted the member to proceed—

**Mr. Shulman:** But the committee did not hear it.

**Mr. Chairman:** —on general lines, on the matter of air pollution, and I would so rule.

**Mr. Burr:** Well, Mr. Chairman, shall I proceed without mentioning that area specifically?

**Mr. Chairman:** Without specific reference to the doctor's findings as to air pollution generally.

**Mr. Burr:** Well, as I was saying, when the expert is giving testimony he always gives his credentials, and I should just tell you what kind of a man Dr. Waldbott is, without reference to any particular area that has been mentioned. That is, I shall quote his statement that he would give if he were here, or if he were somewhere else.

"I am George L. Waldbott, residing at 1144 Balfour Road, Grosse Pointe Park, Michigan. I have been a practising physician in the state of Michigan since November 23, 1923.

**Mr. Chairman:** Well, can the member in one point bring to the attention of the committee some of his concepts, rather than refer to this specific letter and read into the record any letters that might prejudice the Royal commission—

**Mr. Shulman:** But it is essential; the Royal commission has not heard it.

**Hon. Mr. Dymond:** Again, on a point of order, may I submit to you for your con-

sideration that if we are going to delve into a matter in this way, every member of this House could be provided with a paper, a scientific paper stemming from one who may be considered an equally good authority on this or related topics, and every one of us could get into dialogue or debate about it. But nothing would really be finalized as a result. This is not the place for the submission of scientific papers or the views of scientists unless they have specific reference to the items under consideration in my estimates.

**Mr. Lewis:** Mr. Chairman, on that point of order, because that strikes me as a particularly pernicious point of order, any member of this—

**Hon. Mr. Dymond:** You are always pernicious, I think that you have pernicious anemia.

**Hon. T. L. Wells** (Minister without Portfolio): Everything strikes the hon. member that way.

**Mr. Lewis:** Mr. Chairman, every member of this House can read any scientific paper or other document in support of his case that he wishes, and if a Minister of the Crown finds that objectionable or debatable, then he has the prerogative as the Minister in his estimates to take issue with it. But one does not remove the rights of members of the House to read documentation into the record simply because it may not result in a final solution, or prolong debate. That is a prerogative of the members that everyone exercises, both on the government benches, and on these benches.

Now, the member of the New Democratic caucus wishes to read into the record a document which has appeared nowhere in public on any other occasion, which will not prejudice any committee, because they are quite at liberty to call before them whom they wish, and is therefore entirely within the rules of this House.

**Hon. Mr. Dymond:** I would submit for your consideration, that if this stems from Waldbott's pen, it has appeared in many, many, many, places in public.

**Mr. Shulman:** Not this.

**Hon. Mr. Dymond:** Ah, yes it has.

**Hon. A. Grossman** (Minister of Reform Institutions): Do you agree with Dr. Waldbott?



**Mr. Lewis:** If you decide or disagree with—

**Hon. Mr. Dymond:** Everything Dr. Waldbott says is put in paper, like Shulman—

Interjection by an hon. member.

**Hon. Mr. Grossman:** Thank you, do the hon. members agree that Dr. Waldbott is a great scientist?

**Mr. Shulman:** I do think so!

**Hon. Mr. Grossman:** Good, I am glad to get that on the record.

**Mr. Lewis:** Well, Mr. Chairman, suppose that Dr. Waldbott is a marginal scientist or a poor scientist.

**Hon. Mr. Grossman:** I wanted that on the record.

**Mr. Lewis:** Fine, let us have Dr. Waldbott on the record and then we can judge for ourselves.

**Hon. Mr. Wells:** What has he got to do with the estimates?

**Mr. Lewis:** It is directly on air pollution and that is the vote.

**Mr. Shulman:** If you listen, you will find out, but you do not want to hear it.

**Mr. Chairman:** Order please, might I say—

**Mr. J. L. Brown (Beaches-Woodbine):** What are you worried about? If there is no worth to it, what are you afraid of?

**Mr. D. C. MacDonald (York South):** He is one of the finest—

**Hon. Mr. Dymond:** Now, now, now, Mr. Chairman, this gives me the opportunity to make my point very clear. It has stated repeatedly since this quote that the hon. member submitted at the outset of his remarks, that the Minister of Health stated that Dr. Waldbott is one of the world's leading experts in fluorosis, or leading authorities on fluorosis, and I have denied that categorically on several occasions. I have refreshed my memory from listening to the tape where my own voice came back, and I stated that "Dr. Waldbott is known to be one of the most articulate persons on the subject of fluorosis, but not an authority."

**Mr. Lewis:** Well, here I am.

**Mr. Chairman:** Order, please!

The member for Scarborough West has suggested that any member may rise and

introduce any document and read it into the record about anything whatsoever. I gather this is what he suggested.

**Mr. Lewis:** Well I have said, Mr. Chairman, that any member may produce what he considers to be documentation, scientific or otherwise in support of his argument. If the government wishes to take exception to that, they may. The argument pertains to item 27, which is air pollution.

Indeed, Mr. Chairman, we are already engaged in a dialogue across the floor about the views of Dr. Waldbott without the document even being read. Now surely, the Minister could wait until it is read and then take exception to it.

**Mr. Chairman:** But is the member prepared to make himself responsible for the truth of the document?

**Mr. Lewis:** Mr. Chairman, I would be delighted, and so would all of us, to hear the document and make our judgment.

**Mr. Chairman:** Well the member who introduces any document can only read it if he is prepared to make himself responsible for the truth or content of that document.

**Mr. Lewis:** I have no doubt.

**Mr. Chairman:** The member—

**Mr. Lewis:** Mr. Chairman, we will do that with passion.

**Hon. Mr. Grossman:** How do you know that?

**Mr. Lewis:** Do you know how to be passionate?

An hon. member: Turn on the passion!

**Mr. Chairman:** In view of the various points that have been made regarding this whole point of order and with great respect to all the views of all members and the Minister, I think that the member for Sandwich-Riverside should speak in generalities only and not introduce any specific letters, or things of that nature, from Dr. Waldbott. He can use any content in generalities. That is my ruling.

**Mr. Burr:** General content!

**Mr. Chairman:** As long as the contents he reads will not, in any way, prejudice this specific enquiry which is taking place.

**Mr. Burr:** I will try to do that, Mr. Chairman. Instead of quoting the credentials, I

will put them in the third person and tell you who Dr. Waldbott is and give you some general ideas about the problem of fluorosis in air pollution.

Dr. Waldbott is a practising physician in the state of Michigan, since November 23, 1923, specializing in allergic diseases, with offices at 2930 West Grand Boulevard, Detroit. He is a graduate of the University of Heidelberg, Germany, medical school in 1921. He interned at the Henry Ford hospital in Detroit 1923, 1924. He is a member of the American medical association, Michigan state and Wayne county medical societies. He is a diplomat, I think that is the word—

**Mr. Chairman:** May I say to the member we are not particularly interested in the history of this person; relate generally if you wish to the concept, but leave this letter of the history of the man out.

**Mr. Shulman:** It supports the statements that he makes.

**Mr. Burr:** Because of his opinions on this general subject I think it is necessary that you realize whether he is an expert. We have had references in the House to instant experts and my point is, that he is not an instant expert.

**Mr. Chairman:** I think it can be generally conceded that the man is no instant expert. He has had a great deal of experience—

**Mr. Burr:** Does the House concede that he is an expert?

**Mr. Lewis:** The Chairman—

**Mr. Burr:** In that case, Mr. Chairman, I will skip over—

**Hon. Mr. Grossman:** We will talk about that a little later.

**Mr. Burr:** I will skip over his credentials which I assure you are gilt-edged.

**Mr. Chairman:** I will accept your assurance.

**Mr. Burr:** Thank you, Mr. Chairman. Now what I am going to talk about is first of all, the details of this disease. The details about fluorosis. A person—

**Mr. Chairman:** I would ask the member to specifically relate fluorosis to the matter of air pollution and grants to assist with the vote.

**An hon. member:** Give us time.

**Mr. Burr:** It is one of the diseases caused by air pollution, yes.

**Mr. Chairman:** Are we going to talk about air pollution or disease?

Any discussion regarding the disease is not in order. We are talking about air pollution and what causes it, not the disease.

**Mr. Burr:** Why do we bother talking about air pollution if it is not the diseases that are caused by it that we are concerned about?

**Mr. Chairman:** We are talking about air pollution and grants to help control air pollution.

**Mr. Shulman:** Right.

**Mr. Burr:** Right—air pollution control! This is what the whole thing is about.

**Mr. Chairman:** Order, please! We know there are diseases that arise from air pollution—

**Mr. Shulman:** Good.

**Mr. Chairman:** We know we must deal with air pollution and grants to help control it.

**An hon. member:** Bunch of busy bees over there.

**Hon. Mr. Dymond:** Exercise neutrality, Mr. Chairman.

**Mr. Burr:** Mr. Chairman, it is difficult to winnow some of the matter without taking the nutrient out of the kernel. In any case a person can become poisoned either by a single large dose of fluoride or by persistent intake of minute amounts; chronic poisoning from fluoride in water is called hydro-fluorosis:

Chronic poisoning from airborne fluoride is called industrial fluorosis or neighbourhood fluorosis. Regardless of the source however, where fluorosis is endemic, residents are exposed to a common source of fluoride which reaches their system via air, water and locally-produced food.

Now in some areas, the common source is airborne fluoride, namely fumes—

**Mr. Chairman:** The member is right on the item now. He is right on the item now—

**Mr. Burr:** That is on the item.

**Mr. Chairman:** Right.

**Mr. Burr:** Good. Thank you.

**Mr. Lewis:** He is an enormously pertinent fellow.

**Mr. Burr:** Namely fumes and particles, especially dust, which contain about one per cent fluorine. It is emitted mainly from the curing sheds and basins from which effluent waters evaporate. This dust enters the plants grown in the area and contaminates fruit, vegetables and water. Therefore, the ingestion of contaminated foods plays an important role in neighbourhood fluorosis, as illustrated in a graph which was attached to this document, which presents the sources of fluoride intake into a person's body in a fluoride polluted area in Czechoslovakia.

Two conspicuous and well-known features on which many rely for the diagnosis of chronic fluoride poisoning are not obligatory features of the disease. Dental fluorosis or mottled teeth occur only in individuals who have consumed fluoride during early childhood. Skeletal fluorosis from long-term intake of fluoride in the milligram range occurs only after many years. Both conditions can be dismissed from consideration where the investigation covers—or where a plant has been in operation only a few years.

Now there is a wide spectrum of symptoms that occur both in the acute fluorosis and in chronic fluorosis.

**Mr. Chairman:** Order, please! The member is speaking about a disease and so far he is not relating, in any way, to the matter of air pollution or air pollution control. I must ask him to talk about air pollution matters as in this vote. All he has done is simply recite to the committee matters of the various types of diseases and the causes.

I would like to hear him talk about air pollution control only.

**Mr. Burr:** In diagnosing—

**Mr. Chairman:** We are not interested in diagnosis of any disease.

**Mr. P. D. Lawlor (Lakeshore):** We are diagnosing pollution control.

**Hon. Mr. Grossman:** We agree that there is pollution.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Why do you not quit while you are ahead?

**An hon. member:** We would like him to quit.

**Mr. Lawlor:** Why do you not do something about it then?

**Hon. Mr. Grossman:** That is what we are doing.

**Mr. Lawlor:** That is what we are proposing here. This is—

**Mr. E. W. Martel (Sudbury East):** You have to have the background.

**Mr. Lawlor:** —to point out the gravity.

**Mr. Burr:** In an area where there is the suspicion that harm is being done by fluoride emissions, there must be certain conditions. There must be excessive exposure to fluoride—established among those afflicted.

Other diseases to which the symptoms could be attributed must be ruled out and the possibility of specific criteria to further pinpoint the disease must be explored. And the clinical manifestations among the afflicted persons must agree with what is known about the disease—

**Mr. Chairman:** I am sorry, the member is entirely out of order in the remarks he is making and I must rule that he get back to air pollution or resume his seat.

**Mr. Lawlor:** Fluoride emissions are air pollution.

**Mr. Chairman:** No, it is disease—

**Mr. Martel:** The other night on this air pollution debate, the question—

**Mr. Chairman:** Is the member on a point of order?

**Mr. Martel:** Yes, on a point of order.

**Mr. Chairman:** What is your point, please?

**Mr. Martel:** The other night they questioned the experts who were in the House from the department to ascertain whether they were qualified or not to determine whether pollution existed or not. Yet today my colleague is trying to outline the background and he is ruled out of order. He has been ruled out of order a thousand times on the very things that were allowed to go on in the House the other night.

**Mr. Chairman:** The member is out of order.

**Hon. Mr. Dymond:** On a point of order, I must point out that the hon. member for Sarnia, who questioned the background of my staff, I submit to you, sir, was completely within order, because he was talking



about a request from me to this Legislature for money to pay these people. The hon. member wanted to be assured that we had retained the services of people who were well enough equipped to do this job by virtue of their training. I submit to you, sir, that this was perfectly in order, that the discussion concerning Dr. Waldbott is completely out of order, he is not licensed to practise in the province of Ontario or in the Dominion of Canada to the best of my knowledge, and therefore his views can only be of academic interest to us.

**Mr. Shulman:** Mr. Chairman, on a point of order, I would like to point out that the purpose of this long dissertation, which has caused so much consternation across the floor from us, was to point out the effect of air pollution in the Port Maitland area and the fact that people are being poisoned because of air pollution from the ERCO plant in that area.

In order to point out the effects and the fact that people are being poisoned from air pollution, one must give the findings of the only man who examined those people—

**Mr. Chairman:** Order, please!

I must say to the members that the very fact that vote 803, item 27, is in the estimates is because these facts are recognized. They are known facts. It is a fact that diseases are caused by air pollution. It is a fact that there is not great knowledge in this matter and vote 803, item 27, provides for a sum of money to attempt to control air pollution. And I, therefore, repeat that the member must restrict his remarks to that area, not about diseases.

**Mr. Burr:** Mr. Chairman, I shall deliver my remarks on some other occasion.

**Mr. Chairman:** May I say to the member that I do not wish to restrict his remarks regarding this particular topic, but this is the wrong place to do it. The remarks are out of order.

**Mr. White:** Yes, in the Budget debate!

**Mr. Nixon:** Mr. Chairman, I had said a moment ago that I did not agree with your approach on this particular ruling. I hesitate really to take the floor when I believe the comments made by the hon. member would have some bearing on the expenditure of this fund in the best interests of the people of the province of Ontario.

I have to say I did not find the presentation particularly enlightening or interesting as

far as we got, but that does not mean to say that in the development of the information the member was prepared to put before us there might not have been something of some use. Nevertheless, you have made your ruling and the hon. member has resumed his seat and I would like to ask—

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): The ruling is not debatable.

**Mr. Nixon:** —I would now like to ask the Minister something about the legal section of his department that has to do with air pollution control. Their record in the years since he assumed the responsibility for air pollution control has been a sad one, indeed.

Where they were able to get some legal determinations that would surely have acted to reduce air pollution—if there had been some remedy available—the fines were very small in nature in comparison with the crimes committed, amounting to something like \$50 before one magistrate for air pollution that was found to be the responsibility of Hydro in Toronto.

On another occasion, the magistrate threw the charges out of court entirely because the regulations were poorly drawn and the Minister's chief advisor in this regard was quoted as saying, "Well, back to the drawing board".

I know how he feels about these things and yet we have come a good many years with politicians and others in every field saying with great sincerity that what we need are rules and regulations with teeth in them, and this the Minister has obviously been unable to provide with the assistance and direction and advice that is available to him.

I do not believe that we are offering sufficient deterrents to air-polluting sources and corporations, whether they be public or otherwise, if the fines that are going to be levied, after the magistrate has found that air pollution has been caused in contravention to the regulation, are something like \$50, or if the case is thrown out of court entirely.

So really, if we are going to spend this sum of money, which I personally believe to be inadequate, we must see that we have regulations and statutes that are going to be binding, that are going to be useable and viable in the courts of the country, and are going to have penalties which are going to restrict the air pollution that has been common practice in this province in the past.

**Hon. Mr. Dymond:** Mr. Chairman, I think the hon. leader of the Opposition will recall

that he participated in the passage of this Act a year ago, section 16 of it. To refresh the memory of the hon. member:

Every person who contravenes any provision of this Act except section 12 or 13 or of the regulations of any order of the Minister, be it under this Act or the regulations, is guilty of an offence and on summary conviction is liable: if an individual, to a fine or not more than \$2,000; if a corporation on first conviction, to a fine of not more than \$5,000; and on each subsequent conviction to a fine of not more than \$10,000.

I am quite certain that the hon. leader of the Opposition knows full well that no Minister of the Crown, or no member of this House has any power or authority to direct the magistrate in the imposition of the penalty. We have provided the maximum.

**Mr. Trotter:** You can draw regulations.

**Hon. Mr. Dymond:** Now perhaps we should have put in "minimum", I do not know.

**Mr. Nixon:** I think perhaps those should be the minima.

**Hon. Mr. Dymond:** We are looking at it again in the light of this. I can remember very well, even before this Act came in, the year previously when I brought in an amendment to the old Act, asking for a substantial increase in the penalties, that this was hailed by the House, but there again we did not put in "minimum"; we put in "maximum" only.

We are looking at this again. I would point out to the hon. leader of the Opposition also that we have not had control of this matter for a year. We took over Metropolitan Toronto January 1—

**Mr. Nixon:** Yes, on a point of order then, that is not when you began preparation of the regulations. You have been working on the regulations for more than a year.

**Hon. Mr. Dymond:** That is right, but this does not alter the penalties—the regulations again. As the hon. leader will recall, in answer to a question put before this House after our first case before the courts, I pointed out that this was a legal controversy. The lawyer for the defence contended that the law was not good. Our legal people claim the law is good. And at the present time this is, I understand, being—

**Mr. Nixon:** And the judge threw it out.

**Hon. Mr. Dymond:** A magistrate threw it out. A magistrate chose to agree with the opinion of the defence attorney.

**Mr. Nixon:** That is how you decide who is right and who is wrong.

**Hon. Mr. Dymond:** No, Mr. Chairman, with great respect, may I suggest that this is why an appeal court and other channels are provided for us. We are exploring those channels now and I understand this is in the hands of the legal people in consultation with the Attorney General's branch and, therefore, I am not at liberty to discuss it further. But we still believe our law is good. As I said in this House, if our law is not good, we will make it good. We will make it stronger.

**Mr. Nixon:** Meanwhile you are bringing charges on the basis of the old law and regulations?

**Hon. Mr. Dymond:** No, this is on the new regulations. This will be the advice we receive and when the procedures to which they propose to go now are determined, or a decision has been given to us on the basis of those procedures, then we will have to be guided in our actions. If the law is not good, or the regulation not strong enough, we will have to alter it before we bring other charges.

But again, I have to point out that I am advised the new law and the regulations are completely adequate. There is apparently a weakness in that we have not stated minima insofar as fines are concerned. We may have to state a minimum fine for an individual, for a corporation, as well as a maximum. I do not know, I will have to take advice on that from the law officers because here again, I have been advised—I was advised when we brought in this Act—that maxima are quite satisfactory. Now I would have to point out to the hon. leader of the Opposition that when Hydro was before the courts, and either the case was thrown out or a fine of \$50 was imposed, I forget which, this was a charge laid under the Metropolitan Toronto bylaw and not by us.

But the fact does remain, and I state this quite unequivocally, with no intention to criticize those who sit on the magisterial bench, I think the penalties they impose are stupid, and I have no hesitation in saying that. The power is there within the Act for them to use and if they do not use it, I know of no power within this House that can order them to take a more realistic approach to this, to try to understand why we

put these very stiff penalties into the Act, and try to realize what we are trying to do.

Surely the intent of the Act is clear enough to them. It should be clear enough to them, because it is clear to laymen, and surely it should be clear to those who sit on the bench as well.

**Mr. Nixon:** Well under these circumstances, I believe that you can do something, and that is enact the minimum penalties, which is what you are considering, so do not say there is nothing you can do, and beyond that, the Minister has said, Mr. Chairman, that he believes and his advisors believe that the law and regulations are enforceable. They have been thrown out of court by one magistrate and we assume that these would then be appealed right through to the Supreme Court of Canada, in all probability. While we are waiting for those judicial decisions, which may take months, they have already taken months, are we proceeding with the prosecutions and charges that are based on the regulations identical with those that the original magistrate threw out of court?

**Mr. Trotter:** Mr. Chairman, on a point of order, the Minister said that his advice was that the regulations were proper in law. Now maybe his prosecution officer has been misquoted. This is from the *Globe and Mail* immediately after the case was heard, based on the regulations passed by this government, and this is a quotation from his own prosecution officer, that is if the paper is correct:

T. R. Tovey, prosecutions officer for the air pollution control service, which comes under The Department of Health, was not entirely surprised at the quashing of the charges. He said he agreed with the defence submission.

Now there is more to it than that, but there is your own man agreeing—

**Mr. Nixon:** That is a very serious thing.

**Hon. Mr. Dymond:** Well, Mr. Chairman, I have to admit to the House that it was very unfortunate that Mr. Tovey is not a lawyer. He should never have been sent into court as a prosecution officer and I have made this very clear to my staff.

I do not think, and I say this very respectfully, I do not believe that Mr. Tovey understood what the defence lawyer was saying, because I had great difficulty in understanding it when I read the transcript of evidence and I think others would have too, and I

think it was something that was quite beyond him. I can assure you no other case will go into the courts unless we are represented by very adequate counsel.

**Mr. Nixon:** Well, you did not answer my question, Mr. Chairman. Have charges been laid on the regulations without amendments, or do you have to wait until you get a judgment from a higher court that upholds your situation or position?

**Hon. Mr. Dymond:** Charges could be laid, but they have not advisedly. We believe we should wait until a decision is made and we expect this very shortly now.

**Mr. Nixon:** How long have you been waiting? Was that in about January?

**Hon. Mr. Dymond:** No, this case was in the courts in late January, somewhere around January 20 or 22—pardon me—March 22. The court case was thrown out around the middle of March. I cannot remember the date, but I can get the exact date of it.

**Mr. Nixon:** And you expect the appeal hearing to be available within the next few days?

**Hon. Mr. Dymond:** Mr. Chairman, I want to make it clear, I did not say appeal procedure. I am not exactly sure, not being a legally trained person, I am not exactly sure. But the legal procedure is being taken, and we expect a decision on the basis of that very shortly.

**Mr. Chairman:** The member for Sudbury East.

**Mr. Martel:** Thank you, Mr. Chairman. I want to go into this point on pollution, coming from the area that is probably the most ravaged in Ontario. In Nickel Belt, or in Sudbury East, we have plants at Coniston and Copper Cliff, which have done a tremendous job of polluting the area. We do not have trees for many, many square miles, in fact we do not have shrubs and we do not even have topsoil left, and there has not been much in the way of teeth shown to date to make International Nickel or Falconbridge clear up this mess of some 50 or 60 square miles at least. They have increased the height of the stacks and I must disagree with the member who the other night when I was ruled out of order, that the stacks do not do any harm. You make them a little higher. It just gets out a little further and now we are being polluted for a radius of 35 miles around Copper Cliff.



I can think back to last summer when in my community, one evening the grass was all nice and green and the next morning everything was brown and we are over 30 miles from Copper Cliff, and nothing happened to International Nickel when they laid waste there. No more than has happened in the whole area from Coniston down past Wahnapiatae and through Falconbridge, where as I said earlier, there is no grass, there is no topsoil, there is absolutely nothing.

And I was quite shocked when I listened to the Minister in his opening remarks the other night, when he stated, and I would like to quote this:

The panic sensationalism, mis-statement, understatement, spot judgment, instant research and instant experts are not the answer or the solution.

Well I do not know what the answer is to Copper Cliff. Our problem in Sudbury East has been there for 50 years, and it is certainly not getting any better. And we now have a study that is going to take place and I would like to ask the Minister before I go on, if he would just outline the terms of reference, if he could, to the study being made on this sulphur condition and so on in the smelter at INCO.

**Hon. Mr. Dymond:** I just find difficulty in understanding, Mr. Chairman, what the hon. member means by terms of reference, because it is a total assessment and evaluation of the problem, the steps that should be undertaken to correct those needs, if they are available, and if they are not, the best possible steps that can be taken to do all that lies within our power.

I think the hon member knows, because I answered a question he put in the House, it is question number 404, not very long ago, and I stated to him that the emission survey in the Sudbury and Copper Cliff area is due to start somewhat about the middle of the month, and again I would point out, Mr. Chairman, that we advised this House last year, when we took responsibility for this, that it was a phased programme, that we anticipated that it would require five years to cover the whole of the province. I advised you the other day that we believe now, because of the progress that has been made, that this can be achieved in a shorter period of time, but we are not making any definite promises in this regard, other than to say we will push the programme forward as vigorously as possible, still having in mind

our objective of five years hence to cover the whole matter.

I would also remind the hon. member, I believe he is quite well aware that one of the first things I did was officially advise both the large plants and the allegedly most serious offenders in the Sudbury-Copper Cliff area that I wanted them to submit to me for our consideration their plans for the control of the problem. As soon as we have those plans and have an opportunity to consider them, in concert with the results of the survey, we would lay down a programme for them and we would then be in a position to see to it that they abided by that programme.

Now they have accepted this. They have submitted to us their proposals and I stated that they are being studied by my department and will be evaluated, again in concert with the findings of the emission survey and as soon as possible we will submit to the companies concerned a proposed programme which they will be expected to follow.

**Mr. Martel:** Mr. Chairman, the reason I asked about the terms of reference is that I had questioned this some time ago, on the study that was going to take place, and asked if there would be public hearings and if the men would be tested by physicians to determine the effects of the sulphur on them and I was advised that this would not be so, that they were going to do it through statistics and so on. And the reason I questioned and I am interested in enlarging and having the men examined by doctors is that the amount of pollutant that the men are subjected to when they work in this plant is far beyond the safety level. And I quote here from an article that appeared in the magazine called *Information*.

The industrial hygienists of America's conference once set a threshold limit safety valve of 100 parts of carbon monoxide in one million parts of air. Recently this figure has been reduced to 50 parts per million.

It goes on that the men at International Nickel who have taken in vials in order that they can conduct these tests have come up with some of the following tests.

Tests in the iron ore plant show that in one million parts of air there were in some cases 1,200 parts of CO. This is 24 times higher than the accepted level of CO concentration. Now I do not think, with these figures, Mr. Chairman, that unless the men

themselves are tested, unless it goes the whole gamut, that there are public enquiries, and men are examined by doctors, and the statistics from the unions and so on are involved along with those that the department has at its disposal, will there be an adequate study.

I think if we are going to do this study it should be done once and for all. I do not think we should study now and find out that we have not got enough statistics and come back two years later and start all over again, because in the intervening two years many men are going to suffer. I know what it is like to work in International Nickel, I worked there for a year, and it is a sinkhole. It is the filthiest, dirtiest, place I have ever worked in. It is not fit, and it is about time they cleaned it up. I was quite shocked a few moments ago when the Minister suggested that the company did not know that inspections were going to take place. Having worked for this company I know that when an inspection was going to take place the company knew in advance, because that plant was cleared out, immaculately. They opened the flues and everything was gone into the atmosphere, and it happened time after time, and to suggest it does not happen is just, I am afraid, not true. Now whether they are tipped off or they just have a keen detector of inspectors, I do not know. But nonetheless when the inspections take place the plant is very, very clean; the gas and so on is not around, it is in the atmosphere. Therefore, I would ask the Minister if he would consider an investigation based on what I have said, including the doctors seeing some of the men.

Now I was rather surprised last fall, when, during the campaign, as my guest I had Dr. Shulman, my colleague in the House, and when he suggested that this area resembled Hiroshima everybody hit the ceiling. I really do not know why. I can take you to parts of my riding where you can get in certain areas where you would swear you were on the moon. There is not a tree for miles. And last weekend I took the hon. member for Thunder Bay (Mr. Stokes) to show him these regions. There is nothing. Now I am still hoping that the government member for Nickel Belt in 1963 who promised 50,000 trees in the Coniston area, will with the government as he promised, reforest that area with 50,000 trees. It certainly would not be enough, but it would be a start. I would like to read—as I said people criticized Dr. Shulman—I would like to read to you what a member of the Salvation Army, a captain from the Salvation Army stated when he saw our fair area:

I had been transferred from southern Ontario and was driving through Sudbury for the first time. As I entered the boundaries of Coniston and saw the barren desolation on each side of the highway my heart dropped and I murmured to myself "My God, why hast Thou forsaken me?"

**Hon. Mr. Simonett:** What year was that?

**Mr. Martel:** That was last year. Have you been around there?

**Hon. Mr. Simonett:** Many times.

**Mr. Martel:** You must agree that this is true then?

**Mr. MacDonald:** When did you last see a tree in Coniston?

**Hon. Mr. Simonett:** I planted one there last year and one the year before.

**Mr. Martel:** It must be dead by now.

**Hon. Mr. Simonett:** They are both growing.

**Mr. Martel:** They must have been covered in glass then. Could I ask through you, Mr. Chairman, has the hon. Minister seen any grass in Coniston?

**Hon. Mr. Simonett:** Yes, right on top of the slag piles, they are growing grain. You ought to go up there and look.

**Mr. Martel:** I worked on the slag piles—

**Mr. Shulman:** The Minister is having visions.

**Mr. Martel:** —so he is not going to con me into believing this.

**Hon. Mr. Simonett:** Are they not growing grain on top of the slag piles?

**Mr. Martel:** Not to my knowledge.

**Hon. Mr. Simonett:** You do not even know what is going on in your area.

**An hon. member:** There is a whole field of wheat up there.

**Mr. Martel:** There are many square miles that do not have any grass—I do not know what has accounted for it.

**Mr. Chairman:** Is item 27 carried?

**Mr. Martel:** Mr. Chairman, just before I conclude, I was talking about SO<sub>2</sub> for a few moments—I would like to talk about ammonia,



and maybe this, too, will convince the hon. Minister to go much deeper in his study. This is a letter from a man regarding the ammonia in the plant:

The monitor showed concentration between 500 and 800 ppms for most of the day which is much too high.

I would like to point out that it is not an isolated incident, it just adds to the growing collection of men being exposed to high concentrations of ammonia. I have documents showing that one man passed out on February 8, 1968, of the result of high ammonia concentration. We have complained to company officials but there is no sign of improvement. I do hope my complaint will be investigated and that corrective action will be taken by your department.

**Mr. Chairman:** The member is stating there was a concentration of ammonia in the air?

**Mr. Martel:** Yes, I am, and I would ask the Minister of Health if he has any intention of ensuring that this condition will be eliminated for the benefit of those men involved.

**Hon. Mr. Dymond:** Mr. Chairman, we are getting two matters mixed up here. They do both come under the same vote and it is rather hard to separate them out. The hon. member has made reference to occupational health hazards, although again I have to repeat that it is difficult to separate them out.

Now about these warnings—I do not like the inference that the hon. member left that I was misleading this House. We do not, I repeat, we do not advise the companies of a pending inspection. My staff has just told me, however, that on one surprise visit our staff telephoned to book hotel reservations—telephoned from Toronto—within half an hour they had a call from the union asking for details of our impending visit. Now I cannot control that.

**Mr. MacDonald:** They are a smart outfit. The union up there.

**Hon. Mr. Dymond:** Well—no, I will not, I even apologize for thinking what I am thinking.

**An hon. member:** Bet you are right, though.

**Hon. Mr. Dymond:** I want to point out that you do not conduct a health study in public circles, and I am quite certain the hon. member does realize that and will realize that. But I think I discussed this, at least

obliquely, in answer to a question which the hon. member put to me some time ago—I have not got that here but if I recall rightly I think the hon. member did make reference to this in a question he put before me in this House before the orders of the day some time ago.

The health studies of the Sudbury-Copper Cliff area—our occupational health service—last fall initiated a study of the possible effects upon health of exposure to sulphur dioxide in this area. The study is divided into two parts and takes into consideration persons exposed at work, and community residents who are not exposed at work. The occupational part—four groups each of 200 employees are being studied, and these groups are drawn from the smelter employees, the mill employees, the copper refinery and from the miners. Occupational histories covering the employment of each workman from the time he commenced work for the company are being provided by the company. This information is approximately half completed.

The mortality of sickness experience will be compared between the four groups over the period 1950 to 1966, and will also be compared with other comparable or reasonably comparable statistics which can be available to us from other sources. They will also be compared with the general mortality and morbidity findings in the population at large.

If significant differences are found between the groups, more detailed entry will be made, and it is here that examinations will be made when necessary. And I would say with great respect that he can check with his professional medically-trained colleague that this is sound procedure, and this is the way these things are done.

You do not, if you are reviewing or surveying a group, automatically examine everyone of them but you do study first of all their background, their history, as we call it, and if, on the basis of that, there is an indication that further investigation is needed, then those individuals—and it may be the whole 200, who knows—but certainly those individuals whose histories would indicate that further study and further examination or tests are required, then they will be done, but not in public of course.

If significant differences therefrom are found between the groups, more detailed inquiry will be made. Depending upon the results of the mortality and morbidity surveys,



the subsequent study could include lung function testing, chest X-rays, the assessment of past smoking history, general living history, and other employment history provided they have not spent their whole working life in the industry.

As to the community residents, the inquiry is now underway to obtain information which will be less reliable likely because they may not have access to their medical records as reliably, at least, as we would have in the case of the employees—specifically, age and sex for various causes of death among Sudbury residents over the past 15 years, and for comparisons with other cities with lower sulphur dioxide concentrations in the ambient air. This is, I think, a very well organized, scientific study, and, of course, it is not to be, confused with the air emissions study which will begin within the next two weeks; this is another factor altogether.

**Mr. Martel:** Just one point, I want to make clear I was not accusing the Minister of tipping off in any way. It is just that INCO does have a faculty for finding out when these inspections are going to take place, and it is very unjust that the place gets cleaned up in a matter of minutes, and I am just hoping that some method that can be arrived at where INCO knows that you are going to inspect once you are there.

**Mr. G. W. Innes (Oxford):** Mr. Chairman, I have a situation in my county that the Minister is possibly aware of: the limestone valley along Highway 2, which is possibly one of the largest deposits of limestone in the area, has several large companies that are operating out of that area. And, of course, as in other parts throughout the province, the complaints are quite frequent from that area, and I would like to ask the Minister what is being done in that particular area.

I might fill him in that I have contacted his department several times, and any time that I contacted them they told me that inspectors were not available at the moment, and complaints I get, they generally want to be looked into shortly after they occur. I would hope that the Minister could give me some information relative to the companies in that area, and not to be specific other than the Canada Cement plant is there, the Domtar plant, and several others.

But I have always felt that we should have inspectors that would be free to go when they catch the culprit in the act so to speak, and I feel that this has not been forthcoming at the moment. We have, as in other parts of

the province, quite a scarcity of housing, and this is one area that could be very conducive to housing were it not for the dust accumulation that flows from the chimneys in the Beachville-Ingersoll area.

I would also like to ask the Minister if he has looked into the consideration of making it compulsory that when new industry applies for incorporation or charters, there would be a provision that they must comply with—I think it should be written in—that any pollution that would be forthcoming from that industry should be mentioned at the time it was incorporated, and not incorporated and then try to catch the thief after the door is locked.

Maybe the Minister could help me on this situation and I think he knows this area because I believe he makes frequent visits up to that good part of Ontario.

**An hon. member:** Great riding!

**Mr. Innes:** A great riding.

**Hon. Mr. Dymond:** Grey county made one mistake, though it was not a bad mistake.

**Mr. Chairman,** I am quite familiar with the area because I have walked through the quarry and cycled around it. It was a great long way to get home quickly, Mr. Chairman, in my young and foolish days. I know the area quite well and I know the problem that the hon. member is talking about.

One of the companies has already installed control equipment and all are in the process of co-operating with us here too in an initial survey, and as soon as we determine the degree of their breaches of the Act, they too will be brought in line. Now, again, in keeping with our base programme, that region will come within the purview of our control with the opening of the regional office in London in July of this year.

I did say, Mr. Chairman, you will recall in my opening remarks, that one of the surest ways of undermining our programme would be if we were going to rush hither and yon to put out every brush fire. I recognize that the hon. member's problem becomes more than a brush fire from time to time because it is an extensive industry, but we have to watch this very carefully because if we dissipate our forces, then we will never get any programme brought well under control.

I hope that your region, sir, will be brought under the terms of our Act, as I stated in midsummer of this year. In the matter of new industries, for some time, indeed ever

since we took over control of industrial pollution, we have made it mandatory, not at the incorporation level but when plans are submitted to The Department of Labour, that they must be submitted to us and carry our approval insofar as air pollution is concerned before they are given authority to proceed with the building. Part of our programme, now this new industry programme, and all expensive alterations or additions, are included in this. In the new programme now, the existing industries are coming under control, and this is to be done so far as we see now, on an industry basis. By that I mean that those industries which are particularly bad offenders are to be brought under control first until we have covered the whole gamut of the industrial offenders.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, I want to discuss in particular the Sudbury problem. I had occasion to visit there last weekend, and I can substantiate from first-hand knowledge and attest to the condition that exists in the Sudbury area as a result of 50 years of pollution in that particular area by International Nickel and Falconbridge.

It is quite true that there has been no new growth in the area for a good number of years, and when you look at the production of the two mining companies in that particular area, as it has increased over the years, it becomes quite obvious that they must from time to time of necessity increase their plant, and the capacity of their smelter. Now, I am not familiar with the new Air Pollution Act, that received Royal assent, I believe that it was last year, and it would appear to me that the Minister should have some concern about the planned expansions.

Now, I think that he is quite fair to say that—he made the comment here two days ago in the Legislature, when we were discussing Ontario Hydro—that any new plant must submit their plans to his department for ratification before they were allowed to go ahead with any part of the plant that would in any way contribute to air pollution. And I submit, Mr. Chairman, through you to the Minister, that I think that it is incumbent upon his department to look into that operation to see what additions have been made, to say nothing of the existing facilities or the facilities that have been there for a number of years that are emitting, I believe,

in excess of one million tons of sulphur ash, or dioxide on the surrounding countryside each year.

I think that it is the responsibility of the Minister to see that any new plant or facilities are not adding to this. And I am just wondering if it is necessary to conduct an inquiry which could, as suggested by the Minister in his remarks a few moments ago, take up to five years to cover all parts of the province. I am wondering if it is necessary to wait for a complete study of the entire province, before his department is going to act.

It must be quite obvious that when it is impeding the growth, and in fact, denying any growth of vegetation in the area, then it must have a detrimental and harmful effect on the people in the area. I am just wondering if the Minister would like to comment on the two points that I have mentioned. Firstly, with the added expansion that is taking place almost on a constant basis, due to the added tonnages that are being smelted in the Sudbury Basin, do they have to submit to his department plans that will assure the the Minister that they are not contributing further to pollution? Secondly, I wonder whether, in fact, The Department of Health has not got sufficient information now on which to prosecute and bring these companies into line so that his department can assure the people of that area that indeed the pollution problem will be brought under control.

**Hon. Mr. Dymond:** Mr. Chairman, I think that the hon. member will realize that I have said already that plans of any industry, whether it be a new industry, an expansion of an existing industry, or an alteration, and of any great degree of an industry's possible or alleged source of pollution must be submitted to our department for approval. They cannot begin building that particular part of the plant until the plans have been approved. We insist that as a condition of their building, they observe the best known, or best possible methods of air pollution control. This is in vogue now, and if Falconbridge or INCO ask for a plan to expand now, they must submit their plans to The Department of Health for approval. What was the other? I did not separate out the other.

**Mr. Stokes:** If you had sufficient evidence now to warrant prosecution?

**Hon. Mr. Dymond:** Well, I do not think that the purpose of my Act, as I stated when

I brought it into the House, was to be punitive unless it was absolutely necessary. I do not believe that we will have success in this very difficult area if we go out with one aim in view, prosecutions. I think that we have got to educate the public.

I think that we have got to educate industry, and we have got to tell them what they have to do, and if they do not show evidence of good faith, and if they do not take the steps which we demand of them, then of course there will be prosecution. We have already gone forward with prosecutions as you have heard, in which we had an unfortunate experience, but this will give us an opportunity to learn a lesson. But I would be misleading the House absolutely if I left you believing that we are going out with the objective in view of prosecuting first. Nor are we going to wait until we have studied the whole province.

With each area into which we are moving, we will do a study prior to our going into it. We have a great deal of information now about most areas in the province, and we have enough information to permit us to undertake some corrective measures, Mr. Chairman, even before we have completed the study of the whole area. But we have no intention of waiting until the whole province has been studied, because in my view we have to keep these studies going on an on-going basis. Air pollution is never completely eliminated. We do not hope to ever completely eradicate it although this is our final and ultimate objective. But we have got to keep it continually under survey at all times so that it would be impossible to say that we must wait until we have studied the whole province until we can take any action.

It has been emphasized again, that if INCO and Falconbridge were to refuse to clean up, or neglected to adhere to the schedule that we will lay down for them, then of course we will prosecute and we have the power in the Act to do it.

**Mr. Stokes:** If I could be permitted just one final question. Could the Minister indicate at what time in the future the people in the Sudbury basin could be assured that corrective measures could be taken and tangible results could be observed?

**Hon. Mr. Dymond:** I think, Mr. Chairman, that this was inherent in the answer that I gave a little while ago. The company has submitted—the two companies have submitted their proposals—their proposed plan of action.

We are starting our emission surveys there within the next two weeks, and when the survey is completed or far enough advanced that we can correlate it with the proposals of the company, we will outline a schedule. We will then be in a position to give some idea of how long the implementation of those proposals will take.

**Mr. Chairman:** The member for Northumberland.

**Mr. R. D. Rowe (Northumberland):** Mr. Chairman, there is another problem of air pollution which I think is pretty widespread throughout the province, and this is in connection with these municipal garbage disposal areas.

You know that many of them are still following the practice of burning the garbage instead of burying it.

I am wondering if the Minister and his department are intending to tighten up the control of this particular obnoxious situation.

**Hon. Mr. Dymond:** Yes, this is involved, too, as part of the total problem and this too comes within the purview of our authority as a result of an amendment to The Public Health Act last year, the waste disposal system—the waste management system. As you know under that amendment no municipality or no person or organization can go into a waste management system without being licensed by the department.

The matter of incinerating garbage is one that causes a great deal of concern. It is difficult to control and yet I think a method has been developed. I thought that there was a very good method—not very far away, indeed in my own county—that had been devised and I am told it is not quite so good. However—

**Mr. Rowe:** I believe Ajax does have an incinerator, but many municipalities are still burning in the open. On a nice evening when the air is kind of heavy, it just floats over the surrounding residential area.

**Hon. Mr. Dymond:** We are trying to control this as far as it is possible. Again, I would be cautious about saying that we will forbid it all together because there may well be some areas where it would be of little harm to burn refuse. But if you are referring to your own community, I cannot think of any area near at hand where we would tolerate it.

**Mr. Chairman:** The member for Essex South.



**Mr. D. A. Paterson (Essex South):** Yes, Mr. Chairman. The other day you indicated I could raise a matter concerning spraying with insecticides and herbicides. Possibly before I do that I might compliment some of the members of the hon. Minister's staff in that I have had dust problems in my area, obnoxious odours and so forth and I have found his staff readily on the job at my beck and call—although, in most cases to this date, we have not had the desired results. But I trust that the Act—and the closer we come to implementing that Act with firmness—will, in turn, get me the results that we need.

But basically, I would ask one simple question as to whether municipalities, counties, provincial departments such as Highways, Lands and Forests, or Hydro and railways, will be required to have officials with licences to operate weed spray equipment along the rights-of-way.

The reason I ask this is on behalf of some of the rural municipalities where possibly their road superintendents have been spraying for weeds under The Weed Control Act, which is administered by the hon. Minister of Agriculture and Food (Mr. Stewart). These people have had a number of years of experience in this and, I believe, are now faced with the problem of having to have a medical and pass a test to conduct these affairs.

Many of these gentlemen are older people while their crews are young and active and I feel it may be somewhat of a hardship on some of these municipalities if there is not some special consideration given to these people. I wish to assure the Minister that I am quite concerned about the effects of this spraying both on animal and plant life, and any pollution that may be caused in our ditches and streams.

I would ask for a determination by the hon. Minister.

**Hon. Mr. Dymond:** Mr. Chairman, it is necessary for servants of public authorities to be licensed. They appear before the board which is charged under the Act with this responsibility, and that board comprises people who are experts in the field. They are not public servants. They are people who have long years of experience in these various fields.

Now the costs involved are borne by the department on behalf of the government, and there should be no hardship in this respect. I think the years of experience, and again, I would have to point out—I am speaking

from memory, and I have not refreshed my memory recently on this—but as I recall our discussions on this, it was understood that men with long years of experience in this would be given consideration for that, but where it was likely to pose a hardship for them to take new education or write examinations, this would be all taken into account.

But again, I would have to emphasize, and I am quite sure the hon. member recognizes his own words—he pointed out so clearly the need for this—there is very great need for the men's own safety. Any of them could become seriously ill through mishandling because these chemicals become more highly toxic—every new one that comes out is far more highly toxic than the one it replaced.

I think it is quite essential that we ensure that they know enough about the hazards inherent in the products they are using before they are allowed to go out and spray. It is very frightening for one who knows anything about the possible or potential dangers in these chemicals when you drive along the road and you see an old chap, probably a friend of yours that you have known for years, willy-nilly spraying a great fog of stuff across the highway, blowing back in his own face with no protection whatsoever and apparently he, himself, quite unperturbed about it.

Now for his own safety, if not for the safety of plant and animal life, particularly plant life, you do not want damage by the herbicidal, insecticidal, pesticidal chemicals. It is for the sake of that and for the sake of animal life, for the potential in poisoning our streams, creeks, birds, crops and everything else, because these products are far more potentially dangerous than many of us think.

You see Rachel Carson's book was not altogether the writings of agreement, and I think we are coming to recognize this now. Many of the things she said and warned us about quite a long time before her death were real hazards, the chemical changes that take place when a worm becomes affected, and the bird eats the worm, and something eats the bird, and something eats that and so on and so on, the chemical changes that some of these substances go through as they pass through various vectors, increases, in many cases, their hazards.

I can assure you, that under the Act, we are not to work hardship on anyone, particularly those who have been employed in this kind of business for many years. We are seeking to protect them as well as to protect the environment.

**Mr. Paterson:** Might I pursue this a bit farther? Will the Minister give the House some assurance that he will have his officials consult with the people in The Department of Agriculture and Food in relation to this Weed Control Act, to review this and incorporate the hon. Minister's concern in this matter?

And, one further question. If available, would the Minister advise the House as to what people or what type of trained people are exempt from the Act under, I believe it is, paragraph 13, subsection j?

**Hon. Mr. Dymond:** Paragraph 13, subsection j, who are the exceptions? I can give the House the assurance, Mr. Chairman, that we have a very active interdepartmental committee on pesticides and, of course, there is a government committee which, under the chairmanship of the Prime Minister, acts on all pollutions.

I have not got that copy of the Act—

**Mr. Paterson:** If the Act is not readily available, I will discuss it with the Minister at a later date.

**Hon. Mr. Dymond:** Thank you.

**Mr. Chairman:** The member for York South—did you wish to say something on this?

**Mr. MacDonald:** Yes, Mr. Chairman. The list is both long and long standing. Mr. Chairman, there is one issue I wish to raise with the Minister.

In the latter stages of the enquiry into air pollution in the Dunnville area, quite a storm developed between one of the commissioners and Don Middleton, the executive manager—if that is his correct title—of the Ontario federation of agriculture.

The federation of agriculture in 1965 had withheld from the public information regarding the extent of pollution damage to dairy cattle. They had done so because they had been assured that there was no threat to the lives of individuals. And this provoked W. R. Winegard, the head of the University at Guelph, who was one of the commissioners, to say that he was "distressed to the utmost." He charged the federation had let him drink milk that might be contaminated with fluorides in order to protect the dairy industry and said this, "irresponsibility was the most disturbing evidence he had heard during the inquiry."

Now, the Ontario federation of agriculture returned to the discussion—if I may indulge in an understatement—in the lead editorial

over the byline of Charles Munro, in the April 9 issue of *The Farm and Country*, entitled, "The Strange Case of Dr. Winegard's Outburst." They referred to his "sancimonious tirade," they add further that "he had just lost all faith in the federation's integrity."

They point out that the federation went into the agreement because of solemn assurances that there was no danger of fluorides in the milk. And then in the last two or three paragraphs, I can put it perhaps best by just quoting—

**Hon. Mr. Rowntree:** Is this not a matter of agriculture rather an—

**Mr. MacDonald:** No, it is anything but a matter of agriculture and you will find out why in just one quick moment.

It is depressing for a man of his stature to try to divert the hearing from its purpose in an apparent attempt to discredit Mr. Middleton's evidence. Perhaps he didn't know—

"He" being Dr. Winegard. I continue quoting.

—that one of the men at the first meeting of the federation and the Health Department was the owner of the dairy that bought milk from the affected area. His name was James N. Allan, and at that time he was Ontario's Provincial Treasurer. He was there at the invitation of the Minister of Health. But Dr. Winegard did know the Health Department, whose inquiry he sits on, said there was no danger because Mr. Middleton had just told him.

Mr. Chairman, the point I wanted to get clarification on is, did The Department of Health tell the federation of agriculture that there was no danger to human health? And if the department did tell them then has it had growing doubts since the whole issue developed? And if not, what justification is there for its establishing the commission to investigate the whole issue?

I am curious as to the role of The Department of Health in this whole matter. There was another comparable kind of situation on which I queried the Minister of Agriculture and Food some two or three years ago, about an allegation of a threat to human health through accumulation of insecticides poisoning cattle. It was alleged that there had been differences of opinion between The Department of Health and the Minister of Agriculture and Food with the Minister of



Agriculture and Food wanting to protect the dairy industry in the area and the Minister of Health wanting to come to some conclusion as to whether human beings' health was in danger.

What was the role of The Department of Health in this instance? What did it say then and has it changed its view since?

**Hon. Mr. Dymond:** Mr. Chairman, at that particular meeting The Department of Health did state that on the basis of all scientific information we had available to us, fluoride did not pass over in cow's milk. Fluoride is deposited in bone; there are those who say it is deposited in joints and in muscles, but we do know that it is deposited in bone. But there is no scientific proof of which we are aware that it passes over in milk.

In this regard, it differs completely from certain insecticides, which do pass over in milk and therefore the two cannot be compared whatsoever. I am not positive—yes, Dieldrin does come over in milk; that was the insecticide, I think, that was under discussion at the time. And we have proof that it is transmitted through cow's milk, and through sheep's milk.

I might state that we have very good scientific reports from Fort William, Scotland. The milk in affected cattle there in one study showed from .11 to .41 parts per million of fluoride. The milk of the sheep showed .28 to .62 parts per million. This is very well within safe limits and therefore we feel that on the basis of this scientist's claims, I conclude there is no risk of significant contamination of milk, even in animals with fluorosis. These animals in the study at Fort William, Scotland, were suffering from fluorosis but the milk showed very, very slight traces and well within limits considered safe for human consumption.

But I would like to inject here, if I may as an addendum, that this remark which was in Mr. Middleton's letter in reference to Mr. Allan had some rather peculiar connotations. Mr. Allan was present there as the representative of the people and indeed it was he who had asked me to meet these people in the early days when this was completely strange to me. I knew nothing about it until that particular day, but there was no discussion on Mr. Allan's part. And again I have refreshed my memory because that letter was sent to me also and there is no record of Mr. Allan having involved himself in the discussion at all. But we, as a department, and with the environmental health people advised

of the scientific evidence which I put before the House now.

**Mr. MacDonald:** This raises for the moment an irrelevant point, but if something develops in an area represented by an Opposition member and there are going to be discussions over it with the government we never get invited, but if it is somebody on the government side—

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, may I point out that I did not invite Mr. Allan. Mr. Allan as a member asked me to meet him. I would stoutly maintain that if any Opposition member ever asks me to meet any of his people, I have yet to refuse him and I do not intend to refuse him. He is welcome, indeed I would be disappointed if he were not there.

**Mr. MacDonald:** As I said, that is irrelevant for the moment so I will not pursue it. But the thing that interests me is that there was no written assurance from the department to the federation of agriculture; it was a verbal agreement.

**Hon. Mr. Dymond:** That is right.

**Mr. MacDonald:** And yet I understand that some government spokesmen—conceivably including the Minister of Health himself—have been rather critical of the whole presentation of Don Middleton of the federation of agriculture. So much so that I would not blame the federation of agriculture if henceforth they got everything in writing from this government. Otherwise, they get chastised by Royal commissioners in subsequent investigations.

**Mr. W. G. Pitman (Peterborough):** Thank you, Mr. Chairman.

I realize this particular vote has been debated for some time but I really make no apology for standing in my place and saying something on this vote. I suspect that historians looking back on the proceedings of this House may come to the belief that what we are talking about in this particular vote is one of the most important subjects of concern to this House.

I think Arnold Edinborough put it very well when he said that:

Action will come only if citizens of this province can be persuaded to take it and face the cost of it. What is at stake here is not the quality of air or water or soil, but the quality of life.



That is why I was particularly concerned when a fellow Minister of the Minister of Health made the distinction and said at a meeting not to long ago—I am speaking of the Minister of Energy and Resources Management:

The problem is one of creating no more pollution than we are prepared to tolerate. A balance must be found between requiring industries to undertake pollution controls that price them out of the business, and allowing industry to market cheap products and at the same time pollute the human environment.

I was very happy to see that the Minister in his previous remarks indicated that his interest was for human health and that as far as he was concerned, the overbalancing was in that direction. I hope that will continue to be the passion of this Minister.

There is a cost, a tremendous cost, but I will suggest to the Minister in support of what he has already said, that the cost can be far greater in the other direction. I could not help reading with some interest an article that was written by Alton Blakesly; he was writing in relation to the United States, in which he said:

The bills of air pollution damage to clothing, metals, buildings, crops, paints and fabrics is estimated in the United States at \$12 billion a year. It is about \$60 per man, woman, and child, but to control or reduce air pollution, the federal state of local government until this year was spending only \$84 million a year. Twelve cents per man, woman and child.

This shows the lack of concern which we have had in this area over the last number of years, and we are now finally beefing things up in this area. I was delighted also to hear the Minister say that he wants to see the courts get tougher on this matter, and he wants to see some direct action being taken.

Now I am sure he has already read the comments of the research director of the Ontario federation of labour who said:

Pollution of our air, soil and water is becoming a problem of such major proportions that only legislation that declares it a criminal offense, subject to fines or jail sentences, will be effective in combating it. Fines and jail sentences are imposed on people committing other offenses against society, why not the same treatment for pollution offenders?

One of the things which I think disturbs a great many people in this country is the difference of attitude of different governments towards air pollution. I think the Minister indicated the seeming lack of interest on the part of the federal authorities in this area. And you have in Quebec, for example, a suggestion that we should give some kind of fee, put on some kind of a fee on an industry which is guilty of pollution. It would seem to me that this would be a disaster to suggest this kind of solution.

And also the suggestion on the part of the Finance Minister, Mr. Sharpe, who suggested that we should have incentives to discourage pollution. Personally, I am very happy to see that in this province, in this jurisdiction, there is no nonsense about giving incentives to industry not to pollute, but rather there is going to be a tough line taken in the courts of this province to do something about those who are polluting the environment of this province.

My remaining remarks are concerned essentially with what is going to happen, in detail, in regard to the offices that are going to be set up. I noticed that in a press release that was issued in December of last year Mrs. Alene Holt, the chairman of the city council of Peterborough's special committee on pollution, met and said Peterborough would be the centre of one of the three districts known as the eastern Ontario region, and that The Ontario Department of Health will establish a district pollution and control office in the city early next year. Now this was, of course, given last year.

Could the Minister indicate when these district pollution offices are likely to be set up; that is, when he believes there will be actually an office operating in these various cities, such as Peterborough and the other ones that I mentioned in that release?

**Hon. Mr. Dymond:** To answer the hon. member's last question first. We have not set a definite date for the Peterborough region. It will be sometime within the five year period, but just when I am not in a position yet to say.

**Mr. Trotter:** Five years!

**Hon. Mr. Dymond:** It is a five year phased programme. This was stated unequivocally when the programme was presented to the House last year. This is essential, indeed, although earlier today I pointed out, or repeated, that it is the hope of my staff that

we can compress this into a shorter period of time, and this is our aim, but we have not set a definite date for your area yet.

The matter of the cost of air pollution that the hon. member raised is of course, completely clear, and if I were to repeat or to add to it, I would only be icing the cake. It is not only the cost to government, it is the cost of its effects, which in my view, too—and here again I do agree with the hon. member—is the greater cost, and the more serious cost.

I think sometimes though, when we are saying that only so many cents are being spent on air pollution, this is really the smaller cost, because what governments are spending—and I am not defending any government but our own, and I am not defending it, I am simply proudly stating what we are doing—is to impose the controls, what we demand. The imposition of the controls are very costly indeed, and it is herein that we believe the federal government has a role, and I do agree very heartily that incentives are needed for industry to get into this field.

The hon. member spoke about the 12 or 15 cents being spent in the United States. In that context, I would point out that we ourselves here are asking an assessment that we be permitted to spend something of the order of 25 cents per capita in our \$3 million budget. But this, I reiterate, is the smaller cost, because this is only the cost of imposing the controls and imposing the conditions, and I certainly feel, and must repeat this for emphasis, that incentives by way of rapid writeoffs, depreciation, at the federal levels—any methods by which they can help industry achieve this more effectively and more rapidly—will be of great advantage to us at the provincial level.

This is the kind of thing we have been asking the federal people to become involved in. We have asked them, as I have said the other day, that they might copy the example of the United States government. According to the latest reports I read, if Congress has not already passed it, the President of the United States has asked Congress to grant him an amount of \$450 million for air pollution control, and I believe the figure was \$80 million for air pollution research.

This is a very substantial upgrading. I have asked our federal government to think in comparable terms of that kind, and I believe that our programme could move ahead much more rapidly and the whole programme across the whole of Canada would move ahead. There is little use of Ontario saying that we

are going to do this, if our neighbours on every side of us have no control, or are either unwilling or unable to attempt to effect control.

Only by the imposition of national standards—at least, by the definition of national criteria—can we expect to have our boundaries protected. I therefore, say that there is, in our view, a very definite role and a very important role for the federal government to play, which we ourselves cannot play, because we cannot impose our will on our neighbours.

**Mr. Pitman:** Thank you, sir. If I might continue now. It seems to me that over this period, there is going to be a kind of a suspended animation. The local community, I assume, is going to look after the municipality and yet, seemingly, in the area which I represent, there has been a great deal of contact between individual members in the community and air pollution control division.

What I am wondering about is that if a person, for example, in an area like Peterborough is concerned about air pollution, and we have a good deal of it. We have large industries, and they are not without sin. They are trying, but they are not without sin. And when an individual phones up and worries about air pollution, does he go now to the local municipality or does he telephone the air pollution control division?

**Hon. Mr. Dymond:** He contacts our division, and we have the machinery to investigate serious complaints. But again, I must repeat what I said a little while ago. If we have to dissipate our forces, putting out brush fires, and I am not saying this in any derogatory fashion, but if we have to dissipate our forces, putting out brush fires, we cannot have an orderly, co-ordinated, or effective programme. But when there are serious breaches, they contact us, and we will investigate them, and we will take the steps because we have the power under the law to take steps in these cases, even if we have not brought that region within the terms of our Act and regulations.

**Mr. Pitman:** Well, I am very happy to hear that the air pollution control division is going to be more and more concerned with every part of the province, because it seems to me that local municipalities have, on the whole, been pretty reluctant to move against local industries, for obvious reasons. And it seems to me too, that if this air pollution control division can develop a confidence in itself, and develop a confidence on the part

of the people in the community, then their continuing role and their office will certainly be more acceptable.

I would like to ask this question, though. An individual in my area did contact the air pollution control division and there were a lot of questions asked. For example, where does your husband work? What is his position? Does he have a pension? Has he ever had a position at Peterborough city hall? I would wonder why these questions are necessary, because in this particular case it happened to disturb the person involved. And they wondered, you know, whether there was some kind of a retribution that was going to be exerted if it turned out that the air pollution control division did not find any degree of air pollution that would make this particular complaint necessary for investigation.

**Hon. Mr. Dymond:** Well, Mr. Chairman, if the hon. member will give me privately the name of that complainant, we will find out who investigated it. We will not tolerate that. I cannot conceive of any of my staff doing this, because this is neither necessary nor will it be tolerated, I can assure you of that.

**Mr. Pitman:** Well, I am pleased to hear the Minister say this because I think it is important that individual citizens play a role—

**Hon. Mr. Dymond:** I agree completely!

**Mr. Pitman:** —in this particular area, and indeed this is one of the reasons why I personally feel that establishing these offices should be done as quickly as possible, because air pollution is not like many other kinds of pollution where you can make tests. Very often air pollution takes place in a very short period of time, and I am sure the Minister can remember one form of rural air pollution which I can assure you is a matter of major concern in one part of Ontario very close to the city of Peterborough.

In this particular pattern, I want to use this as an example of the importance of a continuing presence on the part of The Department of Health and the air pollution control division, because I do not believe that anything can be done about this until there is somebody there all the time. Now, it relates to the construction of a rendering plant where the municipality allowed the construction of a rendering plant.

The municipality approved the building of this rendering plant, but it was assumed that nothing would happen until the local medical officer of health had approved it. But for some reason or other, and here again the

problem begins to have all kinds of strange dimensions, the medical officer of health simply did not approve it—he claims he did not approve it.

In fact, if the hon. Minister wants to make a little bit of money, he can cash in on the \$1,000 that the medical officer of health has offered if it can be proved that a letter has been sent by him—\$1,000 to the person who can produce a purported letter over his signature giving approval to a dead-animal rendering plant in the township.

“I would like to see any letter I wrote granting a licence to a rendering plant. I would give that person producing the letter \$1,000,” said Dr. Ford, who was the medical officer of health, and this was evidently the basis on which a licence was issued by his colleague, the Minister of Agriculture and Food.

The point is, that this municipality had some kind of assurance that this situation was going to be looked after, and as a result the licence was given. Now, I take at face value the suggestions which his colleague, the Minister of Agriculture and Food, has made that there have been efforts on the part of his department to make improvements. But the point is, in this particular case, that the owner of this rendering plant simply does not have a highly-sensitive social conscience—let us put it that way.

As a result, he refuses to use the methods by which he could get rid of those excess materials which cause the stench which takes place in this community every once in a while, when this particular owner decides to save money, to save time, and to get rid of the evil, ghastly-smelling materials which are a part of this particular process.

It seems to me that this kind of irresponsibility is pretty terrible, but I am wondering what effect a new Act is going to have. First I think we have to have a continuing presence as I said; I think we have to have someone that the people in this area can phone up immediately and say “this man is polluting the air in this area”.

I have a little concern as to whether this new air pollution control Act is going to be able to solve the problem.

In his letter to me, the Minister has said that, “It is the consensus that these operations create a nuisance form of air pollution as opposed to a health hazard.” But is seemed to me in reading this legislation that there was an indication that the concept of pollution was being widened. Let me assure you, sir, if you go near this plant and near the



many, many homes that are built in that area, it is not a form of nuisance, it is—and I use unparliamentary language—it is a form of hell.

In the hot summer weather these people cannot even open their windows at night. These people cannot even send their children out to play. In fact, if he wants to confer with his colleague, the Minister of Highways, they had to stop work on Highway 7 last summer because the stench of that rendering plant made work on that highway impossible.

Now, this is beyond a nuisance. It has now reached the point where these people are appealing to the Minister—either the Minister of Agriculture and Food or the Minister of Health—to do something and do it quickly. I repeat what I said before. I hope that with the air pollution control office in Peterborough, that these people will have a person to whom they can turn whenever it happens, and it happens day in, day out. They will go for a week or two and there will be no problem at all, then suddenly the stench will be enough to send the people practically out of the district. In fact, they were ready at one point to appeal all their assessment notices in the township of Otonabee which created a great “curfuffle”, I can assure you, in that particular township.

So, I ask you to assure this community that the kind of legislation you are putting through is going to deal with something which is more, as I say, than a nuisance, and because of the continuing presence of your officials in that community, they will be able to get something done immediately. Invariably, as soon as the inspector arrives, everything is fine; you know, it is a weakness in life that as soon as the inspectors disappear, a few days later the same problem recurs again and again and again.

There is a young lady in this community who is keeping a record of whenever there is a stench, and it seems to me rather significant that what you have is virtually a kind of citizens' air pollution control division being operated right out in the township of Otonabee.

Now I can assure you, Mr. Chairman, that this matter is of immense concern. Some of the poor people in this township are heart-sick about this decision. I know that the Minister is going to say that this was a decision made by the municipal council, but it was a decision that was made in the expectation that there would be protection against this kind of an operation. And I suggest to you that this protection has not been forthcoming.

Now, I do hope, sir, that in your new role, with this new air pollution control coming into effect, that something really worthwhile can happen and that we can have a new kind of control over this kind of operation taking place in this particular township.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member is quite correct in supposing what I will say. This industry was established under the offensive trade section of The Public Health Act; the permission to establish it requires the consent of the local board of health or the municipal council. Not the MOH, but the local board of health, I presume, would consult with the MOH, I do not know. This is under section 9(x) of The Public Health Act.

It may well be that out of this kind of action we will have to supervise the conduct of councils and boards of health in matters of this kind. However, we will meet that one as we come to it. I can tell the hon. member and he, in turn, can tell his people that we have completed our investigation of this offender in particular, and within a week we will be issuing the necessary orders to make him clean up.

I happen to know the place very well and I happen to know another one that has, or used to have, and while I can say as a physician that it is not directly a health menace, I can also say that it could be a health menace because the stench is pretty grim. And if the stench is such that it nauseates people and they cannot eat, then, of course, their health is going to suffer and will deteriorate so that one does not have to stretch it. However, we are not going to be hide-bound by definitions, nor play around with semantics—we are issuing the necessary orders.

This industry has undertaken to install the necessary equipment which it has been told to install, and to make it official, as I state, the order will be issued within a week. And it will be checked up.

I should point out to you that under the Act, he has the right to appeal this order so that he may not begin to start the installation of controls immediately because he may want to take advantage of the rights that are given him under the Act.

But I can assure you that because of the complaints that we have, we will move forward on it even if there is an appeal. The time necessary to elapse is not great and we will move forward on it as quickly as is

possible to the end that the installation of control be started as quickly as possible.

**Mr. Pitman:** Mr. Chairman, may I conclude my remarks by saying something I hope to say again—my sincerest appreciation to the Minister for taking this action; I can assure you he will receive the appreciation of many, many people in this community.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Chairman, I appreciate that pollution is a very severe problem in Toronto and Sarnia and many other areas in Ontario, and is a problem which continues to grow and the growth of which must be stopped. In some areas, particularly Sarnia and a few more, it must be improved on very substantially.

We have heard about scrubbers and we have heard about low sulphur content fuels. These approaches are good and will assist materially. They are, of course, very costly to install, but I think they must be installed in certain plants where we do have bad pollution at the present time.

There is, however, another approach—an approach which is not new, an approach which has not been used very extensively and that, of course, is to use electricity for steam generation, for power generation, and for all those other things for which we normally use coal and oil and gas and so forth. There is nothing that we can do with the fuels, that we cannot do with electricity and do quite a bit better.

This may sound a little unusual but let me say that if you talk around with suppliers of steam generators, electrically-operated ones, you will find they are building plants today which are 4,000 boiler horse power in size which, believe me, is a very large boiler. I think about the hospital complex here on University Avenue, and about the expansion that is planned for there, a 700-foot stack, and that sort of thing, and I wonder why the approach is not to use electricity there for doing all they are doing, and, in fact, to displace the present fuel-burning equipment they have and install electrically-heated boilers.

From what I can find out quickly, I have not studied this in depth, I find that the required power for their near future needs on University Avenue is in the order of 60 megawatts. Their power requirements for the far future needs looks to be in the order of 120 megawatts, and when you compare this with the amount of power fed into the central Ontario region today—which amounts to

2,356 megawatts, according to the figures of last year—this means maybe a 5 per cent increase in the power required just to displace all the fuel-burning equipment here for the hospital complex, both now and into the future.

This is one thing, Mr. Chairman, which the Minister may consider and I submit to him that it is certainly a worthwhile direction to pursue with regard to cleaning up pollution.

Now for the long-term planning to deal with pollution, the big problem that it is, we all know that the great cause of pollution is too much fuel combustion in too small an area. There is no question about that. Where there is just one plant and they have a good stack and they are dispersing vertically at a proper rate, then pollution is not a problem. But pollution will continue to increase unless we properly disperse and control it.

When I think of dispersing the products of combustion, there are, of course, the two ways, the vertical and the horizontal. The vertical in most cases is quite good. There are exceptions to it, where the stacks are not high enough, and we do not even get good vertical dispersion. But when you talk about horizontal dispersion of the fumes, there is little, if any, consideration in this direction, and there has not been any consideration in the last while. When you think of the amount of fuel we burn right here in the city of Toronto, and think of the small area that it is spread over, and compare this to our northern areas, up around James Bay, where we have no vegetation either, and where we could very easily put our fuel burning plants to generate our power and bring it down in to a city like this. With electricity we could do anything that we can do with our fuels.

When you consider the north also, you have the advantages of great quantities of coolant water. There is no danger of heating up our lakes unnecessarily and destroying our fishing industries and this sort of thing. As I say, there is no vegetation to worry about, and we do get, once we move up north into the unsettled areas, the horizontal dispersion of our products of combustion.

And I think too, as the North American power grid develops—it has already developed to a goodly extent, but not completely of course—but as it does develop and covers all of Canada and United States, locating our very large power generating stations up in the northern areas with the high quantities of coolant water available, it will not be too



difficult to get the power down here; not too far out of keeping with the grid requirements.

This will be even more significant, of course, in another five years when we get our fast breeder reactor nuclear plants which require large quantities of coolant water. Even if we have to continue beyond that five years, assuming those plants will not be available then, I suppose if we were to move our gas, oil or coal into those areas and burn our fuel up there, it only means that Hydro then has to move a little harder to develop our transmission lines and get the power into the cities. At least we will not have pollution in our cities and we will have the horizontal dispersion necessary.

It is quite obvious that the economics today are in favour of building our power generation stations burning fuel right in our heavily settled areas. You do not have to think too long on this to realize that this is so. As soon as you move your power plants to a distance, of course, the cost of transmission rises and the cost of building the lines rises. But I would think that the Minister of Health could upset this balance a bit by bringing in some regulations particularly to control the future combustion in the highly settled areas. If he would take the same money he is going to put into pollution control and subsidize Hydro, it is quite possible we could build our plants way up north where the smoke and fumes would not bother us a bit.

I would respectfully urge the Minister of Health to have a feasibility study undertaken in depth on this very subject. As I said before, there has been a study done on the University Avenue complex of hospitals. Those figures are not readily available. I understand that the hospital board had a firm of consulting engineers do a study in depth with regard to those hospitals, but as I say, those figures have not been released. I would urge the Minister to make a feasibility study with regard to developing very, very large plants in our northern areas where we do not have settlements, and to relate the cost of doing it this way as opposed to pollution control in our highly settled areas.

**Hon. Mr. Dymond:** Mr. Chairman, many things the hon. member said are certainly valid and relevant to the topic under discussion and actually are in keeping with some of the things we ourselves are thinking.

First of all, the matter of electric heating and the use of electricity as a source of power for the downtown hospital complex was thought of here. It could not be con-

sidered seriously for various reasons. I am told, for instance, that if the building is to be properly and economically heated by electrical power—hydro—it must be built for that purpose. All of these buildings and I could not begin to estimate the millions of dollars involved in the total physical plants of these buildings, of course were built to use other sources of heat and power. To change over to hydro now, I was told just a short time ago, would make it more economically sound to tear them all down and start from scratch. Of course, we cannot possibly begin to do that.

There is another very important and pertinent feature, however, and that is the availability of electrical energy to provide all this, and I do not know where this stands. We will have to wait until my colleague, the hon. Minister of Energy and Resources Management and the vice-chairman of the Hydro commission tell us what they believe would be necessary, or the available capacity of the Hydro-Electric Power system to stand this.

In the long range planning, the hon. member did point up some things that are quite essential, an area in which a great deal of education is needed. First of all, we believe there has to be a planned development, we need it. If we are going to control air pollution, it is very essential that we have planned development in the future. We have to seek and search out alternative means of providing heating, providing power. Then, of course, we have to think in terms of dispersing the potential sources of air pollution, those sources that cannot be readily controlled by easily found or well-known methods.

We therefore have to educate the planners in this, if that be necessary, and I think we have already evidence that this is necessary and that the people who are involved in the planning field need to keep this very important matter constantly before them when they are developing their plans.

I think, too, Mr. Chairman, that it is essential that we educate municipal authorities. We do occasionally hear of cases where the planners and the health authorities have advised municipal authorities that certain courses of action should be taken on their part with respect to sources of pollution, and the advice has been ignored. Perhaps the time will come when it will be necessary to put this beyond the realms of advice and mandate—but again I am very much opposed to coercive measures, if persuasion and education will do.



The concept, of course, that prevails throughout my whole staff in this matter, is that in air pollution control matters we are not, and we cannot ever, become static. We think we know a great deal about it. We realize that a great deal more has to be learned. New ideas, new concepts, new methods, new procedures, must all be brought about. We are commissioning research projects at university levels and the Ontario research foundation through our own capabilities within our staff, and we must take advantage of all the scientific knowledge and technological progress that has been brought about and see wherever it will apply to our needs or can be adapted to our needs, that we do this.

Like education, air pollution control, or pollution control, should not be separated out or fractionated, because what applies to air applies to structures, and to land and to water as well. It must be like education, in a constant state of flux, until we reach the ideal—which I do not think we will ever reach in my lifetime—but towards which we will constantly aim—the total eradication, so far as is humanly possible, of all sources of pollution.

**Mr. MacKenzie:** To add one remark, Mr. Chairman, if I may. With regard to the hospital complex, Mr. Minister, through you, Mr. Chairman, there are pros and cons to this problem and I am not satisfied that we could not proceed electrically, except that I do not think, as you have said and pointed out, that Hydro does not have the available power, and just why Hydro is behind in their development of more power, of course, is a question that will have to be answered later on.

With regard to the electrical method, what I suggest, Mr. Chairman, is that the electrical way be used for new growth and not necessarily for displacement of the existing. I realize that it is an extremely costly way but I would think that in this area, views on the electrical method for new growth should be carefully explored, and then progress as we may, on clearing up the existing pollution to the extent that we can, in a feasible way.

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I will be very brief on this subject because I know this item on air pollution has gone on for some considerable time. I cannot help but interject a few thoughts in summing up what I think should be done on this matter. We have flogged this subject back and forth for the

last two days but, Mr. Chairman, I am quite convinced that we are going to be flogging this subject again and again until we get a far more definite policy from the government.

The people today, the general public, are greatly aroused about this problem of foul air. This is the reason why so many members have stood up and talked about the problems in the areas of which they are the representatives, and the great concern of the general public is, I feel simply that governments are not taking enough interest and are not doing enough.

I sympathize with the Minister that the federal government may not have given enough leadership in some areas but there are many problems of air pollution that the provincial government could do far more in helping to clean up the problems. The Minister said just a few moments ago, Mr. Chairman, that the municipalities could help in education of this problem, but I am convinced that the public are aroused. Certainly whenever the news media, such as the CBC, bring on a programme, the public becomes very much aroused and the Minister, Mr. Chairman, has already experimented far too long in the hope that the municipalities would do something and would start to educate the public.

It is the municipalities that need to be educated, and I have been one of those for a long time who believes that this should be a responsibility of the province. Last year, we passed The Air Pollution Act, 1967 and at long last the province took on the responsibility. But it is not carrying out the responsibility which it has legally, and which morally has been its responsibility for a very long time.

Each year we get out the report of the select committee of this House, the committee that sat for about two years, and back in about 1958 brought out a report setting out in detail the problems that we have as a result of foul air. Yet, when the member for Peterborough asked the Minister when are they going to set up a district pollution control branch in Peterborough, he said within a five year period and he hoped it would be sooner.

If this is what is going to take place in the Peterborough area, what about the rest of the province; to have the five year programme which we have now is simply not good enough. The Minister says that he believes that industry should be encouraged to clean up their own plants. What arrange-

ments, Mr. Chairman, have been made? None of us on this side of the House want to come along and say to a plant that has been established for a number of years, "You have to close your doors".

We realize that this is an impractical approach. But what does the government do in encouraging plants to install equipment that would help prevent them fouling up the air? I admit that under the Ontario development corporation, it may be possible for companies to borrow money through a government agency, but we have no indication that there has been any co-operation between this Minister and the Ontario development corporation in encouraging plants to make the necessary plans that are needed.

These are just one or two practical suggestions that we can make, Mr. Chairman, but I think the one test case that symbolizes literally the lack of desire, the lack of planning, on the part of this department on fighting air pollution, is the way they carried out their test case on their regulations which involved about six people. That was the case that took place last March, Mr. Chairman, and regulations 2 and 3 of The Air Pollution Act were before the courts and I think the first of the defendants was the Irwin Specialty Company.

I am amazed that the Minister could stand up and inform us that, on this test case, they would throw it into the hands of some one that had no legal experience. It is certainly not the fault of the civil servant who was thrown into the court. It is really the fault of the government policy in having no realization whatsoever of the problems that they were going to have to face in court.

The Minister, Mr. Chairman, should bear in mind that these companies who want to continue the old ways, who want to make sure they are not going to have any capital outlays in buying equipment, are going to do everything they can in fighting the air pollution controls that this province tries to set up. They are going to go into a court armed to the teeth with legal talent, and surely whenever you try to introduce a new policy, particularly when it involves millions of dollars, and is going, in the long run, to involve many hundreds of millions of dollars to say nothing of the health of the people of Ontario, you are certainly going to have to have a well organized legal fight.

I hope the Minister has learned from this very sad experience in the Irwin Specialty case that his present approach is not good

enough. Because that test case at this point is lost—we hope it will be appealed. Now this we are not sure of, but because of that test case, and the mess it is in, the work of this Legislature and the work of this department has been delayed for months and possibly for a year and a half, and one would think that with the experience from other jurisdictions, from New York, from Michigan and from California, that our law enforcement authorities could learn. And the unfortunate part about it is that despite this, year in, year out, we seem to dawdle along. We are in a cesspool of unorganized law and unorganized plans, and we are certainly both as a government and as a province, suffering for it. I said at the time of the election, I have said it before, and I am afraid I am going to have to say it many times again, that this particular Minister in this government is playing politics with air pollution.

The only definite step we heard announced was during the election, and that was in order to control automobiles' exhaust, despite the fact that in the Legislature prior to the election, the Minister fought any such type of control. Well eventually we have been promised that for 1969. But these changes and these improvements come so slowly. They are dragged out of the government. They are dragged out of the Minister in charge, and yet again we must emphasize, Mr. Chairman, that this problem of air pollution is one of the great social and economic problems that we are faced with in this province and in this country, and the type of leadership we are getting from this government is simply not good enough.

**Mr. Chairman:** The member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Chairman, in looking at the Act and the regulations of the Act, the matter which concerned me very much was the exclusions and I wanted to bring them to the Minister's attention and to ask some questions about them.

In the first place, fuel burning equipment is exempt for dwellings used for housing not more than three families. And secondly, domestic incinerators. Now I know the problem the Minister faces here, and it is, I think, one that has to be taken into consideration, that with the number of fuel burners we have in single family dwellings particularly, and small duplexes and this sort of dwelling, that trying to improve at this stage is a difficult one. But in the moment or so I have at my disposal, I would like to ask the Minister

whether or not he is considering setting standards for this type of burner. Unfortunately, because of the lack of pressure, I am told, on those who seem to be expert in this field, the manufacturers of oil burners have not been pushing research too hard in recent years, and for the last decade or so, there has been very little improvement in the oil burning equipment that goes into the single family home. This is where a great deal of the air pollution comes from in our cities. Is it in the mind of the Minister that we should be setting standards for the emissions from oil burners in single family homes over the next period of time? Is he going to say to the various manufacturers of this kind of equipment: "we are going to give you five years or seven years or whatever the time may be"—and I do not think it should be more than that—"to bring the standard of emissions down to a certain level, so that by that time you will have done the kind of research which will result in efficient burners." And the same thing with those who are designing the incinerators in apartment blocks. The incinerator now being used is the three burner type, by and large, and this is about a decade old now, with very little refinement. And again, it seems to me that unless we are going to take garbage out of the apartment buildings completely and handle it at a central incinerator or through sanitary or land fill, then we should be thinking in terms of saying to the manufacturers of this equipment "you must, by a certain time, bring emissions to a certain standard," and then police this to see that research is going forward.

Failing that, of course, government itself, I think, should be going into the research business in a big way. I do not think we need to. I think if we really set some standards as the state of California did in the automobile emission some years ago, the industry will look after this and will do the necessary research.

**Hon. Mr. Dymond:** Mr. Chairman, if I might be permitted to answer the hon. member's questions briefly.

The exemption only applies to section 7 of the Act. They are exempt from requiring prior approval from a single to a three family dwelling, but anything over that must submit the plans for approval before they build just the same as industry or anybody else. Now we have not reached the stage where we can say to the residential heater manufacturers that this is the kind of equipment that you must provide. Research is going on into this now, and as soon as we can reach the stage where we have enough authority to say, "this is the kind of equipment that must be provided," then we will do so.

**Mr. Young:** I think the urgency is to set the standard of emissions here, so that we are realistic about it and at the same time we are going to really keep the pressure on to get that emission down to where it ought to be.

**Mr. Chairman:** Items 27 and 28 agreed to.

It being 6 p.m. the House took recess.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 2, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 2, 1968

The House resumed at 8:00 o'clock p.m.

## ESTIMATES, DEPARTMENT OF HEALTH (Continued)

On vote 803.

Mr. Chairman: Item 29.

Mr. L. M. Reilly (Eglinton): Mr. Chairman, before proceeding with your next vote, perhaps you would like to say a word of welcome to the junior board of trade members who are visiting with us here tonight.

Mr. Chairman: We are always pleased to have visitors and we do welcome these visitors to the Legislature this evening.

Mr. W. Ferrier (Cochrane South): Before the recess at supper time, I thought that I had caught your eye and was one of the speakers on your list, and I patiently waited for my turn. However, about two minutes after six, after the hon. member for Yorkview (Mr. Young) had finished speaking, the vote was called and put through without giving me a chance to speak. I was so taken aback that I did not rise at that point. I feel that item 27 was put through in a very quick manner at that point and that I was not given my opportunity to speak on it.

Mr. Chairman: May I say to the member that there is no requirement of the Chairman to even keep a list. It is a courtesy I have been providing to the members. Any member may rise in his seat and address Mr. Chairman, if he wishes to speak. The last member I had on the list was actually the member for Yorkview.

He had addressed his remarks to the Minister who replied. He asked another question. The Minister replied to that. No other speakers rose. I put the item, it carried. We carried also the next item, item 28. So any member wishing to speak, at any time on any item on any vote, must rise in his place and address the Chairman.

Mr. S. Lewis (Scarborough West): On a point of order, this is a fairly legitimate as-

sembly and the chair had already said, indeed the member for Yorkview had said and I gather the Minister had said, that he knew it was 6 of the clock but he wanted an opportunity to say something just before adjournment. It seems odd to pass votes after the hour of 6, or pass items of vote after the hour of 6, when the House normally rises at that time. If a member of the House genuinely wishes to raise the point relevant to a specific item, now surely we are here to have points raised. We are not here to play games with the estimates.

I do not think it is in any sense abusing the rule. If a member wants to say something on item 27 of the vote, surely he should have that entitlement if he was taken back at the speed with which the word "carried" was uttered. And that, on occasion, happens, Mr. Chairman, as you know, before the chair itself has turned around to see a hand, and I think in equity the member has a right to put his question.

Mr. Chairman: May I just say that there is certainly no attempt on the part of the Chairman to cut anything off. The member for Yorkview did rise, and I am certain it was about five minutes to the hour of 6 o'clock when he said, "In the short time I have available to me." This committee and the House does, in fact, quite often, when a member is speaking, go beyond the exact hour of adjournment, the hour of recess.

It did happen in this particular case and went to about two minutes after because it was my thorough impression that the member for Yorkview was the last speaker. I had no one else on the list. No one else had caught my eye.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Chairman, I really feel that I ought to rise in support of your position—much as I would hate to cut off any member who had something to say—because I certainly am in support of your position on this, because on item 27 you did say "carried" and no one rose. You said "item 28 carried" and when you said "item 29," I thought you were endeavouring to carry the whole vote.

Since that is one upon which I want to have a few remarks, it is a \$13 million item, that is when I said, "It is 6 of the clock" and then you adjourned.

**Mr. Chairman:** That is quite correct. In fact, when I did call item 29, I did not realize it was a \$13 million vote.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, speaking to the point of order, you are quite right, the member for Yorkview did rise at about five minutes to six and he said, "I will be brief," and he carried his conversation or his remarks beyond 6 o'clock and the Minister said, "I realize, Mr. Chairman, it is past 6 o'clock but if I might be permitted just to answer that one question. I will be very brief." He was after that and it was about four minutes after six, that you said item 27 was carried.

I want a little bit of guidance here. Is it proper to carry votes past the hour of 6 o'clock?

**Mr. Chairman:** Yes. There is no statutory provision to adjourn at 6 o'clock. It is just a matter of tradition.

**Mr. Stokes:** It is my understanding that there is a provision that the House will rise at 6 o'clock.

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** We carry on past 6 o'clock to complete whatever is going on in the House.

**Mr. Chairman:** I can assure all members that every member who caught my eye was on my list. We have gone right through the entire and complete list and the member for Cochrane South had not caught my eye.

I apologize if I did not catch his eye previously. I assure him I did not have him on the list. We have gone right through the complete list and I was completely under the impression there were no more speakers.

**Mr. S. Apps (Kingston and the Islands):** Mr. Chairman, if I remember correctly. When you carried items 27 and 28, you waited for someone to get up on each one of those votes before you said, "carried."

**Mr. Stokes:** I assure you that was not the case.

**Mr. Apps:** That was the case. That was the case. He asked for item 27 and he waited and he looked over there, as he does all the time.

**Mr. Stokes:** No time was allowed.

**Mr. Apps:** Then he said, "carried." And then he asked for item 28 and he did the same thing and he said, "carried."

**Mr. Stokes:** I do not think the hon. member was even in the House.

**Mr. Chairman:** Order!

**Mr. Apps:** You will retract that statement because I was in the House.

**Mr. Stokes:** I do not recall.

**Mr. Apps:** Well, then, you could not have been in the House yourself.

**Mr. Stokes:** I most certainly was! I spoke to item 27.

**Mr. Apps:** Well, then, you are not looking very well because I was in the House and I distinctly remember him saying item 27, and he paused and he looked over there and then he said "carried."

**Mr. Chairman:** Order!

**Mr. Apps:** Then he said item 28, and he paused and he looked over there and nobody got up and he said "carried."

**Hon. Mr. Rowntree:** Hindsight!

**Mr. Chairman:** It does often happen that it carries beyond the hour of 6 o'clock where it appears the member speaking can finish his remarks in a few minutes. This quite often happens and we permitted the discussion between the member for Yorkview and the Minister to go two minutes beyond the hour of 6.

I assure all members that if the member for Cochrane South had caught my eye and his name had been on the list, we would not have gone on and carried that vote and proceeded to item 28. But the rules of the House provide that any member wishing to take part in debate must rise and address himself to the Chairman, and if I did not call him, I think it is quite obvious I did not have him on the list. All he had to do was rise. So that is my ruling.

We are now on item 29 of vote 803.

**Mr. E. P. Morningstar (Welland):** Mr. Chairman, I would like to comment, for a few moments, on the excellent work which is being carried out in the field of public health throughout the province, and in particular, in my riding. As the Minister has already indicated in his opening remarks, 14



district health units have been established in this province and at least four more will be added shortly.

The public health grants that we are talking about in this vote provide for the payment of grants for all approved full-time public health services—25 per cent to single municipal health departments and 50 per cent to municipal health departments forming part of the health units. These grants became effective April 1, 1967. In order to foster the establishment of district health units, a 75 per cent grant was introduced, effective January 1, 1968. I am very happy to report to this House that the Welland and district health unit, and the St. Catharines league and health unit, were amalgamated for the formation of the Niagara health unit effective February 1, 1968.

**Mr. Nixon:** What a shotgun wedding.

**Mr. Morningstar:** A great wedding. This new unit contains all of the municipalities in the counties of Lincoln and Welland, along with the constituent cities of Niagara Falls, Port Colborne, Welland and St. Catharines. As such, this district health unit is of course eligible for the 75 per cent grants that I mentioned earlier.

In the Minister's statement, reference was made to task forces and committees which met with medical officers of health and chairmen of boards of health in Niagara Falls. Reports of the various task forces dealing with public health programmes were released to local health officials as part of the department's programme to ensure superior public health programmes for residents of the province. It is of interest to note that none of these reports recommended services that are not presently provided by the Niagara district health unit.

The unit's operations in my riding were highly successful during the year, under the direction of Dr. Sturgeon. A new building on the grounds of the greater Niagara General hospital was built with funds supplied by the municipality and served by the health unit as well, as funds were made available from the federal and provincial governments. This new building provides accommodation not only for the health unit staff, but for the local branch of the Victorian order of nurses as well.

Several members of the health unit staff assisted with instruction at the Niagara college of arts and technology, in the social science course there. Lectures were given to over 50 students, and field work provided for

some ten students. I think that this provides a good example of the type of community co-operation which the government visualized in setting up these institutions.

I would like to take this opportunity to congratulate the boards of health of both Welland and district, and that of St. Catharines and Lincoln as well, for their efforts this last year.

In the county of Welland, I am pleased to say, a new low in infant mortality was reached. Listen to this gentlemen, namely 13.74 per 1,000 live births. The Welland units conducted some 759 clinics during the year with a total attendance of over 12,000.

Some other statistics which might be of interest and which give some idea of the scope of the unit's activities are that over 18,000 children were given dental examinations. Nearly 29,000 undertook vision tests, another 44,000 were given medical examinations, while over 12,000 family visits were conducted by the nursing staff of the unit.

In this matter of public health it is good to see the great emphasis which is being placed upon prevention throughout such programmes as the comprehensive home programme.

As the Minister has stated, none of the most important means of controlling the rapidly escalating of costs of treatment services lies in the area of preventive health care. I am certain that the Niagara district health unit will continue to be a leader within this province in the vital area of public health.

**Mr. Chairman:** The member for Parkdale.

**Mr. J. B. Trotter (Parkdale):** Now we will get back to business. Mr. Chairman, I was wondering if the Minister would give this House some suggestion and some idea of what can be done in the case of the six health boards that we have in Metro Toronto, despite the fact that the government of the province of Ontario has said to the various small health boards, "We will boost your grant from 25 per cent if you amalgamate and we will give you 75 per cent of the cost of operation".

The city of Toronto would like to have a Metro health board. In fact, it would save over \$2 million if this grant were forthcoming from the province. But local politics being in the mess they are in Metropolitan Toronto it means that the boroughs lost money as well as the city of Toronto.

Now, the Minister may say that is the business of the local areas concerned, but it is the taxpayers that are the ones that are really hurt

regardless if they are the local taxpayer or if we regard them as the citizens of the province of Ontario. I think, Mr. Chairman, from the Minister's own figures, that the borough of Etobicoke loses \$190,000 a year; Scarborough loses \$316,000; York—\$197,000; East York—\$150,000; North York—\$228,000; while Toronto is some \$2.3 million. It is a great deal of money that the local municipalities lose.

I am well aware that under this present Public Health Act it is not the fault of the Minister that these municipalities refuse the extra grants, but I think I would like the Minister's views on whether the province should move in if it feels it is in the best interests of a local area.

We know from what has happened in education that amalgamation has taken place with the health boards, whether or not the local trustees like it, because there are often little empires built over the years and they are completely outdated. We know there are over 990 municipalities in the province of Ontario which are completely outdated and many actions are taking place in various fields.

But as long as The Department of Health stands by and lets—the best I can call them—small time politicians confuse the situation and cost the people in actual cash dollars, as well as causing a poor health service in the area, there is no doubt that experience has proved that be it education, welfare or health area units are far more efficient. As we have argued on a number of other items in these estimates over the years, Metropolitan Toronto is really one area, and I think that the Minister's own advisors would tell him that it is far more efficient for Metropolitan Toronto to have one health board. In my view, this government, for the sake of the people concerned, for the matter of both their health and their pocketbooks, this government should say to the six boroughs of Metropolitan Toronto, "Just get together and see that we have one health board." I wonder if the Minister could make a few remarks on that?

**Hon. M. B. Dymond (Minister of Health):** Mr. Chairman, we could not agree more with the hon. member. Since he is one of the representatives of the city of Toronto, he might be able to find ways and means of persuading his neighbouring boroughs to become involved in this. We have tried in every way we possibly can, I believe. We, too, agree that Metropolitan Toronto, from the standpoint of public health, is one unit.

Some of the boroughs seem to be dreadfully afraid that this was a step towards amalgamation. This rather staggered me because I had no views, or at least I had no interest, in proposing or attempting to amalgamate the municipalities of Metro Toronto into one.

We were interested in a more effective and effectual preventive health service, if for no other reason than the one I have stated frequently since we began this district health concept, that about the only effective way now that is left to us to control the rapidly escalating cost of health care is by prevention. We believe that an investment here, a reasonable investment, not a tremendously large one, but a reasonable investment in preventive health care can, in long range bring about very substantial reductions in the cost, or at least level out the rapidly increasing costs.

Now the city of Toronto has indicated that it is willing to, and is anxious to get into the district unit, but none of the boroughs has shown any indication or any interest whatsoever. We continue to do all we can without coercing them. I still do not believe that coercion is the answer, although I must admit that I have thought of it. However, I have not thought of it to the point where I am prepared to recommend it to government.

The fact that the whole movement has been so successful across the province is, I believe, justification for not mandating this. We have 16 established district units already. Three are ready to establish. All of the municipalities concerned are in agreement and three others we expect will be in by September 1, 1968. That is 22 out of a total of 29 district units.

So I think that the programme has indicated that it has been well received. When one remembers that it took us 30 years to bring practically all of the municipalities into the county health unit concept, I believe we have had far better success with this second step in the total programme.

I believe we still should continue to try to encourage and entice the municipalities and Metro Toronto to form some kind of union or make some proposal for us to listen to. They have made one proposal—that each one should be considered a district, but we would gain nothing. All we would be doing would be pouring out more money, which I believe would not be wisely spent. But if they would make any kind of proposal other than this—I have turned this one down—but they have



made no other proposal to counter the one we have made, and until they do, short of mandating it, I do not think there is anything else we can do.

**Mr. Trotter:** I know that these boroughs have not made any proposals, but I represent an area from the city of Toronto. The city of Toronto is most anxious that they have one health board, and unfortunately the people of my constituency, and in the other constituencies throughout the city of Toronto, are suffering because of the really parochial politics that is now in Metropolitan Toronto. Of course, it all stems from the original legislation that was passed in this House, which I still believe to be a mistake, but again that is another matter at this time.

When we come to public health units, the weakness of the present legislation that begot Metropolitan Toronto certainly shows up.

I was wondering, Mr. Chairman, if the Minister could tell us if there has been any expansion in the public health units regarding screening of population. By that, I recall what I said a year or two ago. Dr. Dale in Fergus, in the county of Wellington, I believe, carried out a series of screening tests of certain diseases in the population.

I thought maybe your department would be more interested in this than ever before because the grants that first pioneered this experiment came through Dr. Sherrin, when he was in the federal government. So again, he being now in the Ontario civil service, I thought it may give impetus to this most important system of screening of population.

In other words, as you mentioned, it is a preventive way of carrying on the business of the public health units. Has the screening of population for any kind of diseases or illness been carried on, or increased, in the province this past year?

**Hon. Mr. Dymond:** Mr. Chairman, only three of the units have undertaken programmes, but I should point out, of course, that the district units only became effective on January 1 of this year, and they have had a big job in re-organization to meld the new units. We have every reason to believe that there will be more multi-phasic screening programmes undertaken now that the organization of the 16 units is completed and others are well underway.

We believe that the programmes which we have proposed to them and that have been proposed out of the work done by the various

task forces, will begin to show fruit now, as I say, that the district units are organized.

Our department, of course, and the public health service has been tied up also in the re-organization because we have been assisting the various units to get together. There has been a very warm reception of the new approach of the department to the units—by that, I mean the increasing involvement of the departmental staff in planning, proposing and recommending various programmes to the units, and out of all of this—and it has been stimulated by the fact that there is allocated a regional medical officer of health to cover a certain number of districts.

He is the senior consultant to those districts particularly. He is backed up by consultants and others in the various specialty branches. Out of these re-organizational instruments that have been provided, we believe there will be a marked stimulus and various new programmes during this current fiscal year.

**Mr. Trotter:** Mr. Chairman, I am not sure if this question comes under this vote or not. This is certainly The Public Health Act, and it has to do with the question arising out of an amendment made to The Public Health Act last year.

I asked the question before the orders of the day but was not quite satisfied with the answer. And it is this: When we amended The Public Health Act last year in this House, we allowed for the licensing of persons who tested individuals for hearing aids.

And the regulations still have not been drawn. I imagine that units of our public health groups would, in some way, be in charge of this when the regulations come through. The Minister told me earlier this year that the regulations in regard to hearing aids had not been drawn because there are so many difficulties. And I would like to know what the difficulties are, because I still get complaints about some people as to their difficulty with hearing aids. Too many people are buying them who do not need them, and all this type of thing. Could the Minister tell me what progress he is making?

**Hon. Mr. Dymond:** As I stated to the hon. member, the regulations were in the process and nearing completion. They are now ready to submit to the registrar of regulations. One of the biggest problems we faced was the achievement of standards, the yardstick by which we should measure the skill or ability of those who claim to be able to test people and fit people with these hearing aids. This may sound like a very simple thing, but



unfortunately it is not. However, we seem to have overcome that and, I repeat, the regulations are ready.

We are as upset about this as anyone. I must say there has been a lessening of the number of complaints. They are still coming, but in far smaller numbers than before, but so long as they are coming we are not very happy about it. I hope now that we will be able to stop them altogether.

I would say we have been given, in the meantime, without regulations, a great deal of assistance by our colleague in The Department of Financial and Commercial Affairs, through the consumers' affairs branch, because some of the sales have been questionable, to put it very mildly.

**Mr. Trotter:** You see, Mr. Chairman, this is just an example where something can be done. Unfortunately, to get things done, we in Opposition have to raise a real racket in order to draw the problem to the attention of the government, because hundreds of people a year seem to lose money on what became known as the hearing-aid racket. And to be perfectly frank, Mr. Chairman, the term is not fair to all of the men in the business. Probably the majority of people in the hearing-aid business are quite proper and do a good job, but it is like anything else in this world, it seems. Because of the few that do the chiselling it is so necessary to have the proper regulations.

To close this subject—and I hope this is going to be the end of it—I would like to ask the Minister, Mr. Chairman, when does he think the regulations will be effective, when will they come into force?

**Hon. Mr. Dymond:** September 1 is the date when they will be ready for implementation.

**Mr. Trotter:** It took a long time but it is here.

**Mr. I. Deans (Wentworth):** Mr. Chairman, the Minister mentioned the warm reception the amalgamation of health units was receiving. In the Hamilton-Wentworth area I could hardly call it that! I would say it was more of a hot debate that had raged for quite a while.

**Hon. Mr. Dymond:** Yes, but let me—

**Mr. Deans:** No, I was going to ask the Minister if he could now enlighten me as to the end result of this. Have they finally arrived at a satisfactory conclusion to their problems?

**Hon. Mr. Dymond:** I believe we have reached a satisfactory conclusion. The bylaws have not yet been passed, but I have been given to understand that both parties are in agreement. Perhaps there is still a little more courtship going on; the wedding banns have not been called yet, but I presume they will be before very long.

**Mr. Nixon:** Mr. Chairman, we have been following the Minister's difficulties in achieving success in the establishment of these regional health areas. We have heard with interest the problems, for example, in the Belleville area, where the people in the Prince Edward county region have been asked to join with them in one health area. The problems that the local people feel are aggravated by the fact that they do not have the personnel from the central public health office as readily available to them as they had been previously.

My question to the Minister is not so much associated with the problems he has had over the year, but just how he goes about designating the areas which, in his view, would be efficient for amalgamation. Our researches in this field indicate that the Minister and his colleagues have now 38 separate boundaries for areas of provincial jurisdiction, ranging from the education areas to highways and for welfare, for economic development and so on down the list.

It is not my view that these should coincide in every case. There might be some good reason why the Minister of Highways (Mr. Gomme) would rather have a different area for his regional office than you as the Minister of Health. But I cannot see any good reason why every Minister in setting up the decentralization of his responsibility should set out on his own without any negotiation, or without any information with his colleagues, or any co-ordination within that horizontal committee that the Premier (Mr. Robarts) himself chairs. That would give some rationalization to this attempt to regionalize the various responsibilities.

In my view, it would be a great service to those at the municipal level who have to respond to the responsibilities as they see them if they could at least deal with the government's regional offices in some co-ordinated way.

As a basis of regionalization, you know we have ten economic districts which were laid down sometime towards the end of the second world war. While these have somehow become outdated and there is some

difficulty in redrawing the boundaries, it appears to me eminently useful for someone in the government—and I suppose it would be the Premier's committee—to co-ordinate the regionalizing efforts of The Department of Health with the other departments which have been undergoing a similar process.

It does not seem efficient or reasonable that each Minister should go his own way as the Minister of Health is doing, and his colleagues have done in years gone by.

**Hon. Mr. Dymond:** Mr. Chairman, I think I need to straighten out some misconceptions. Let me advise you, sir, that The Department of Health had the regional concept long before any other department of government.

**Mr. Nixon:** Well, they should have fit it in with your plans.

**Hon. Mr. Dymond:** It was thought about; there were hospital regions in Ontario, 11 hospital regions in Ontario, and have been for many, many years. When The Department of Trade and Development set up its regions, we got down to ten health regions.

**Mr. Nixon:** The Department of Trade and Development has ten regions.

**Hon. Mr. Dymond:** When The Department of Trade and Development set up its regions, whether by intent or happenstance, the economic regional boundaries and the health regional boundaries almost coincided, not completely, but so closely that it can be said for all practical purposes that they do coincide.

Then, we believed at this stage of the game that ten regions were too large, rightly or wrongly. At one time, we thought the county was the basis for the health unit. We recognized this was too small for efficient operation. So, we have taken a step to the districts.

Now, why did we divide the regions into 29 districts? We set up a group of people skilled in the various aspects of public health as a task force, outside of government staff, to make sure that we would not carry over our own preconceived notions, or our own departmental prejudices. Only one person, the chairman of the task force, was a member of the public service staff. They came up with their view of where the district boundaries should be.

I know, as you look at the map, you will no doubt wonder why some districts were

set up as they are. I did in the first instance but they gave me good reasons on the basis of the factors they considered. There was geography, there was the population, county boundaries or the municipal boundaries, using "municipal" loosely because counties I do not believe are considered legally to be municipalities. Also the social structure, the social attitudes of a group of people, this was taken into account, and also the health needs.

It is rather strange that without prior consultation, or discussion, or conversation, the Smith committee came up with a proposal that there should be 29 municipal units in the province of Ontario.

**Mr. Nixon:** They probably should have put you in charge back in 1961.

**Hon. Mr. Dymond:** Rightly or wrongly, one does not know, but these things are apparently more than coincidence. At least, I like to think that they are evidence that my staff and the people they chose to act in the task force were rather wise people. But we were not satisfied with this until we had submitted it to a representative of all of the existing health units and all of the medical officers of health. It was very thoroughly discussed and I think there were three changes proposed, three changes in boundaries only, proposed at that meeting back last May.

Again, on reconsideration and referring this back to the task force, we decided that we should not change those boundaries because they did not add anything to it whatsoever.

Now, in the district to which the hon. member made reference in the first place, Prince Edward county, it came into being on January 1, 1968. It was one of the first. Among those starting January 1 are Porcupine, Wellington-Dufferin, Guelph, metro Windsor-Essex, Hastings-Prince Edward, Leeds, Grenville, Lanark, Sudbury and district, St. Lawrence-Ottawa Valley, Renfrew county, Simcoe county, Timiskaming. They all came in on January 1, 1968, so that this to me is evidence that our homework was well done and that we had the people well prepared.

**Mr. Nixon:** We know why they did it—75 per cent grants.

**Hon. Mr. Dymond:** I like to think—

**Mr. Nixon:** That is precisely why you did—

**Hon. Mr. Dymond:** I would like to think that—

**Mr. Nixon:** It was not because they were so eager.

**Hon. Mr. Dymond:** I like to think it was because they were anxious to have a good public health service.

Then three others came in February—Niagara district, Muskoka-Parry Sound, Northwestern. Northwestern was our own unit so we put it in at that time. But, again, I have to repeat that this was the thinking behind it and it was not a "hit-and-miss" sort of thing, putting all the names in the hat and drawing them out and piecing them together like a jigsaw puzzle. Prince Edward-Hastings health unit was established in 1967 before our own boundaries were set out.

**Mr. Nixon:** The question that I am most interested in is whether the Premier's committee on design for development was involved at all in the establishment of these boundaries, or are you now associated with this committee of Cabinet in the establishment of other departmental boundaries which would have a similar type of jurisdiction?

**Hon. Mr. Dymond:** We are now. We were not at that time because we were working on this before the design for development committee was set up. But we are involved in it now.

**Mr. Nixon:** And the idea is that there is an assessment of the efficiency of your boundaries in the probability of other boundaries being established for other departments. Is that how you are involved or what? Are they using your experience as an example to be followed by other areas?

**Hon. Mr. Dymond:** Mr. Chairman, I cannot tell the hon. leader of the Opposition in what precise ways we are involved, but we are part of that exercise. Just what the committee as a whole is thinking of, or considering, with respect to our boundaries as related to others, I cannot at present tell because I, personally, have not been involved.

**Mr. Nixon:** Well, my point, Mr. Chairman, is that the governmental departments, most of which have already regionalized and are in the same position as the Minister of Health is in defending the regional decisions that they have made, are now in the unfortunate situation where their boundaries do not coincide at all, or there is very limited coincidence, and we have these 35 or 38 separate boundaries. It seems to me that there should have been much more co-ordination before the fact, rather than having each Minister defend his own situation, rather than having

a co-ordinated approach to the regionalizing process.

**Hon. Mr. Dymond:** It is quite true that I am defending our boundaries, but I am also pointing out that we are going to continue to be flexible. For instance, in the bill that was introduced concerning Ottawa-Carleton, we had not thought of this additional township. It was part of another district health unit, but we have taken it out of that and put it into the municipal region that has been established and now it becomes a clear-cut district of its own. We will remain completely flexible in these matters, because if it is deemed wise that a certain area be set aside as a municipal unit, then in my view I can see no reason why it would not make an effective and an effectual health unit as well. The whole business should be within the bounds of that municipal unit.

**Mr. Chairman:** The member for Hamilton Mountain.

**Mr. J. R. Smith (Hamilton Mountain):** I am concerned by the seeming delay in the merger of the Hamilton board of health and the Wentworth county board of health into a regional health unit. I would like to comment the good offices of the hon. Minister in providing the liaison between these two departments and the negotiations that have been taking place over these many months.

Mr. Chairman, it has been outlined by the hon. Minister, the banns have been called, and it appears that both parties are standing before the altar ready for this union. However, it has been mentioned earlier by the hon. member for Parkdale that very often petty politics do enter into these things. The point in question is the fact that the Wentworth county council has refused to give its final approval for this merger until the city of Hamilton agrees to an adjustment in the physical arrangements for the Hamilton suburban roads commission, which is entirely unrelated to the health problems of the city of Hamilton and the county of Wentworth. In other words, although it might be inappropriate at this time to say so, it is actually more or less a form of blackmail.

Mr. Chairman, this continued delay was in effect for the balance of this year, could mean a loss to the taxpayers of Hamilton of \$500,000. I wondered if—and I certainly hope that this merger does come about sooner—if the Wentworth county council continues to refuse to approve this merger, would the



hon. Minister be prepared to designate the city of Hamilton as a health unit by itself?

**Hon. Mr. Dymond:** Mr. Chairman, I have to point out to the hon. member that my name is Matthew, not Solomon. I cannot under the law designate the city of Hamilton as a district health unit, and therefore the answer to that specific question would be no.

**Mr. Chairman:** The member for York Centre.

**Mr. Trotter:** Change the law.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, I would like to emphasize the point concerning the confusion that the health districts are causing in imposing yet another set of provincial districts or regions.

In the county of York and the county of Ontario considerable resistance has been made in form of representations to you, because they have failed to see any advantages to the services they are now receiving through their county health units. They feel there will be more officials involved and more costs and no particular changes except, of course, that very important persuading element, that of the increase in their grants from 50 per cent, as they now are back to, to the 75 per cent, if they go along.

I can see, from your remarks, that there are certain advantages in the department being able to work better with fewer districts than with the many more county health units that we had under the county organization. But I would like to emphasize the importance of coordinating these 38 different sets of regions that the provincial government is now operating through, and see if we cannot get some sort of pattern that makes sense and prevents these annoying local irritations.

The county is the basis for the new education boards. Why could we not have left health at that size until the government got together with the general body that is coordinating these regions and decided what would be sensible, so that we do not have one branch of the county going down to say Oshawa for health, and going somewhere for another purpose? It is indeed confusing for officials, and for the public.

I would also like to know if the actual federal grants are being changed that the province is passing on to the counties, or is the saving that the province is achieving, in the case of counties which are not going along with this, being retained by the province? I understand that the federal grants

are a part of the moneys that make up these grants to the county health units. Could the Minister please tell me?

**Hon. Mr. Dymond:** I must say first to the hon. member, sir, that we had the county as the basic unit for 30 years, and we felt it was time to move forward.

I believe as one reads the history of the development of health units, one cannot escape the feeling that the county unit was the first step. Indeed, in several instances, even when I became Minister, there were still so-called county health units which did not embrace all of the municipalities within the county. And so we had spots all across the province. There was scarcely a county, I believe, totally covered, or totally included as a unit when I became Minister. There would be isolated townships or villages left out, dependent upon a part-time public health service which actually was a myth more than fact.

We applied ourselves to cleaning up those isolated spots, and had the province fairly well covered with county health units. We felt then that it was time to move forward into the better fields, utilizing the district health unit concept which had been evident, even at the beginning, when the government of Ontario joined forces with the Rockefeller foundation to provide a grant to establish the first county health unit.

Again, I would remind the hon. member—remind you, Mr. Chairman, and the hon. member—I had just stated that it is our intention to remain flexible, so that when other more permanent units of municipal government are formed, then we would want to see our health unit boundaries coincide with those. But again, I repeat, that we have been in the regional business for a lot longer than any other department of government. And having used those boundaries essentially since 1935, and much more vigorously since 1945, the next step was toward the district.

The federal health grants were a misnomer. Actually the federal money was never provided for municipal health units. The federal moneys were provided to the provincial government for the purpose of improving public health and public health standards. It was the decision of a predecessor that these should be allocated for specific projects to municipal health units on application and on approval. This had been carried on for quite a long time, and I think it built up a complete misunderstanding in the minds of boards of health—a complete misunderstanding of the purpose of the federal health units.

The federal government is not participating in any greater degree in the cost and the payment for public health services. The province of Ontario is providing more money. But we are utilizing all of the federal public health moneys that are available to us for the purposes for which the federal government provides them, that is, the improvement of public health care standards.

Does that answer the hon. member's question, sir?

**Mr. Deacon:** Thanks, through you Mr. Chairman, to the Minister. As I understand it, the total grant prior to this which was available to the county unit would vary between 55 and 75 per cent, that the federal government grant to the province in effect covered 100 per cent of the cost of certain types of public health service and these grants, I gather, have not been diminished. Or have they been diminished? Because at the present time you are cutting back on the grants to the counties.

**Hon. Mr. Dymond:** Mr. Chairman, the amount of money has not been diminished as yet. We have been warned that it is going to be, but it has not been as yet. But again I have to emphasize, this money was never allocated to the province for distribution to the municipalities. It was allocated to the province to provide an elevated standard of public health service anywhere in the province. According to the judgment or wisdom of a predecessor, as I stated, it was allocated in this way.

I disagree most heartily with this kind of allocation. I think it led municipalities into a false sense of security, believing that all of this was extra money that would keep on coming to them. This was provided to us on a year-to-year basis, and fortunately had never been changed. But I want to emphasize that this talk about federal health grants to municipalities was wrong from the beginning.

It was badly named and our department must take responsibility for that. But we are allocating the money across the province, as we believe was the intention when the federal public health grants were established. We know it is the intention now, because I have discussed this frequently with the federal health authorities.

**Mr. Deacon:** Mr. Chairman, in connection with this matter, I would gather from the Minister that the main reason for these larger districts was to improve the service and the

standard because of the fact that county units themselves are too small to do the job. You need to have a larger unit because the demand and service was insufficient in a county unit. Is that correct? Or was it primarily to get all counties up to a certain level, or all areas of the province up to a certain level?

**Hon. Mr. Dymond:** It was basically that they were too small and it was to improve the standard of preventive health care. But the county health units I would say, by and large, were too small.

**Mr. Deacon:** I think that the main argument in some of the counties, and particularly the county of York, was that they felt in their own case the population and size was sufficient—that the extra size that they are now being persuaded by the higher grants to enter into, is not going to provide any saving.

Perhaps this is a phase that I am not in a position to criticize in depth because I am not fully informed on the matter. The problem that is now facing the county of York and the city of Oshawa is that they have both indicated their willingness to go into the new districts. But what happens when the county of Ontario, which is also part of the district which the department wishes them to organize, is unwilling?

Therefore, since April 1, the effective date, they are going to be getting less of a grant than they budgeted for after they originally agreed to go into this and felt they could assume they would get the higher grant. Should the department not provide the higher grant to the counties and to the municipalities that have indicated their willingness to participate in the districts?

**Hon. Mr. Dymond:** Mr. Chairman, since the county of York and the city of Oshawa have made us a definite proposal, we are giving very careful consideration to that proposal and I would hope to be able to give a decision in the very near future.

Unfortunately, when we discussed this first publicly, we introduced a figure which became totally misleading and was completely misunderstood. I think I said, if I recall rightly when I introduced the amendment to The Public Health Act, which permitted us to do this, that we were thinking in terms of numbers, with 100,000 to 250,000 people as a minimum. Apparently, I did not adequately emphasize that this was the minimum population which could be well served by a district unit.

Unfortunately, many of the counties, the hon. members and my own included, as well

as many others, have kept throwing this figure back at me, as though this were the maximum. This is completely wrong. This was the minimum and I have to say I am sorry now that I mentioned the figure. Of course, so often hindsight is 20-20, but it is too late then.

There was no maximum figure suggested. Indeed, we are quite convinced that the population of Metropolitan Toronto, nearly two million, does not constitute too great a population to be served by one unit. But again I would repeat, in that respect, that we are prepared to listen to a proposal, so long as it is not that we set up six independent districts.

Again I would repeat, to make it perfectly clear, that the county of York and the city of Oshawa have made a proposal to me, and I am giving it careful consideration.

**Mr. Chairman:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Chairman, I wonder if the hon. Minister would like to comment on the matter of grants to the local health agencies, speaking in terms of the delay to the local health boards in receiving these grants. Now this is not a problem that is unique to The Department of Health, for it seems to be the practice of all government departments in being very tardy in sending their grants, which puts the local boards in a very embarrassing and awkward position. They have only three alternatives, either they cannot pay their bills, and the bills have to accumulate; or they have to be financed by the municipality; or they have to borrow money from other sources.

The other Ministers pretend this problem does not exist. It happens to the regional library boards, the area planning boards and the local health boards. As an example, I have been told of one health board which, by its own ingenuity, had been borrowing from the bank.

When the bank loan became a size where the manager thought he should check with Toronto to see what goes on, he was informed they have no authority to borrow. Now this is the awkward and embarrassing position into which local boards are put by not receiving their provincial grants at the time when their bills are coming in.

Could the Minister not assure us that The Department of Health would lead the way and how other departments the necessity of

getting these grants to the local boards in their proper good time? With the enlargement of county boards, could the Minister inform us whether there is a better set-up for getting the grants out to the boards sooner during the year so their bills can be met as they arrive?

**Hon. Mr. Dymond:** Mr. Chairman, this is really a surprise to me, because for at least the last ten years, we have been paying quarterly in advance to health units. There is a 10 per cent holdback pending audit, but we pay all our grants quarterly in advance. If the hon. member would tell me which health unit was borrowing money from the bank, we will certainly get it straightened out. They certainly should have no right to be borrowing because they have not received their grants. They have got them, I repeat, in advance, quarterly, now for some time.

**Mr. Good:** Thank you, Mr. Chairman. I do not want to embarrass any health board, but I will look into it further and let you know if there are extenuating circumstances.

**Hon. Mr. Dymond:** Thank you.

**Mr. Chairman:** The member for High Park.

**Mr. M. Shulman (High Park):** Mr. Chairman, is a portion of this \$13 million going to Toronto?

**Hon. Mr. Dymond:** I beg your pardon?

**Mr. Shulman:** Is a portion of this \$13 million going to Toronto?

**Hon. Mr. Dymond:** Oh yes. They get 25 per cent of their approved costs.

**Mr. Shulman:** Thank you, Mr. Chairman. In that case, I would like to pursue one point here. Members of the Toronto local board of health have been visiting certain of the packing houses in the St. Clair-Keele Street area, I understand, in collaboration with certain officials of your department, sir. You did mention briefly in your address at the beginning of this debate that you have set up a model plan to control the smells in that area. I wonder if you would be willing to elaborate? The people in my area are very interested in this particular problem and I would like to be able to report back to them what you are doing.

**Hon. Mr. Dymond:** Mr. Chairman, I have to point out through you, sir, that this was not dealt with, but it should have been dealt with, under air pollution control.



**Mr. Shulman:** Sir, I am bringing it up under this particular point because local officials of the Toronto board, and The Department of Health have gone there. This comes under the \$13 million item and I should think the Minister would be proud of this one very slight item in which he has made some progress and give us some details. If, however, he refuses to give the details there is nothing we can do.

**Hon. Mr. Dymond:** Mr. Chairman, this does not come under the purview of Toronto board of health. It comes under the purview of the air pollution control division of The Department of Health and they went along to help us, to advise us, and to point out matters of particular peculiar interest to them.

**Mr. Shulman:** Sir, I wish to inform you, they did go along. I ask for a ruling from you, Mr. Chairman, as to whether I should be allowed to get this information.

**Mr. Chairman:** I am not quite sure that I follow the exact nature of the information. The Minister has said that the matter to which the member for High Park has reference, is not in the vote. Does the member for High Park feel that it is?

**Mr. Shulman:** I am disputing this.

**Mr. Chairman:** Would the member for High Park repeat the specific information he wants?

**Mr. Shulman:** Yes, sir, in this grant of \$13.2 million a portion is going to the local health agency in Toronto. Officials of that agency have been doing a portion of this work and have been attending with officials of the Minister's department.

I am asking for details of what has been done. I should think the Minister would be proud to give this information. He certainly alluded to it in his first speech. I cannot understand his reluctance, I assure you I do not wish to begin a debate on it. I would just like some information of what is being done.

**Hon. Mr. Dymond:** Mr. Chairman, the Minister has no reluctance, but on your own ruling sir, we were to follow these votes in sequence and indeed, on the recommendation of the leader of the hon. member's party. We were to follow a certain sequence. I am trying to follow that. I say to you that the problems related to packing houses in Keele, St. Clair or whatever street it is, is a problem of air pollution and is the responsibility of this department and has nothing to do now with

the Toronto board of health, except that they are naturally interested in it and quite likely to go on visits with us. But, this comes under air pollution control—item 27.

**Mr. Chairman:** In other words, what the Minister is saying is that the amounts under this item pertaining to packing houses are actually under the jurisdiction of air pollution.

**Mr. Shulman:** Well, if this is air pollution then I am not entirely convinced. If so, I will just ask one brief question.

What is the air being polluted with? It is not a pollutant, it is a smell. That is why it should come under this item and not under air pollution.

**Mr. Chairman:** I think in the discussions prior to the recess at six, there had been discussions pertaining to pollution which was not necessarily air pollution. The Minister spoke about rendering plants and so on, under air pollution.

**Mr. Shulman:** Rendering plants do have pollutants. But to come back to my original point, money under this particular vote has been used by this department and was attacked under this vote, item 29. I am asking for an explanation of this particular item. I do not believe it is an unreasonable request.

**Hon. Mr. Dymond:** Mr. Chairman, this particular item I think the hon. member mentions is not—

Interjection by an hon. member.

**Hon. Mr. Dymond:** It is not the responsibility of the local board of health, sir, and the portion of the \$13 million, the Toronto board of health gets is towards the cost of approved programmes under The Public Health Act, air pollution control, and that includes packing plants to which the hon. member refers, does not come under this vote and no money out of this \$13 million is allocated to it.

**Mr. Chairman:** The Minister, I believe, has made it quite clear.

**Mr. Shulman:** I just wish to point out for the record, the Minister has refused to answer the question.

**Mr. Chairman:** The member for Wentworth.

**Mr. Deans:** Mr. Chairman, I would just like to refer back for a moment to the comments of my friend from Hamilton Mountain and to say that the statements that he made with regard to the blackmail are definitely true.

There are two things then that this brings to mind.

First, has the Minister exerted every ounce of political pressure possible in order to bring these two people together?

Secondly, he makes mention of the fact that the city of Hamilton would not qualify for the grants under this particular portion because they are not ruled as a county health board. Is it not possible to change the legislation in order to allow them to qualify under this section?

**Hon. Mr. Dymond:** Mr. Chairman, perish the thought that I would become involved in political persuasion. I used, I hope, political acumen and wisdom—

**Mr. D. C. MacDonald (York South):** I am glad you smiled with that comment.

**Hon. Mr. Dymond:** No, it is not possible to change. It would be most unwise to change the legislation, sir. Had we intended to do that we would not have framed the legislation as we did. If I were to change the legislation now, to meet a peculiar incident where, on the advice of two hon. members who represent the areas concerned, there is, to quote them, "blackmail" involved, I cannot afford to be a party to it, I would have to change the whole pattern for the province of Ontario. This would be most unwise.

**Mr. Lewis:** Your whole policy is—

**Mr. Deans:** Mr. Chairman, if I—

**Mr. Chairman:** Order!

**Mr. Deans:** If I might just follow this up for a moment. I can then assume that the 300,000 people who reside in the city of Hamilton will have to suffer the detrimental effects of not receiving grants under this because you do not see fit to change it.

**Mr. Trotter:** Same as Toronto.

**Mr. Lewis:** Mr. Chairman, with respect, the Minister's policy has been a policy of political blackmail ever since the Act was altered, because the point of the grant system was to use a sufficient measure of inducement to force county units to come together, or to force the integration of the units such as my colleague indicated and the member for Hamilton Centre (Mr. Davison), I think it was, indicated.

Frankly, Mr. Chairman, we put forward in this House some considerable time ago,

the proposition—a very simple proposition—that if one believes in the principles of preventive health and the dissemination of those principles and their application to the population at large, then government as government constructs the units it requires and orders the municipalities to come to terms with those units.

If the Minister says to me that smacks of coercion, we are not an arbitrary government, then he need only look two seats or one seat to his right, to the Minister of Education (Mr. Davis), to see precisely what he has done in the amalgamation of county units for school purposes. It is a principle which is well used by this government; the principle of arbitrary compulsion is not unknown to this government, it is not foreign.

There is no reason in the world why it should not be used in the amalgamation of health units and there is no reason at all, Mr. Chairman, why well over a million people in the province of Ontario should be denied the possibility in public health at a level commensurate with the best public health facilities in Ontario just because the Minister has to bide his time until the local politicians overcome their absurd and irrelevant prejudices, their concepts of empire and tycoons, while hundreds of thousands are kept waiting in the interim. That is the simple proposition, Mr. Chairman.

There is no reason in the world why the Minister cannot bring an amendment to The Public Health Act and say that we, as a government, have ordered the following amalgamation of units by the following assertion of units in the outlying areas of the province. Everyone in the province would cheer the members of Legislature, would give you full support.

The only people you would offend are a few local potentates. The health of the people in those areas, Mr. Chairman, is far more important than that, let alone the arguments that have been made by the members from Hamilton, that it results in serious economic discrimination against the populations involved. Since there is precedent for this, as recently as this session, we suggest to the Minister that he might take that action.

**Hon. Mr. Dymond:** Mr. Chairman, I think it ought to be emphasized, that the health of the people—preventive health care of the people—is not suffering. The unfortunate feature is that it is largely economic and not taking advantage of the grants that this government has so generously provided for them.

But they all have good public health programmes. If they have not, I already have power under The Public Health Act to order that they maintain a certain minimal standard of public health care.

**Mr. Lewis:** Mr. Chairman, I have no doubt that many of these areas have what would be called a minimal standard in public health care. But as my friend from Parkdale pointed out, how many of the units which refuse to enter the amalgamated process have multi-phasic screening facilities? How many of them have drop-in clinics for senior citizens in the community? How many of them, Mr. Chairman, have all the various cancer tests which may be given through an elaborate public health system? How many of them Mr. Chairman, have birth control clinics attached to the public health unit? How many of them, Mr. Chairman, have the variety of testing devices in relation to automobile accidents, that some of the public health units have in the province?

How many of them have full dental facilities in the schools? How many of these units, in fact, are operating at a maximum optimum level, not the minimum provided by The Public Health Act?

The truth is that that Act does give the flexibility for many of the units to do the kind of imaginative things that have been done in Wellington-Dufferin, that have been done in Brant, that have been done in isolated areas one can think of around the province, one of which is not Welland county I may say, Mr. Chairman. I am sorry to see the member absent despite his little eulogy.

But I must say, Mr. Chairman, that this is, in fact, the reality. It is not a question of maintaining minimum standards, it is what Wentworth could do as a public health unit if it had the economic viability which the members are putting to the Minister.

**Mr. Chairman:** Item 29 agreed to.

On item 30.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, I think my name was down there for item 29. I just had one or two comments with regard to county health units, being from Essex and Kent counties and part of my riding in both, Essex county has been in the county health unit for a number of years. It was through the great efforts of Dr. John Howey, of the city of Windsor, the medical officer of health for the city of Windsor, who convinced the county officials to go into it.

**Mr. Chairman:** Item 30—special training of health personnel. Item 29 was carried.

**Mr. Ruston:** I gave you my name to speak on item 29.

**Mr. Chairman:** I am sorry, I had no such name on my list.

**Mr. Ruston:** Yes you did, you wrote it down when I—

**Mr. Chairman:** I beg your pardon, I did not have your name on my list.

**Mr. Ruston:** You had better write it down.

**Mr. Chairman:** Pardon?

**Mr. Ruston:** I think it should have been written down. I put my—

**Mr. Chairman:** I would refer the member to rule 14 of this House. I do not have his name on my list.

**Mr. Ruston:** I object very strongly to it, s'r, I think it should have been; I gave you a sign a while ago and I may say, as a point of order then—I am going to get up on a point of order—that when you are sitting back in this corner with the Chairman sitting in there, you do not have the opportunity to get the eye of the Chairman and I object very strongly to this.

**Mr. Lewis:** On a point of order, Mr. Chairman, perhaps, in this instance, we can wrest the support of the hon. leader of the Opposition and point out again, sir, that it is unfortunate that on occasion members are not seen by the chair, or do not realize how quickly a vote may be carried. This is not a race, Mr. Chairman, this is a matter of debating estimates and there is no reason why members in good faith, if they are overlooked for whatever reason, should not come in a moment later and make their point.

**Mr. Chairman:** I would point out to the member for Scarborough West that this certainly is not a race, that the Chairman has been very patient, and that he has tried to take every member in their turn. Any member who wishes to take part in this debate may rise in their place and address the Chairman and this is clearly indicated in rule 14 before any vote is carried.

**Mr. Lewis:** Mr. Chairman, you have, on occasion, constructed a voluntary list; you have indicated to us in the Opposition that you are keeping a list. I appreciate it does not subscribe to the rules of the House. The



members in this corner, for instance, often do not catch the Chairman's eye for obvious reasons.

There are members over here who sometimes miss the chair's eye because the chair is preoccupied with what is before him—that is perfectly legitimate. All I am putting to you, Mr. Chairman, and I will not take your time or that of the House further, all I am putting to you is that most members want to raise things which are entirely legitimate and genuine. If they happen to miss a vote by happenstance, there is no reason in the world why they should not be given an opportunity to revert and raise it.

**Mr. Chairman:** No, I disagree with the member. The rules of this House clearly state that once an item or a vote has been carried, it may not be debated again.

**Mr. Trotter:** Mr. Chairman—

**Mr. Chairman:** Order!

Rule 14 clearly indicates that the members must rise in their place and address the Chairman in every case before the vote is carried. In every case, I put the vote and it is carried.

**Mr. Trotter:** Mr. Chairman, on a point of order. When we adjourned at 6 o'clock, and we thought the vote had been carried, we since found out that the member for Port Arthur was on his feet and did not make an issue out of it at the time but now the member for Essex-Kent is back there and cannot catch your eye. The only way a member is going to be seen when these votes go by is if he not only stands up, but screams bloody murder, because you simply do not see these men back here.

**Mr. Chairman:** That is incorrect because I have many of the members on my list.

**Mr. Trotter:** You do not. You were wrong.

**Mr. Chairman:** No, the member is quite wrong.

**Mr. E. A. Winkler (Grey South):** Shame on the member!

**Mr. MacDonald:** There are a lot of things you should be ashamed of, but rarely does it happen.

**Mr. Stokes:** Mr. Chairman, on item 30, lest I be ruled out of order, I would first like to ask a question. Does item 30 pertain to the training of doctors and dentists along the same line that we discussed here three or

four nights ago with regard to providing the necessary trained medical practitioners in northern Ontario? Does that come under this?

**Hon. Mr. Dymond:** Do you want me to answer, Mr. Chairman?

**Mr. Chairman:** Yes, if the Minister would answer that.

**Hon. Mr. Dymond:** No, Mr. Chairman, this has nothing to do with the training of doctors at all. This is a grant to the University of Toronto to its school of hygiene to assist in the teaching and instruction in industrial hygiene and field training for those who are going into this field of activity.

**Mr. Stokes:** Could I be enlightened as to under what item in these estimates we might discuss it?

**Hon. Mr. Dymond:** We have already passed it, sir. It was in vote 801 in the administration.

**Mr. Chairman:** We are taking the votes item by item because they are quite specific in what they cover.

Item 30 agreed to.

Item 31 agreed to.

Vote 803, agreed to.

On vote 804.

**Mr. Chairman:** The member for Scarborough West.

**Mr. Lewis:** I just want to intercede to ask the Minister, Mr. Chairman, and the chair, whether items 804, 805, and 806 might, as it were, be discussed collectively. Otherwise I fear considerable duplication. I wonder what the Minister feels.

**Mr. Chairman:** I had marked these for discussion together although if we are taking the votes item by item how would the member suggest we do that?

**Mr. Lewis:** What I was going to suggest, Mr. Chairman, is that if, in the process of making points, one could allude to some specifics, then you would perhaps eliminate duplicate discussions under mental hospitals or hospital schools.

**Mr. Chairman:** Would this be agreeable?

**Hon. Mr. Dymond:** This would be perfectly all right, sir, except in that in the event of mental hospitals and hospital schools, there are different personnel here. There may be overlapping areas but it should be a specific

question related to one or the other. The hospital school comes in its proper niche in the mental hospital, but we cannot discuss any one of these votes, sir, without flowing over into the other two.

**Mr. Chairman:** Very good. The member for High Park.

**Mr. Shulman:** I just wish to ask a question to begin. This first item—we are doing this item for item are we, Mr. Chairman?

**Mr. Chairman:** But with the privilege of going back to some of the other items.

**Mr. Shulman:** Does this item "salary" include salary of attendants in mental hospitals, and if it does not, and I presume it does not, under what item should that be discussed?

**Hon. Mr. Dymond:** The mental health hospitals division, Mr. Chairman, vote 806.

**Mr. Shulman:** Mr. Chairman, I just want to make sure there is no misunderstanding. As we come down to item 10 in vote 804 you are not going to call, "votes 804, 805 and 806—carried." We will have an opportunity to discuss these?

**Mr. Chairman:** No, it is not the Chairman's intention to do that.

Vote 804, items 1 and 2 agreed to. Item 3?

**Mr. Shulman:** Mr. Chairman, on item 3—maintenance. On February 29, before the orders of the day, I asked the Minister of Health about a problem of fire exits in the new Toronto Ontario Hospital and why they had not been built to third floors. The Minister explained at that time that because—I hope I am getting his answer correctly—of the lower need for beds, rather than build new fire exits those particular floors had been closed off.

However, there is a matter which is rather disturbing to me. The member for Lakeshore (Mr. Lawlor) and I took an opportunity to tour that hospital after the Minister gave his reply. In the building used for administration, which is four stories high, there is only one means of egress, and I would like to ask the hon. Minister if his department has not already received a report from the fire inspector, in fact, over one year ago, that this third and fourth floor could not be used unless the second exit was put in? I would like to ask him why a second exit was not put in—a fire exit—and why he is continuing to use the third and fourth floors?

**Hon. Mr. Dymond:** Mr. Chairman, I am advised that this area that the hon. member mentions is not being used for patients; it is used for some day-time activities, but it is not used for housing patients.

**Mr. Shulman:** I am afraid that the Minister is missing the point again; I did not suggest that it was being used for patients. I believe that the staff's welfare is just as important as that of the patients', but the safety inspector recommended to The Department of Health that this building must not be used on the third or fourth floors for anyone.

Let me point out that there are some 12 people working regularly every day there on the third floor and there is danger unless a fire exit is put in, the same as an office building. You cannot have an office building where you have people working unless there is a fire exit. Now, I want to ask the Minister, through you, sir, why he does not either supply a fire exit, or arrange other accommodation for those people? If there is a fire they are going to burn to death.

**Hon. Mr. Dymond:** Mr. Chairman, I have to point out that the hon. member is missing the point. The report is as follows. You will note that Mr. Mannoll has recommended a secondary means of egress from the third floor level of cottages c, d, and e. He has stated that if such is not possible, then the third floor level of these cottages should not be used for patient accommodation. The same recommendation also applies to the third floor level of cottages a, b, i, h, g, f, and j, as well as the administration building.

**Mr. Shulman:** In that case, perhaps the Minister would like to read the next paragraph, because I happen to have a copy of that letter:

Also, the administration building, which is four stories high, the above-mentioned buildings have only one means of egress in direct violation of all fire safety standards. An exterior steel stairway must be installed to allow these floors to be used and to meet all safety requirements.

I think it is rather improper for the Minister to mislead the House.

**Mr. MacDonald:** The department was nailed on its neglect. It is aggravating on this side of the House to be faced with the government's reaction.

**Mr. Chairman:** Carried. Item 3?

Item 2 agreed to.

On item 3.

**Mr. Shulman:** No, we are not through with this point yet, he has not answered.

**Mr. MacDonald:** You ignored the recommendation following a fire inspection.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member did not ask a question, he made a statement.

**Mr. Shulman:** I asked a question and I will ask it again. What do you intend to do about it?

**Mr. Chairman:** I point out that the Minister does not need to reply, he may reply, he may say that he has no answer to give.

**Mr. Shulman:** I am quite aware of that. But he cannot sit there dumbly, he must say something. He must say that he is going to reply or he is not going to reply.

**Mr. Chairman:** Order, please!

**Hon. Mr. Dymond:** I said that I had no further comment to make on the question that the member—

**Mr. MacDonald:** On a point of order. The Minister was asked a question. And the question was with regard to what the department was going to do with putting in a fire escape when it had been recommended. The Minister rather chidingly said that that was a misinterpretation of the report, and, wittingly or unwittingly, deliberately or otherwise, misquoted the report and omitted the paragraph indicating that the fire escape should be put in. So the question is, as it was put originally: what is the department going to do about living up to the fire inspector's recommendations? That is a legitimate question, any any Minister who refuses to answer that kind of a legitimate question is evading his responsibilities.

**Hon. Mr. Dymond:** Mr. Chairman, I did not misquote the paragraph. There was no further paragraph, except a closing greeting, in the letter from which I read. We are planning new construction in this area, and we believe that the recommendation made by the fire inspector gave us an alternative which we chose to accept and which I read to this House.

**Mr. Shulman:** What is the alternative, Mr. Chairman?

**Mr. MacDonald:** No alternative—you simply ignored the recommendation.

**Hon. Mr. Dymond:** The alternative was not to use it for patient accommodation, and we are not using it for patient accommodation.

**Mr. Shulman:** Mr. Chairman, I am prepared to read this whole letter into the record. This is said nowhere. In fact, I think I will read the whole letter into the record just so we can assess—

**Hon. Mr. Dymond:** Mr. Chairman, I can only say that if it is not the same as the one that I read, then the hon. member has had access to mail that does not come to my desk.

**Mr. MacDonald:** Then perhaps you should be aware of it.

**Mr. Winkler:** Hear, hear, and that is correct.

**Mr. Shulman:** Oh well, in that case it is easier—it is easier because of the allusion made by the—

**Mr. Lewis:** You should run again federally.

**Mr. Shulman:** He was more successful federally. The allusion made is incorrect. This was sent out from the office of the hon. Minister of Public Works (Mr. Connell) who, unfortunately, is not in the House, and it was forwarded to The Department of Health.

I would suggest, inasmuch as the Minister is unaware of it, that perhaps he would be kind enough to have someone look into the situation at the Lakeshore psychiatric hospital, and take steps to see that if there is a fire there we will not have to come back and in this House point the finger of shame at that particular Minister again.

**Mr. Chairman:** Item 3?

Items 3 to 5, inclusive, carried.

On item 6.

**Mr. Deacon:** Mr. Chairman, I wonder if the Minister could explain to me the difference between the Ontario hospital services commission amount for reimbursement for expenditures in mental health care, the item we passed of grants to special home care, and the one we have on mental hospitals later on? Are these facilities in this item in regular hospitals where patients are getting special care?

**Hon. Mr. Dymond:** Yes, Mr. Chairman, this is where a psychiatric unit exists in a general hospital. At certain other private facilities we have an arrangement with the hospital services commission that they will



administer this for us, and we pay the cost to the hospital services commission for the transportation to the hospitals concerned.

These include Homewood sanitarium limited, Bethesda, Dalmeny hospital limited, Sunnyside private hospital, the institute of psychotherapy, Sunbeam home, the Ontario association for mentally retarded infants inc., psychiatric out-patient services in general hospitals, six community psychiatric hospitals, three units for the profoundly handicapped and the Clarke institute of psychiatry.

**Mr. Chairman:** Item 6?

Item 6 agreed to.

On item 7.

**Mr. Lewis:** Mr. Chairman, on item 7. Can the Minister report on the extent of use of boards of review since the Act came into operation?

**Hon. Mr. Dymond:** We have found them a very useful instrument.

There were in the central region 52 cases reviewed of whom 12 were recommended for discharge. Two were received in the north-western region, none were recommended for discharge. Nine in the western region, one recommended for discharge. Two in the northwestern region, one recommended for discharge. Eight in the eastern region, three recommended for discharge.

A total number reviewed of 73, of whom 17 were recommended for discharge.

**Mr. Lewis:** Mr. Chairman, in a region—let us say the central region. Has the Minister any information on how the cases came before the boards of review; on what basis the referrals were made?

**Hon. Mr. Dymond:** I cannot give you an exact breakdown, but about 80 per cent of them are on reference from the patient herself or himself.

**Mr. Lewis:** That is rather interesting, Mr. Chairman. With the majority being on reference from the patient, I suppose one could simply extend the calculation and say that the majority released or discharged were also on the basis of the patient's request. Does the Minister know if these were recent patients, more recent, or had they been there for some time? Is there any breakdown as yet?

**Hon. Mr. Dymond:** There is not, we have not got the statistics on that. They could be

gotten though. Each case is reported, but I have not got the statistics collated. I would be very glad to get them for the hon. member.

**Mr. Lewis:** Mr. Chairman, is the entire load of the Ontario system going to be seen systematically by the board of review or will it only be on request?

**Hon. Mr. Dymond:** The voluntary patients—that is the patients, outside of those on Lieutenant-Governor's warrant, ordered by the courts; the ones who come before the special advisory review board, they call it now, under the new Act. They must be reviewed at least once a year.

But other patients can come before the review board on application—on the application of a relative; on the application of a friend; on the request of the Minister; on the request of the staff; or on the request of the superintendent. They also have a right, under the law, to seek appearance before the review board at stated times during their tenure in the hospitals. And this does not only apply to Ontario Hospitals. This will apply to every psychiatric facility after June 1 of this year.

**Mr. Lewis:** Does it, Mr. Chairman, concern the Minister at all that—I do not know what 17 out of 73 works out to, but 12 out of 22 is something in excess of 20 per cent. Does it concern the Minister at all, that in excess of 20 per cent of those who requested a review should be ready for discharge, without apparently the hospital servicing that in its internal mechanism?

**Hon. Mr. Dymond:** No, Mr. Chairman. I would say frankly and with professional backing that it does not concern me. This is quite understandable from the standpoint of a difference of professional opinion. It is quite understandable that there could be a very marked difference in opinion, and I have not followed these 17. I do not know how many of them have broken down. Some of them, I am told, have already been readmitted.

**Mr. Lewis:** How many?

**Hon. Mr. Dymond:** We will have to get that figure, too, I cannot tell you. But this is not unreasonable or unrealistic. I think it demonstrates the value of the review board. I would not feel that it is any indication that the opinion of the medical staff in charge of those patients is inaccurate or unreliable.

**Mr. Lewis:** Mr. Chairman, I am not suggesting unreliability, certainly, and I am not

particularly impressed with the numbers who have returned. We will get to readmission rates in the general hospital system later on this evening, or tomorrow, or next week.

The point is, Mr. Chairman, that there is something terribly capricious about the proposition that, purely because these 52, or rather the 73 patients, on their own volition requested a board of review and fully 25 per cent of them or close to that were then found ready for discharge. One wonders about the other 19,000 patients in the Ontario Hospital system who are not given to a board of review in that kind of fashion.

There is no question that the boards of review are required, and that this avenue should be available to them; that a mental hospital patient should be able to request a hearing. But the point that surely flows from the very interesting statistics the Minister gives—20 to 25 per cent of those who request a hearing are subsequently discharged—raises serious implications for the rest of the patient load, and a suggestion that perhaps an independent board of review might systematically see everyone in the Ontario Hospital system.

There is no reflection on the reliability or the professional integrity of the people involved, because heaven knows how they cope now in a system that large and so inordinately overcrowded and understaffed. But that is not the point, Mr. Chairman. The point is, what about the remaining numbers? I say to the Minister, through you, sir, that this is really a quite interesting revelation that the figures should be that high. It worries one a little about the rest who are, as it were, trapped in the system, without the opportunity to make a request for discharge because they are not familiar with the procedures or are reluctant to do so.

**Hon. Mr. Dymond:** We have not very many yardsticks by which we should measure our results or can measure our results. But we do know when the province of Saskatchewan started their boards of review, they had a far greater rush of applications than we had, but I do not think that the figures were any different in substance. Again, I am talking from memory, and I would hesitate to quote figures, but I believe that our figures compare very closely with the decisions rendered there by the review boards. And this is the only other province where this is in operation. Therefore, it is the only province against which we can measure our results.

I think as we go along, that we may find improvement in this or we may not, but I would like to know how many of the 17 had broken down, or if there is any way of telling if they would have broken down anyway, or if this would bear in the mind of the attending physician and that this helped him or her decide that the patient was not ready for discharge.

However, the law specifically states that any one of certain persons, including the patient, may apply for appearance before the review board, and the finding of the review board is binding upon all of us. I am quite certain that we can look for the review board making some errors in judgment, too, not propitiously, as the hon. member says, or not by intent, but I am quite certain that we will run into some errors in judgment there, just as we will among our professional staff.

**Mr. Lewis:** Mr. Chairman, if I might follow it for a moment more. I did not suggest that the decisions were capricious. I suggested that the avenue of recourse to the board is capricious, because although a patient may obviously request it, that such a high percentage of those who made the request should subsequently be discharged, has implications for those who remain.

It may be that the board of review is binding, but let me convey to the Minister what experience I had with a person who came via my constituency clinic. I do not have the correspondence directly in front of me, but I recall it quite vividly, Mr. Chairman. I could hasten up and bring it down if necessary.

There was a request from a patient in the Penetanguishene Hospital to appear before a board of review, I guess of the central region, and the board of review of the central region met under a solicitor, I believe, from Barrie. The board of review met and recommended that the patient was ready for discharge on a revolutionary basis and that he should be taken to the Lakeshore psychiatric hospital for a number of weeks prior to receiving complete rehabilitation in the community.

The patient was moved from Penetanguishene to Lakeshore in the morning of the given day, and in the afternoon, arbitrarily, summarily and without recourse, the patient was returned to Penetanguishene on the insistence of the authorities of the Lakeshore psychiatric hospital.

When I got in touch with the chairman of the review board to ask him how, since

review board decisions were supposedly binding, Lakeshore psychiatric had immediately done a *volte-face* and returned the patient to Penetanguishene, the chairman in effect capitulated. The chairman said that apparently Lakeshore did not want this patient, he had gone back to Penetanguishene, and that was that, and the review board's capacities ended at that point.

I did not pursue it beyond another letter. I did not get the satisfaction from it that one would wish. I wanted to raise it at this point in the estimates to suggest, Mr. Chairman, to the Minister, that there is still much to be done by way of acquainting the Ontario Hospital system with the fact that the review boards do have this authority, and that because the judgments may differ from those within the system, those judgments should nonetheless be given credence.

Now, Mr. Chairman, I make this point. Suppose one says to the Minister that a member of this Legislature were to make representations on behalf of a given number of patients at an Ontario Hospital. Would those patients come before the review board?

**Hon. Mr. Dymond:** Yes, I think if the members of this House were acting, sir, as a friend of the patients, of course they would.

May I point out, though, that the member is not in full understanding of the other case, although I think he is—I should not say I think—I know he is repeating it as he knows it. The chairman of the board did not capitulate. The chairman of the board should have told the hon. member that the board overstepped its authority. The board by law is given one authority. It can either recommend discharge or that the patient remain in the hospital. It cannot recommend the kind of treatment—at least they can recommend it if they like, they have no legal authority to do that and we are not bound by any recommendation of that kind.

The only recommendation by which we are bound is that the patient should or should not be discharged.

The review board was never set up to tell us how to treat the patients, and it is for this reason that patient, in the judgment of the staff, both at Penetanguishene and at Lakeshore should not have been transferred to Lakeshore. Unfortunately, my staff were not fully cognizant of the authority or responsibility of the board and, therefore, did follow the recommendation to transfer the patient to Lakeshore until he got there. He was

neither summarily or arbitrarily, he was simply returned to Penetanguishene which he should never have left, Mr. Chairman, in the view of the professional people in charge of him.

I do not think the board will make that error again. I think they did it quite unwittingly and I think what they proposed they believed to be in the patient's best interests. But this was not why the board was set up.

**Mr. Lewis:** Obviously, Mr. Chairman, the Minister knows the case to which I refer. He probably knows this more intimately at this point than my memory allows, but I say to you, Mr. Chairman, that arbitrarily is the word. If I read into the record the letter I received from the patient, then the word arbitrary would seem a very modest description, indeed.

You bring a man down from Penetanguishene to Lakeshore and you turn him out two hours later, I do not know what you call it.

Well, Mr. Chairman, I would like to make this point, that the finding of the review board was in favour of discharge. The review board, with an unusual sensitivity, thought that it might be a discharge of a more gradual kind and suggested the facilities of another hospital in the Ontario Hospital system, but the recommendation was for discharge and the review board was overruled both by Lakeshore and apparently by Penetanguishene which readmitted the man. Well, I am given increased interest—

**Hon. Mr. Dymond:** I must correct this statement of the member. The recommendation was not for discharge. If the recommendation had been for discharge we had no choice and there would have been no questioning the judgment of the recommendation of the review board. We cannot question it. The questioning is all done while the review board is still considering the case.

After it has finished its consideration of the case then it is left to render its recommendation and we must be bound by its recommendation, and I specifically state the recommendation was not for discharge.

**Mr. Lewis:** Well, Mr. Chairman, I shall now make a point of finding the correspondence because the word "discharge" lives very, very vividly in my mind. If necessary, I will find it and raise it on another occasion.

Mr. Chairman, that brings me to the final point. I think members of the Legislature, perhaps in the Opposition benches particularly, would do the House and the Ontario



Hospital system a great favour if we systematically made representation to the review board on behalf of every single patient in the Ontario Hospital system as a friend of that patient and, as a matter of fact, I think that that is a worthy project that we might undertake in the next six to eight months simply by going through the rolls and acquainting ourselves with the individuals involved.

Many of us have toured the Ontario Hospital setting and made that kind of application as a friend, because if you have a 20 per cent or greater discharge rate on the basis of those who have voluntarily applied then I say to you, Mr. Chairman, the very nature of the system resists that kind of application and reference.

I do not imagine half the patients in the Ontario Hospital system know it is available to them and there are enough examples, fairly dramatic examples, in the recent past of where efforts on behalf of Ontario Hospital patients have been rather more than less successful. Therefore, Mr. Chairman, I put to the Minister that he should beef up his review boards around the province because I think that in one or two instances, in one or two Ontario Hospitals, there is much to be said for a systematic reappraisal of every single patient in the hospital by an independent body—and that casts no reflection whatsoever on the integrity of the professional. It is simply a comment on the facilities, on the context in which treatment takes place, on the absence of staff, on the very barren and inappropriate settings which exist all across the province.

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I understand that there are a number of people in our mental hospitals who could be discharged and, even though they come before the review board, and it is suggested or ordered that they be discharged, there is no place for a discharged patient to go.

This is the information I have—that there are a number of patients in our mental hospitals of such a type that if they had a home to go to, or where they were they were just not completely on their own, they could actually get by in the world outside the mental hospitals. There are some individuals who have been in our hospitals for so long that their families have died or their families just do not want them. And, I was wondering, if the boards of review have noticed that there are a number of such patients in our

mental hospitals, and when such a patient has come before a board of review and the discharge ordered, how is a patient handled? Do they have any follow-up service at all?

**Hon. Mr. Dymond:** No, Mr. Chairman, I am afraid this is not correct. If one has no home or no family, and the community from whence he came wants no part of the patient, and we believe he is ready for discharge, we discharge him either to a residential unit or to a home for special care. If he has no funds, no means of support then, out of the vote that you passed here, the other day, he is maintained.

I know of no case for whom discharge has been recommended by the review board that we had to keep in the hospital at all. If it were that he had no home or no place to go, we must find him a place because the law says we must discharge him and we cannot do anything else.

Of course, the patients who seek to appear before the review board are those who have already sought their discharge and the director of the hospital has said, "No, we do not think you should be discharged."

The other patients, if they are ready for discharge, or if it is the view of the staff that they are ready for discharge, are discharged anyway. All of the patients who go to homes for special care are discharged. They are no longer patients—they are not ordinary citizens, but we will find a home for anyone who is ready to leave the hospital. We are anxious to get them out and I think we have shown that by the number who have been discharged to the homes for special care since we started this concept.

**Mr. Trotter:** Part of this system of examining all of the patients in our mental hospitals is very much needed, as the member for Scarborough West mentioned. Would some type of review be set up where you are sending patients to a home for special care?

**Hon. Mr. Dymond:** Every patient who is recommended for a discharge to a home for special care is thoroughly examined before he goes out and then, in the home for special care, every three months he must get a physical examination again. But he does not need the review board to go to a home for special care unless he has asked for discharge and has been refused, then he can apply to appear before the review board.

If the review board recommends discharge we must discharge him. If he has no home, I repeat, we will find a spot for him in a

residential unit or in a home for special care. Now if he should be placed in a residential unit attached to a hospital, let me remind the hon. member, that this is no longer a hospital. It has, by law, been separated off from the hospital and it is a residential unit. That person is at liberty to come and go anytime he or she pleases. We have no legal hold on them at all. We are simply keeping them as nobody else will provide a home for them, but they can leave us at any time.

**Mr. Chairman:** Item 7.

**Mr. L. A. Braithwaite** (Etobicoke): Mr. Chairman, might I ask the Minister about the case that came to my attention last evening?

A young boy just turned 16 has been coming home on weekends, Mr. Chairman. Apparently he is fit to come home now, but there is no place for him to go as far as his parents are concerned. They are separated and not living together and his grandmother called me, Mr. Chairman, and asked me how, and in what circumstances, would there be a provision for him to learn a trade.

I am wondering if the Minister could tell me what provision is made for younger individuals who have reached their 16th birthday and have no real place to go but need some sort of training. I would be interested in knowing just how the department looks after these individuals.

**Hon. Mr. Dymond:** If the boy wants to become involved in rehabilitation training, he will be assessed at the hospital. We will plan a programme for him in consultation with The Department of Social and Family Services division of rehabilitation services and we will do everything we possibly can to see that he is put in touch with the services that can provide training and a skill, trade, vocation or education, if he is capable of taking further education.

**Mr. Braithwaite:** Is it mandatory that he makes this application before he leaves to come home?

**Hon. Mr. Dymond:** No, it would not be mandatory, but I think it would be desirable so that the hospital staff would have an opportunity to assess him and help to determine where he would fit in best.

**Mr. Braithwaite:** The thing that concerns me is that I presume there are counsellors and other individuals who could, or should, make this known to this boy but apparently he is not aware of this because his grand-

mother was quite upset and did not know what to do.

**Hon. Mr. Dymond:** If the hon. member would be good enough to let us have the boy's name, I would feel, without knowledge, that probably he has not let the people in the hospital know. If the member would be good enough to let me have his name, then I will see that the information is directed to him very promptly.

**Mr. Braithwaite:** Just to carry it a step further, the procedure is, I would assume then, Mr. Chairman, that there is counselling before individuals leave? I mean, this could not happen again?

**Hon. Mr. Dymond:** The boy has not left the hospital, I take it? Does his grandmother mean to indicate that he is being held in hospital because of the uncertainty of rehabilitation facilities being available to him? Is that what she feels?

**Mr. Braithwaite:** I think, perhaps, the other way round. She is afraid to bring him home because she does not know what to do. She has no idea of where he can get training, and this is why I was wondering if the staff would not have advised the boy as to what was available.

**Hon. Mr. Dymond:** I think, Mr. Chairman, that we could take it as read that the hospital will not discharge a boy of that age until they are certain that he has got somewhere to go, and if the grandmother is the only relative and the only one with whom he has made his home, I am quite certain that some of our social service staff would be in touch with her and she could convey to them her fears or her concerns. However, I just got a note that the grandmother has already talked to the superintendent.

**Mr. Braithwaite:** Yes, I advised her to contact him.

**Hon. Mr. Dymond:** Well, that was right.

**Mr. J. L. Brown** (Beaches-Woodbine): I have a question, Mr. Chairman, about the residential unit. What is a residential unit? How do patients get there and who represents them once they are there?

**Hon. Mr. Dymond:** A residential unit may be that part of a hospital which, as I have stated, has been separated off in our regulations as a residential unit. It is no longer a hospital. We did this because we found there

were so many of our patients ready for discharge from the hospital who had no homes, who had no families or at least whose families and friends did not indicate any interest in them, and we had to find a place of residence for them.

We look after them. If they are still incompetent and incapable of looking after their own affairs, the public trustee continues to do that, unless someone else has been named officially committee of the estate, whatever estate there may be. We feed, clothe and house them, try to involve them in some kind of activity and we take responsibility for looking after them.

But I would say that they are no longer patients, they are residents. They have the right, again I repeat, to walk away at any time. We like to know where they are going because we feel we have a responsibility to them. We are, in effect, guardian, although not officially because at present we have no law in our province that has set up a guardianship programme.

**Mr. Brown:** Mr. Chairman, can a review board discharge a patient from an Ontario mental hospital to a residential setting?

**Hon. Mr. Dymond:** They just recommend discharge and again I repeat, if a patient does not have a home or a family or friends or a place to go, then we would say to him, "Well, we will put you in a home for special care, for residential care, or we will put you in a residential unit here at your hospital." We have a residential unit in almost every hospital now and it is rather remarkable that some of them do not want to leave the homes which have been described as rather austere and to quote "grim", "barren" and some other adjectives. They become so accustomed to the setting, and the grounds of nearly all our hospitals are rather pleasant. It is home to them, many of them, and I myself have looked after patients in private practice who are totally unhappy when they come out of the hospital, despite the fact they were better and discharged.

On occasion when I had to send one or two back it seemed to me they were greatly relieved to go back, as they often said "back home". But we will find a home for them. If a patient does not like to stay in a residential unit on the hospital grounds then we will find a family setting for him.

**Mr. Brown:** Mr. Chairman, how many ex-patients do you house in residential units?

**Hon. Mr. Dymond:** I believe I gave the figure, 2,600, the other day.

**Mr. Brown:** I thought that was in homes for special care.

**Hon. Mr. Dymond:** No. The homes for special care, I think, is about equal.

**Mr. Brown:** While the Minister is looking it up, Mr. Chairman, perhaps he could also tell me what the cost per patient day is of this residential service?

**Hon. Mr. Dymond:** In our own residential units we are presently involved in the matter of costing each of our separate services and unfortunately I cannot give the hon. member that cost yet. As I stated in my opening remarks, we are introducing the same system of accounting and budgetting as is used in general hospitals and that is just being started. If they live away from our hospitals, the *per diem* rate for a resident, one who is resident in a residential unit, is \$4 per day.

**Mr. Brown:** Mr. Chairman, let us take a specific hospital, the Whitby hospital. How many residential patients are housed on the grounds or ex-patients are housed on the grounds of the Whitby hospital?

**Hon. Mr. Dymond:** Four hundred and forty.

**Mr. Brown:** Thank you. Mr. Chairman, what is the staff complement for that number of residential patients?

**Hon. Mr. Dymond:** I could not tell the hon. member, but it would be only whatever staff was necessary to keep a rather casual supervision.

Let us remember now, Mr. Chairman, these are not patients, these are people who have a right to go and come when they please. They go to their meals, they look after themselves to a very large measure. When they are sick, then they are either sent to the general hospital, or if they become mentally disturbed again they are readmitted to the psychiatric unit. But these people, I repeat, are residents, ordinary citizens.

**Mr. Brown:** Mr. Chairman, inasmuch as they are no longer patients, I assume that they are supervised by non-psychiatric or non-medical staff. What are the qualifications of the staff?

**Hon. Mr. Dymond:** There are supervising nurses who go through periodically to see that the state of their health is all right. If they



need medical supervision they will be given medical supervision prior to being admitted. We have no unskilled or untrained help, we use attendants and nurse-aids in our residential units as we do in the hospitals, but on a much less lavish scale, of course.

**Mr. Brown:** What is the name of the director of the Whitby residential unit?

**Hon. Mr. Dymond:** We do not name anyone as a director of the residential units. It is just under the general supervision of one attendant, the attendant who would be the supervising attendant for the shift, whatever particular shift it might be.

**Mr. Brown:** Then who is the ultimate authority or person responsible for the life of these patients on the Ontario Hospital grounds?

**Hon. Mr. Dymond:** The hospital superintendent.

**Mr. Brown:** And he does not delegate this to anyone else?

**Hon. Mr. Dymond:** He has the right to delegate it, yes. He has the right to delegate his responsibility except in a very narrow sense, there are a very limited number of duties he cannot delegate. But he has the authority to delegate.

**Mr. Brown:** I was particularly interested in this particular hospital, in the programme of the residential unit there. If the superintendent is operating that residential unit, then that answers my question. If somebody else is operating it, I would like to know who it is.

**Hon. Mr. Dymond:** Quite a few of our hospitals have rather interesting programmes. It is very hard to say that one is as good as or better than another because we like to see a spirit of competitiveness between the hospitals, and I think that nearly all of them are becoming much more deeply interested in activity or reactivation programmes.

Whitby was singled out some time ago for special attention. They became involved in a fairly lengthy experimental project under the reactivation or remotivation programme, but Whitby has had their programme longer than many of the other hospitals.

**Mr. Brown:** I would imagine Mr. Chairman, that in order really to utilize the advantages of a residential programme for ex-mental patients who have no other resource, it might be reasonable to expect that someone would be named in charge of each programme who

had some qualifications, as you term it, remotivation or reactivation.

**Hon. Mr. Dymond:** Yes, as I suggested, Lakeshore has also a very advanced programme for about 100 patients in this category. I think that it would be quite correct to say that while nobody is named as being in charge under the superintendent of the total residential unit, there would be somebody in charge of each section or ward—do you call it wards?

I do not know why we carry over the hospital nomenclature, not the residential unit, but apparently they do. They still call it wards. Some supervising attendant or nursing aid would be in charge of each ward for each shift. It would be theirs—the final responsibility for the programme and everything would rest with them. They would, in turn, if they needed to refer to higher authority have the responsibility to refer up to the line ultimately to the superintendent.

**Mr. Brown:** Thank you very much, there is only one further question. What is the rate of readmission from the residential programme to the hospital?

**Hon. Mr. Dymond:** I read that in my opening remarks. I cannot recall the figure myself, and I have not got it here, but it is not very high, strangely enough, and the actual rate—I think that it was 80 last year for readmission to hospital, and the majority of them were for restabilization, a very brief time for restabilization.

Again, it is a rather interesting thing, at least as I observed it myself, and in the very brief tours that I take around the hospital, some of them want to get back home for a day or two, and may not absolutely need readmission but they are given the benefit and the opportunity, or it gives the psychiatric staff an opportunity, to see if they are stable enough to go back to the community.

Since the programme began, 531 patients have had to be readmitted, and the majority of cases were for brief stabilization.

**Mr. Brown:** Mr. Chairman, I would just like to make a brief statement at this point. I am sure that the Minister, mentioning the fact to the Legislature that a number of patients are hungry to get back to the Ontario Hospital programme, is not implying that this somehow is a recommendation for the conditions in the Ontario Hospitals, or that it means anything particularly positive about the conditions under which they would exist in

a hospital. I would assume that he is fully aware that in order for a human being to seek this as a permanent setting, as a home so to speak, there would have to be a considerable number of years of conditioning and de-humanization before that would be possible.

**Hon. Mr. Dymond:** Oh, I would have to disagree with the hon. member. This could develop into a very interesting philosophic discussion, Mr. Chairman, and I think that I could back my facts just about as soundly as the hon. member. We both have our views on this and I repeat, sir, that I have had the rather surprising privilege of seeing patients who had spent very brief periods in our hospitals, obviously happy to get back, probably because they realized themselves that they were ill, and that this was the place that they got help.

I do not, for one moment, suggest that my stating this is any recommendation for us to go rushing out to choose residence in a psychiatric hospital. Anyone who has to go there is ill, and the hopeful thing is that they get better now.

In Lakeshore psychiatric—I cannot say here for the whole system—but at Lakeshore psychiatric hospital, just a few weeks ago, the medical director told me that his average per patient stay for the last year has been 23 days, and the average for the whole system is 38 days. We still find that the more seriously mentally ill are sent, or are directed, to the Ontario Hospitals.

The average per patient stay in the psychiatric units, I think, is about 23 or 24 days. But our own experience is coming more and more in line with this, because more and more people are recognizing that the active treatment in the Ontario hospital system is on all fours with the active treatment provided in any psychiatric unit.

**Mr. Brown:** Mr. Chairman, I would assume that the Minister would agree that the normal objective of therapy or treatment would be to help the patient to the point where he would no longer feel the need or the desire to remain in an active unit?

**Hon. Mr. Dymond:** I would agree with that absolutely.

**Mr. Chairman:** The member for Wentworth.

**Mr. Deans:** Mr. Chairman, I have just a very few comments, but first I would seek your guidance as to whether this would be

the appropriate place to discuss the availability of out-patient services?

**Hon. Mr. Dymond:** We are really going over all of the votes, and as I said earlier, it is really impossible to sort them out, because for the last little while, we have been talking about mental hospitals, and actually that is another vote. But all these votes are mixed up in one, so I—

**Mr. Chairman:** Votes 804, 805, and 806.

**Mr. Deans:** We can discuss anything in this area?

**Mr. Chairman:** Anything on votes 804, 805, or 806.

**Mr. Deans:** Thank you very much. I would have two comments to make. First of all about the availability of out-patient services in the field of mental health. I had an experience not too many months ago that brought this to my attention.

A young lady with whom I was acquainted found the need to receive some psychiatric care and help. She had been, previously, the patient of an Ontario Hospital, and had been discharged but had not quite been able to cope with the life outside of the hospital. She was almost able to cope with it, but not quite. And there was really no place for her to go to receive that reassurance and that assistance she required.

The psychiatric help that was available at the mental health clinic was very limited, not in ability but in amount, and I would very much like to know what the Minister intends to do in making available to those who have reached the point of being almost able to cope completely with life as others live it, but still just require some place to go on occasion to discuss their problem, and to bring about a more rational approach to the things that you meet daily?

**Hon. Mr. Dymond:** Well, Mr. Chairman, It is not what we are going to do, it is what we have been doing. There is a very imposing list of out-patient clinic services available throughout the province. The provincial services are available at Brockville, Cedar Springs, East York, Leaside, Goderich, Hamilton, Kingston, London CPRI, London Ontario Hospital, Lakeshore, North Bay, Port Arthur, St. Thomas, Toronto mental retardation centre, Toronto Ontario area hospital, Toronto children's unit, the TPH, Toronto forensic clinic, Toronto psychiatric hospital, adult out-patient, hospital day care,

Whitby and Woodstock Ontario hospitals. That is the provincial list.

**Mr. Deans:** Could I ask a question at this stage, if I may?

In the out-patient department at Hamilton, how many psychiatrists, or how many doctors, are there available there and on what basis are they available; are they available, for example, every day, all day or are they available only at specified times?

**Hon. Mr. Dymond:** There are two full time doctors allocated to the regular out-patient service, and other doctors in the hospital, or from the hospital, serve on a part-time basis to look after their own patients who have been discharged to the out-patient clinic setting.

**Mr. Deans:** Are those two doctors who are allocated on a full time basis, allocated specifically to the out-patient department?

**Hon. Mr. Dymond:** As far as I can tell but, of course, much of this is left to the local hospital organization. You see, we do not tell the hospital how it shall organize its services. This is the responsibility which must be taken by the medical director of the hospital. He must organize his own services.

**Mr. Deans:** I would then assume that the answer to my question would be that they are not really—

**Hon. Mr. Dymond:** No.

**Mr. Deans:** Then let me say this—

**Hon. Mr. Dymond:** The assumption is that they are, that is my assumption.

**Mr. Deans:** Your assumption is they are?

**Hon. Mr. Dymond:** They are allocated. I cannot state it as a definite fact because it is the responsibility of the director of the hospital to organize the services.

**Mr. Deans:** I yield then, to your assumption, that they are but how many patients are there in the Ontario Hospital in Hamilton at the moment? Do you have that readily available?

**Mr. Lewis:** You realize you only have two full-time psychiatrists at Hamilton?

**Hon. Mr. Dymond:** 1,000 patients in the Hamilton Hospital.

**Mr. Deans:** Thank you. And with 1,000 patients in the Hamilton Hospital and two resident doctors there—

**Hon. Mr. Dymond:** Oh no, no, Mr. Chairman. The hon. member is mistaken. Two doctors in the out-patient clinic.

**Mr. Deans:** Two doctors in the out-patient clinic.

**Hon. Mr. Dymond:** That is quite—

**Mr. Deans:** How many then, are there in the hospital—proper resident psychiatrists?

**Hon. Mr. Dymond:** Eleven.

**Mr. Deans:** There are a total of 11. Thank you. Who are the two doctors, by the way; could I ask you their names?

**Hon. Mr. Dymond:** No, I would not know their names.

**Mr. Deans:** You have no idea?

**Hon. Mr. Dymond:** We have got 20,000 staff, Mr. Chairman, I could not possibly—I do not even know the names of my people in head office.

**Mr. Deans:** Could I suggest, perhaps, you ought to!

**Hon. Mr. Dymond:** Well, I know the ones I have to know. I would like to know them all but I—

**Mr. Deans:** Thank you. I would like to leave that for a moment and discuss another problem. I may come back to it.

The problem I would like to discuss is one that I brought to the Minister's attention not too long ago and it is the matter of extended service—it is a matter of an extension requested after age 65.

I had brought to my attention the problems of a gentleman who was employed at the Hamilton Ontario Hospital and he had been employed there for eight years and eight months, in fact, he is still there at the moment. He is 65 years of age at the end of this month and, because of the fact that he was there for only eight years and eight months, he does not qualify for a pension as part of his employment from the Ontario government. Nor does he qualify for a pension from the Canada pension plan. He is going to be retired in a month's time and left without any source of income.



This gentleman is, as I say, 65 years of age, but he performed janitorial services. He requested a one-year extension, the reason being that he was unable to operate economically without any source of income. This went before the management committee of the hospital and they rejected him. I asked why and the management committee, of course, refused to tell me, as management committees always do. But inquired of the gentleman involved and he informed me of his situation. He was informed that the reason he was not granted the extended employment was because his work record was not adequate and because he had been off sick a great deal.

Let me say that in the eight years and eight months he had been there, he had never once been taken aside by the supervisor and informed that his work record was inadequate. He had been, in fact, performing the job to the satisfaction of the people there, as I am able to ascertain. The statement that his sick time or the time off sick was more than the allowable amount is completely erroneous. He was off a total of four days last year—four days. The job that he is doing is not one that requires a great deal of either mental or of physical ability and he went to his physician and from his physician he got a certificate stating that he was fit at that time to continue.

The practice of extending employment to people must surely be done with only one criterion, and that criterion is the benefit that will accrue to the person who seeks the extended employment. It cannot be based on the fact that the hospital might have to take and train someone else and therefore they are going to keep somebody on—and it appears that this is what it is.

When this man requested this employment it was pointed out that he was going to suffer severe economic hardship. It was pointed out that he had been there for eight years and eight months. It was pointed out that he did not qualify for any form of pension. It was pointed out that he had not been taken aside at any time—and I have asked to see the record if he has been and been refused—he had not, as far as I am able to ascertain, been told during that period of time that his work was unsatisfactory. The argument that his sick record was not good is wrong.

What has happened is that this man, because of the fact that he will not be able to continue employment and because he will not be able to get other employment, is now—and this was a statement from his physician

—is now under physician's care because of the worry that he has gone through.

I would ask the Minister if the practice of extending employment is, in his opinion, a good practice? If there is any definite pattern followed in deciding whether a person should receive extended employment and, if there is, what the practice is?

I will then follow it, after I get those two answers.

**Hon. Mr. Dymond:** There is no practice, Mr. Chairman. The retirement age is 65.

There has been a sort of unwritten policy that, in certain cases, extension can be given a year at a time but this is left entirely to the local management committee. They made their decision and when the hon. member drew this to my attention I listened to his plea on behalf of this gentleman and asked again that the management committee at the hospital would reconsider and review the decision, which they did. And, they still are quite firm in the decision, which was an unanimous opinion of the management committee, that this gentleman's retirement should go forward on his attaining his 65th birthday.

Mr. Chairman, I would put it to you, sir, that if I am going to dictate what the management shall do in each hospital, then I must take total responsibility for the operation of the hospital. If I delegate the responsibility, as the law permits and indeed demands that I do, then the superintendent of the hospital must have some rights and some authority over those whom he retains or engages to work in his hospital.

I just had handed to me The Public Service Act, with which I am quite certain the hon. member is familiar. Section 10:

Every civil servant shall retire at the end of the month in which he attains the age of 65 years, but where, in the opinion of the commission, special circumstances exist and where his deputy Minister so requests in writing, he may be reappointed by the Lieutenant-Governor in council for a period not exceeding one year of retirement at the end of the month in which he attains the age of 70 years.

They were quite within their rights, but the important thing to me is not just what the Act and the regulations say—it is the fact that the superintendent must take responsibility for operating his hospital. We set up a long time ago the system that the superintendent

should be helped in these duties by the establishment of a management committee, thus allocating more responsibility to those who are directly in charge of running the hospital.

**Mr. Deans:** Mr. Chairman, I may not have heard properly. Did I hear you state that where extenuating circumstances prevail, when you read from the Act?

**Hon. Mr. Dymond:** The circumstances I think referred to—well, again, it is not spelled out.

**Mr. Deans:** It said, I believe—

**Hon. Mr. Dymond:** The Act and the regulations apart, this must rest in the hands of the management of the hospital, Mr. Chairman. It is the only way that I can demand that the superintendents run a good show.

"Where, in the opinion of the commission, special circumstances exist." Now we take these special circumstances to relate to the skill which the employee may have and the need that the hospital may have for it. I would be moved to urge, for instance, that a registered nurse, a psychologist, a social worker, a vocational counsellor or someone in these various categories, not only would I consider their application to be kept on a year at a time, but I would be inclined to urge that they be kept on.

However, this, too, rests in the hands of the superintendent and his management committee, and other than ask them to reconsider and review the decision, as I did in this case, I will not impose any direction on them.

**Mr. Deans:** This is all good and well when special circumstances prevail or exist, special circumstances that are only taken into consideration when they are to the benefit of the hospital. They do not care, nor do they consider whether it is detrimental to the person involved.

Let us be quite fair. With the Canada pension plan coming down to the 65 level, surely it could be considered a special circumstance when someone asks that he be allowed to continue to do the job he has been doing 361 days, since he was four days off—the remainder is allowed legally—that he be allowed to continue for one more year in order that he be economically viable and be able to continue to live a normal life.

What, may I ask, do you expect that a person in this circumstance ought to do between the time that he is forced by you to retire, and the time that he receives a pension from some source in order that he might

live? If this person had a poor work record that had required him to be suspended, or required him to have been taken aside and reprimanded; if his medical record was such that he was unable to continue the job, then I would agree with you.

But in the circumstances that I have outlined, this man is as much entitled to continue as is any psychiatrist, any registered nurse, or anyone else, whoever the hospital happens to think up, to continue, because it benefits them.

**Mr. Chairman:** The member for Rainy River.

**Mr. Lewis:** Well, are you going to reinstate the fellow? Are you going to make up the difference?

**Mr. T. P. Reid (Rainy River):** Mr. Chairman, I have a couple of questions I would like to put to the Minister concerning facilities for the mentally retarded, rather than the mentally disturbed. I understand that this possibly might come under social and family services, but would the Minister explain to me what facilities exist, residences exist, for the adult mentally retarded?

**Hon. Mr. Dymond:** Those who can be discharged from the institution, if they have been in the institution, are in exactly the same situation as formerly mentally ill. They can go to residential units or to homes for special care, residential homes for special care.

**Mr. T. P. Reid:** Well, Mr. Chairman, I have a case from my riding, a gentleman who has been mentally retarded since birth and he has not been able to be placed anywhere. He has been refused admittance, apparently, at the Port Arthur Ontario Hospital and his family is in the position where they can no longer look after this man. Would it be possible to have him admitted into the residence at the Ontario Hospital in Port Arthur? Could I send you his name, sir?

**Hon. Mr. Dymond:** Yes. He would not be admitted to the hospital unless he needs hospital care. But if he needs residential care, then by all means send us his name and we will evaluate that. I will not promise that we will admit him to the residential unit at Port Arthur, but if that is the place for him, of course we will admit him.

**Mr. T. P. Reid:** Well he has already apparently been refused admittance here. What is the recourse once this happens? Are there and other residences provided by this govern-

ment for the mentally retarded? What happens to him if he cannot be accepted? Who looks after him then?

**Hon. Mr. Dymond:** There are institutions under The Department of Social and Family Services; for homes for retarded. It used to be retarded children, but—

**Mr. T. P. Reid:** You mean under this new Act?

**Hon. Mr. Dymond:** No. The bill was amended last year or the year before. But all communities, again, do not have such homes. They have not established them. The capital grants are available and operating grants also are available for them.

If the man has never come under our care, then he cannot just come to the door and say "I want to be admitted" because, again, if he does not need admission to an institution for retarded, a hospital school or a hospital, because of his retardation, then we cannot admit him. But we will certainly do all we can to find a residential setting for him if that is all he needs.

I would have to find out why he was refused admission. I do not know the facts of the case, but when you give me the particulars that will allow me to look into it, then I will be able to tell you why he was not admitted.

**Mr. Chairman:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, before I get into it, I would like to ask the Minister of Health if he could advise as to how many retarded children there are in northern Ontario at the present time. Approximately.

**Hon. Mr. Dymond:** Altogether?

**Mr. Martel:** Yes, in northern Ontario.

**Hon. Mr. Dymond:** No, I could not.

**Mr. Martel:** Would you say there are a good number of these who are not receiving any care whatsoever?

**Hon. Mr. Dymond:** I do not think I would. There may be goodly numbers who are not under any programme, but it depends exactly what you mean by care, and I think this is rather difficult to define or to determine.

**Mr. Martel:** I am thinking of a place for them to be trained, and so on.

**Hon. Mr. Dymond:** Let us understand, Mr. Chairman, that every retarded person should not be institutionalized. Indeed this is the nub of our programme, to keep as many as possible out of institutions but to get them under some programmes. I cannot even tell you the number of community schools we have throughout the province, but there are a great number of them—some 100 community schools.

This is the setting where most of the children should go when they are children, and many communities now are providing sheltered workshop setting for them. All of these are supported out of public funds.

Actually, the number who need to be admitted to the traditional hospital schools should become less and less. Indeed, large numbers of ours are now under educational and vocational programmes in our hospital schools. And with The Department of Education there are—did I read 2,600 of these people in educational programmes? I read those statistics out when I made my preliminary submission.

We opened up a vocational centre for young adults near Barrie some time ago. We have work programmes going on in nearly all our settings. More and more we look for a decrease in the number being admitted to our institutions.

The great number, as I see it now, are those who are not only grossly mentally retarded, but are suffering from very severe physical handicaps as well. We have 550 places for such children, so this group is increasing in number.

**Mr. Martel:** Well, Mr. Chairman, I have some figures that indicate that in northern Ontario alone in 1960 there were something like 1,900 children. I know from the area I am in, in talking to the people there attempting to work with retarded children, that there are many, many who are not receiving assistance, and the request for a retarded hospital school in the north is something like 14 years old now.

There are various groups who have worked for this school. In 1959, June 9, the then Premier of Ontario promised that there would be in the nickel basin a school hospital for retarded children. Some 9 years later we are still waiting for this school. The Minister of Health at that time suggested that those people working towards a school should, and I am going to quote:



A delegation headed by Mr. Belisle went to Toronto some months past to question Dr. Dymond regarding the possibility of establishing a school for retarded children in the north. Dr. Dymond advised Mr. Belisle and Mayor Prescott to keep working and canvassing for names to show that such an institution is necessary in this area.

I know that the Sudbury *Star* has been writing editorial after editorial over the number of retarded children in our area. I know that the former Premier has promised a hospital. I know that the Minister in charge, the hon. Minister of Health, has indicated that if we could supply a sufficient number of names we would receive a hospital. I know that there are over 1,900 children.

Now, with all these facts and the promises of the member of Parliament, the Premier, and the Minister of Health, I am wondering ten years later where this hospital is, and if there is anything in the future, in the very near future, or, in fact, in the immediate future, that will give us this very desperately needed institution in the north to provide for the children so that the parents can get to see these children occasionally.

**Hon. Mr. Dymond:** Mr. Chairman, many of the things the hon. member says are quite correct. I would emphasize, and I have no apology for this—indeed, I am rather proud of it—that all of us have changed our ideas very, very greatly in the last ten years. There is an entirely new approach and there has been now, for some time, an entirely new approach to this business of institutionalizing. Time and time again I have said in this House that there has been far too much emphasis on beds. It is not beds we need, it is programmes.

I remember, I thought it was Mayor Prescott, former Mayor Prescott, of Capreol, who made a great to-do about this and he came down here with very imposing statistics, but no assessment had been done of those retarded. Nobody knew, nobody was able to tell us how many of them should be institutionalized.

**Mr. Lewis:** The House is finally in very fine hands.

**Hon. Mr. Dymond:** In the hands of a very bright young fellow, Mr. Chairman. One day, I hope he is going to see the light and I am sure he is.

**Mr. Deans:** It will not be shining from that side of the House.

**Hon. Mr. Dymond:** It will indeed. It will be shining out of these benches but not under his own party stripe.

**Mr. Lewis:** Will you pull the Minister into line, Mr. Chairman?

**Hon. Mr. Dymond:** I apologize, sir, but I do not take back anything I said about you. If we were to apply the yardstick to Mayor Prescott's 1,900 how many would be eligible for institutionalization? The figure which we anticipate will need institutionalization is 1.5 per 1,000 of normal population; 33 out of every 1,000 roughly is the statistic of retarded born; 33 out of every 1,000, 1.5 is the figure which we believe usually needs to be institutionalized, so if there are 1,900 retarded, there are not very many who actually need to be institutionalized.

During the course of the last year, for instance, waiting lists for facilities for the mentally retarded have been significantly decreased. As of January 1, 1967, 835 cases were awaiting admission to Ontario Hospital schools; 226 cases were awaiting admission to facilities for the profoundly mentally retarded and physically handicapped—a total of 1,061 cases in all.

As of today, we have 612 cases awaiting admission to the Ontario Hospital school programme, a decrease of 223; a waiting list of 84 for the facilities of the profoundly mentally retarded and physically handicapped, a significant reduction of 142 cases. This gives a total decrease in waiting lists of 365 cases, and this figure, of course, includes those children for whom admission has been requested right up to this date.

Now, Mr. Chairman, we are only admitting to institutions those children who need to be admitted to institutions. We are no longer saying willy-nilly that every child that is retarded must go in an institution. It is the last place, and the institution is being used to serve the purpose for which it was established. We are concerned that more and more of the retarded are kept in their home community where they can be looked after and can become involved in local programmes which are readily available.

I am advised now—they have checked some figures—that 1,271 retarded are known to our mental retardation centre for northern Ontario, and almost all of them are in residential programmes now. This, I think, is evident—but however, when the Porcupine

hospital is ready to open this spring there will be space for 150 retarded. As the hon. member probably knows, we have approval to take over the Kirkland Lake hospital when it becomes vacated; it will hold 165 severely retarded and physically handicapped and will be purely for nursing care.

There are 100 retarded now at North Bay, so there are places now, and there will be places, for over 400 children. But I want to emphasize, Mr. Chairman, that it is our aim to keep them out of institutions just as long as we can and to that end The Department of Education, of course, has improved its grant structure for community schools under The Department of Social and Family Services.

Now, sir, sheltered workshops can be supported and we believe by these programmes, and by the increasing interest of community people, the need for the institution has traditionally known, will steadily lessen—I was going to say disappear—I do not think it will ever disappear, but it will steadily lessen.

Mr. Martel: Mr. Chairman, this is the point I am driving at. The hon. Minister has mentioned 150 in the far north and 100 around North Bay, but I understand that right in the vicinity I come from there are this many.

I know, to my own knowledge, of four or five cases that have never been given any assistance at all as far as training and so on is concerned. In the vicinity that I live in there would certainly be enough if we took the ones who are institutionalized in Smiths Falls, Orillia, and in other places, and had a small institution such as the Minister has indicated. It would make room for those who cannot get in who are nearer if we could have an institution of this size in the vicinity where the department has indicated ten years ago they were willing to build one.

It would also be possible, I imagine, through the Minister, to get more facilities for those who are already there without any chance of retraining at the present time. I would ask the Minister then if he would be willing to have his department look into this whole area of Sudbury and district, and come up with the number of children who are mentally retarded; how many are in the various institutions who could be located in Sudbury; and whether or not his department would undertake to inform me if it would be feasible to have a hospital located in the area of the Nickel Belt.

Hon. Mr. Dymond: Mr. Chairman, I think the hon. member is missing my point. I am trying to emphasize that we are not particularly interested in expanding hospital schools because, I reiterate for emphasis, we hope that more and more children will remain in the community facilities. Now, there is an ORC school, I am advised, in Sudbury. In fact, I think the first ORC school—it was not called that then—but the first school established for retarded children I believe was in Kirkland Lake, if I recall right. And there are many of these now through the north. There are 100 of them, and an authority can be established anywhere and you will get all the help necessary to establish an authority from OARC, The Department of Education and my department, which has the responsibility for co-ordinating these efforts. But, again, we are more interested in keeping them at home, attending the school—when they are old enough, going to the sheltered workshops for further training.

I still believe—and this is a personal belief which is not agreed to by all of my staff—that when these people reach adulthood, or perhaps middle-adulthood, more and more of them will need protective care, very likely under the aegis of government. But until they reach that place, I emphasize that they should remain home. They should remain in their community and the programmes which are available and have been tried and proven should be instituted for them. This is far better for them than putting them in a big institution.

A very interesting extract from a report just came to my desk yesterday and this is from the pen of Dr. F. J. S. Esher, senior registrar and consultant to the department of psychiatry at the university hospital, University of Saskatchewan. He is a very distinguished English expert on retardation and in a recent report to his colleagues in Britain prior to coming here, he stated this:

Thinking of administration in retardation I get the impression there is still far too much chance and too little wide-scale planning of facilities provided and yet to be provided. There is need for highly qualified experienced directors to develop resources, manage facilities and generally organize the resources on a more regional basis. My impression is that this probably has best been developed in Ontario and that no other Canadian province can compare with it in progress made and planned. This province has a well-qualified and experienced medical director—

And I know he is going to blush—

—in the person of Dr. Zarfes and I am sure that other provinces could take a leaf from the Ontario book.

Further on, in another article entitled "The Changing Outlook in Mental Retardation Service," from the same author's pen, I quote again:

Unfortunately, for various political, economic and other reasons, the Saskatchewan plan has been allowed to linger in a Peter Pan state, but it is one which advanced psychiatric thinkers would like to see the province put into effect without delay. Embryonic phases of the new system of care for retardates can be seen in parts of Canada and quite a well-developed service on this is already in effect in Ontario.

**Mr. Chairman:** I must confess I do not know who the next member is. Who was speaking last?

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Chairman, as the Minister probably knows, there is one hospital in Ottawa, the Royal Ottawa sanatorium, which is very rapidly changing its role into mental health. They have a large programme of extension under way and recently I have heard faint rumours of cutbacks.

I am wondering if the Minister could give us, Mr. Chairman, some indication that his department still wholeheartedly endorses this expansion programme and has fully included for the programme in the estimates. That is, Mr. Chairman, without going into too much detail, could he just give us his assurance and some outline of it?

**Hon. Mr. Dymond:** It is absolutely fully supported, Mr. Chairman, and we are encouraging them to expand this programme.

**Mr. Ruston:** Mr. Chairman, I was just wondering, with regard to schools and hospitals for retarded, could I have an explanation of the operation of the one at Cedar Springs, as to its capacity and if it is filled to capacity?

**Hon. Mr. Dymond:** Cedar Springs has a capacity of 1,000. It had, in 1967, 978 patients.

**Mr. R. Haggerty (Welland South):** Mr. Chairman, would the Minister give the explanation for the increase of \$4,767,000 in vote 805, and in what schools and why are they not itemized as they were last year? In

vote 806, there is an increase of \$11,467,000. Could this be explained also?

**Hon. Mr. Dymond:** I do not know why they were not separated out this year. This was the format of budgetting we were directed to use by the Treasury benches, so that we follow their direction in the format.

At Aurora, salaries \$615,000, maintenance \$310,000. Cedar Springs—the first figure will be salaries, the second maintenance to save repeating the words—Cedar Springs, \$3,590,000—\$1,150,000; Cobourg, \$1,112,000—\$330,000; Edgar, \$960,000 — \$370,000; CPRI, \$1,945,000—\$350,000; Orillia, \$6,961,000—\$1,985,000; Palmerston, \$1,142,000 — \$389,000; Smiths Falls, \$6,682,000—\$1,549,000. Mental retardation centres—that is here in Toronto—at Surrey Place—\$1,071,000—\$181,000, and a facility to be established there is an amount of \$575,000 included under salaries for this item.

The increase of \$4,282,000 is for salaries and \$485,000 for maintenance. And in 806, again the first figure is salaries and the second maintenance: Brockville, \$4,146,000—\$1,236,000; Goderich, \$1,603,000—\$357,000; Hamilton, \$6,009,000 — \$1,530,500; Kingston, \$6,000,195—\$1,392,500; London, \$4,471,000—\$1,221,000; North Bay, \$2,513,000—\$784,000; Owen Sound, \$1,306,000—\$314,000; Penetang, \$2,831,000—\$595,000; Port Arthur, \$3,136,000—\$896,000; St. Thomas, \$5,936,000—\$1,505,000; Thistletown, \$2,162,000—\$463,000; Toronto, \$5,156,000—\$1,810,000; Whitby, \$5,825,000—\$1,573,000; Woodstock, \$4,287,000—\$1,002,000; Porcupine, \$505,000—\$250,000.

Hospital to be established \$575,000 and \$75,000 maintenance. The increase in this vote is \$10,460,000 for salaries and \$1,007,000 for maintenance.

**Hon. Mr. Rowntree:** Well, I think this is the time—

**Mr. Chairman:** May I just say that I have a few more speakers on my list today—

**Hon. Mr. Rowntree** moves that the committee rise and report that it has come to certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to



certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow we will deal with bills and from 12 o'clock until 1 have the private member's hour. On Monday, we will return to estimates.

I think I would just like to mention, about the estimates: There are three relatively small departments; those of the Lieutenant-Gover-

nor, the Prime Minister and the Provincial Auditor; and I think we should all be prepared to deal with those departments at any time. We will try to fit them in to our convenience.

So that tomorrow we will go to the order paper and bills.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:00 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Friday, May 3, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 3, 1968

The House met at 10:30 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning again we are pleased to have with us at the present time students from several schools, and others will join us later.

In the east gallery we have students from St. Williams separate school, Toronto, and from Queen Mary public school in Peterborough; and in the west gallery from Our Lady of Sorrows separate school in Islington. Later this morning, about 11 o'clock, in the east gallery there will be students from St. Stephen's separate school, Rexdale; and in the west gallery pupils from Herron Valley junior high school, Don Mills, and Thornbury district high school in Thornbury.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE SURVEYS ACT

**Hon. R. Brunelle** (Minister of Lands and Forests) moves first reading of bill intituled, An Act to amend The Surveys Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Brunelle:** Mr. Speaker, the amendments to The Surveys Act include an amendment to the method of surveying side lines in five townships in the Cochrane district and provide for an appeal to the courts from a decision of the Minister of Lands and Forests confirming a municipal survey or a Crown resurvey.

## THE PUBLIC LANDS ACT

**Hon. Mr. Brunelle** moves first reading of bill intituled, An Act to amend The Public Lands Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Brunelle:** Mr. Speaker, this bill makes minor changes in connection with the

registration of Crown documents, amends a particular patent and establishes provisions governing roads on public land other than roads administered by The Department of Highways, statute labour boards, local roads boards and municipalities.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, yesterday we joined with my Cabinet colleague, the Minister of Reform Institutions (Mr. Grossman), as well as the hon. member for Downsview (Mr. Singer), and the hon. member for York South (Mr. MacDonald), to mark the 20th anniversary of the state of Israel.

I might say in passing that my department's work with the newcomers in this province has impressed upon us the fact that since 1948 Israel has successfully integrated over one million people from 102 different countries.

This morning I want to draw to the attention of the members of the House certain celebrations which will be held today and throughout the weekend by three of our ethnic groups, both in Ontario and of course across Canada, by Canadians of Polish, Ukrainian and Dutch origin. Today the Canadians of Polish origin commemorate the first democratic constitution of Poland, which was introduced and adopted by the Polish Parliament on May 3, 1791, and there will be special observances in all Polish churches in all of Canada. Tomorrow, Saturday, Canadians of Ukrainian origin similarly commemorate the fiftieth anniversary of the declaration of independence of the Ukraine, following the armistice of 1918, and on Sunday, our Canadians of Dutch origin will celebrate the liberation of Holland on May 5, 1945.

The prominent part played by the Canadian army in the liberation of the Netherlands in 1945, and the later large-scale Dutch immigration to Canada, have of course established close relations between the Netherlands and Canada in every field. Mr. Speaker, these celebrations should of course be of special significance not only to the ethnic groups concerned but to all Canadians this year, since 1968 marks the twentieth anniversary of the declaration of human rights by the United Nations. To be a good citizen

in this day and age does not mean to give up one's cultural heritage for the sake of any loyalty to the state, and indeed I am sure we would agree that in cultural matters, diversity is a condition of progress with the various values of each culture enriching our Canadian way of life.

Canada's challenge today is to create one future from many pasts and to reconcile unity with our diversity. This demands a need for tolerance and understanding and a readiness to enjoy our diversity and our differences. I am sure that I would speak for all members of the House when I suggest that it is the cosmopolitan nature of our people that promises to contribute to the greatness of our nation, and give us a distinct Canadian character—and, perhaps hopefully, an equal mixture of tolerance and humour and passion when we stand, both native-born and newcomer, to proudly proclaim that, "I am a Canadian, and this is my country."

I say this this morning—if I may be permitted a personal reference—with an extra amount of pride. In view of the front-page story carrying the comments of the United States ambassador George Ball, I should like to stress that I am one who is a member of the school of thought that thinks that there has been no lessening of the determination on the part of the Canadian people to maintain something distinctive on this half of North America, which will always be Canada, and notwithstanding our neighbours to the south, always Canadian.

**Hon. J. P. Roberts (Prime Minister):** Before the orders of the day, I would like to table answers to questions 30, 42, 48, 49, and 53 which are on the order paper (see Appendix, page 2515).

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a question of the Minister of Health. What steps has the department taken to eliminate the odours from Toronto St. Clair Avenue packing plants?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, I will take the question as notice.

**Mr. Shulman:** I have a question of the Attorney General, Mr. Speaker. In light of the fact that the *Oakville Journal Record* today has published portions of the McWilliams report, which the Attorney General yesterday denied receiving, will the Attorney General take steps to receive this report and make it available to the House?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, when the Attorney General yesterday denied receiving the report from the Crown attorney for the county of Halton he was simply stating a fact, and I hardly think "denial" is the right way to word the question, implying as it does the denying of something that had happened. The fact is that Mr. McWilliams, the Crown attorney, sent me the report in a letter which was dated yesterday and which came into my office just a few moments ago this morning so that I now have it. Yesterday I was simply stating that I had not received it.

He states in the letter, "Hitherto I have distributed the present report only to the local coroners." Apparently my hon. friend got any information he had from one of the coroners. Mr. McWilliams says, "I did so, that they could check the facts and correct any errors or omissions. I have today released it"—that was yesterday, the date of his letter—"to the daily *Journal Record* in Oakville." So I now have the report and I may say there is no comment in it at all, simply a statistical report of deaths in the county of Halton other than motor vehicle accidents for the year 1967.

**Mr. Shulman:** Will the Minister allow a supplementary question? To the hon. Minister, through you, Mr. Speaker, does the report have any statistics on suicides?

**Hon. Mr. Wishart:** Yes, it does, Mr. Speaker.

**Mr. Shulman:** Does the report show that the suicide rate is up this year?

**Hon. Mr. Wishart:** There is no comparison, Mr. Speaker. There are a number of deaths shown from suicide and as I say, I received it just a few moments ago. I have not studied it and have no comment on it.

**Mr. Shulman:** Well the report be available to us?

**Hon. Mr. Wishart:** I am not certain that it will. I am not sure that where there are names of persons shown on the report that I should release it publicly, although much of the information in it is public. Mr. McWilliams says: "My concern in making the report public is that the names of the deceased be withheld, so as to avoid embarrassment to individual families." I would take that under consideration, but I am not sure I should release it at this time.



**Mr. H. Peacock** (Windsor West): I have a question of the Minister of Trade and Development (Mr. Randall), but since he is not in his seat I will withhold it.

**Mr. Speaker:** Yes, we will withhold that until the first of the week. I understand that one of the Liberal members will place a question for a colleague?

**Mr. J. R. Breithaupt** (Kitchener): Yes, Mr. Speaker, I have a question of the hon. Attorney General. In view of the increasing number of accidents involving BB guns, air pistols, and similar calibre weapons and so-called "toys", will the Minister take this opportunity to publicize the legal situation in this area?

**Hon. Mr. Wishart:** Mr. Speaker, the question is somewhat vague to me—"publicize the legal situation in this area." I can say this—that a BB gun is not a firearm within the definition contained in the criminal code and is not subject to controls which are laid down in the code, with respect to firearms. The section is section 2, subsection 29 of the criminal code of Canada and the conduct of persons using that type of gun—a spring gun, a BB gun—is governed by the civil law, and is not included in the definition of the code.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, before the orders of the day I have a question for the Minister of Education, notice of which has been given. What was the cost of the publication of the pamphlet entitled "Education: Mind Stocking or Fire Kindling?" How many copies were printed; what was the purpose of the publication; how much public money is spent in the printing and distribution of similar pamphlets by the department?

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, in answer to the first part of the question: Actually, there were two printings. The demand necessitated the second printing. The first cost was \$2,800, but the total after the second printing was \$4,250. A total of 18,500 copies were printed. To answer the third and fourth questions is more difficult to do in precise terms, but I think it is fair to state, Mr. Speaker, that one of the responsibilities of The Department of Education is to endeavour to provide some leadership in the development of educational thought and practice and to, quite frankly, encourage discussions about innovations.

During 1966, Sir Alec Clegg, who is the chief education officer for Yorkshire, visited

Canada as a commonwealth fellow. He was here on a fellowship under the sponsorship of the federal government and the Canadian education association and, of course, while in Ontario, he was a guest of the Ontario Department of Education. Sir Alec visited many parts of Canada, speaking to various groups of administrators, teachers and parents. The address in question was delivered to a group of principals in Scarborough.

After this address, there was a great deal of interest on the part of the profession and trustees and we received literally thousands of requests for this particular speech. In response to this, we had it printed and distributed. It has been used very widely, Mr. Speaker, at professional development days held by the local districts of OTF and by the home and school and parent-teacher organizations throughout the province. It is also interesting to note, Mr. Speaker, that this same publication won a national award for the best publication in support of education in 1967.

To answer the fourth part of the question, Mr. Speaker, during the year 1967-1968, some \$19,000.25 was spent for a bulletin which was published entitled *Curriculum Bulletin* which is similar, in that it attempts to stimulate thinking about educational philosophy.

There was an additional \$218,000 spent for other curriculum publications that related to specific subject areas. I think, quite frankly Mr. Speaker, it is the kind of thing that I would like to do more of, to try and get some stimulation within the profession as to innovation and change, and this is the basic purpose of the distribution of Sir Alec's speech and also of the *Curriculum Bulletin*.

**Mr. T. Reid:** Mr. Speaker, a further supplementary question.

Would the Minister see more of the publications of The Department of Education dealing with these very important aspects of education being put on the commercial market through the commercial distribution channels? In other words, to try to reach more than just the teachers, the trustees—to reach the general public, the interest of the general public—and at the same time cut costs by putting it through the commercial channels? There are very good publishers interested in this type of thing.

**Hon. Mr. Davis:** Mr. Speaker, this has been considered. It is a suggestion that has merit. It is a question of just how much response

you get to this sort of thing from the general public. But it has been and is presently being considered by the department.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 11th order, resuming the adjourned debate on the motion for second reading of Bill 63, An Act to amend The Children's Institutions Act, 1962-1963.

#### THE CHILDREN'S INSTITUTIONS ACT, 1962-1963

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, I guess I adjourned the debate.

I have a few comments to make on this bill, Mr. Speaker, to point out a situation which is both deplorable and shocking to the province in terms of the facilities we have available for children who would be serviced under The Children's Institutions Act, and the very real difficulties of financing which are involved. It is to the financial portion of the matter of principle that I wish to direct my remarks, Mr. Speaker, to the Minister through you.

As the Minister knows, one of the principles in this bill is the maintenance of the 80-per-cent formula for the payment of children in the various institutions under The Children's Institutions Act who are not wards of children's aid societies. I put to him through you, Mr. Speaker, that this continues to be a provision so discriminatory that it is prohibitive in terms of allowing any substantial number of children in the province of Ontario to find care and treatment in all the relevant institutions.

What we have done is to devise a piece of legislation whose financial provision is such that it makes it virtually impossible for any referral to be made from the broad community of Ontario. I will discuss the implications of that in a moment, Mr. Speaker, but I would like to come down to some of the specifics in order to illuminate the principle.

If one looks at The Children's Institutions Act, one finds that in the schedule under the regulation there are a number of children's institutions in schedules 3 and 4 which are fairly high-powered and intensive in the treatment they provide. They are designed quite appropriately to service those whose need is particularly grievous among emotionally disturbed and mentally ill youngsters. They all operate in a *per diem* vicinity of \$24 or \$25 to \$30 a day; they are all roughly of the same category of treatment service.

What I did, by way of interest, Mr. Speaker, was to phone the directors of each of those centres listed in the legislation and to ask them how many places they had for children who were not wards of children's aid societies; how many places they had by virtue of the budgetary provisions provided under this kind of legislation. And I want to read into the record the replies I got, in order to focus discussion on the question of principle.

At Sacred Heart children's village in Toronto, Mr. Speaker, there are 40 children in residence, five are non-wards. At the Madame Vanier institute in London there are 21 children in residence—

**Hon. J. Yaremko** (Minister of Social and Family Services): May I ask the member a question? How much provision is there at Sacred Heart for children?

**Mr. Lewis:** Forty.

**Hon. Mr. Yaremko:** In all, total?

**Mr. Lewis:** Yes. I am, Mr. Speaker—

**Hon. Mr. Yaremko:** All filled?

**Mr. Lewis:** Right. I am, Mr. Speaker, giving the total child population which is available for treatment, and the numbers who are non-wards. So it is five out of 40 at Sacred Heart in Toronto, four out of 21 at the Madame Vanier centre, formerly Fortbonne Hall, in London; 20 children at Earls-court children's home, none of whom are non-wards, three out of 30 at Lynwood children's home in Hamilton; two out of 17 at Mount St. Joseph's in Hamilton; two out of 16 at Sunnyside children's centre in Kingston and two out of 62 at Maryvale in Windsor.

Now, if I can put the figures together, Mr. Speaker, it means that in all of the province of Ontario, under this Children's Institutions Act, for this kind of centre, the province of Ontario or the Minister of Social and Family Services is providing 18 places for children who are not wards of children's aid societies.

It is staggering enough that under this department within this Act there are only 205 places right across the province, but that only 18 of those by virtue of the prohibitive financial provisions—

**Hon. Mr. Yaremko:** Did the letter state that this is done? Read me out of those letters the fact that this relation is due to the fact that you are stating.

**Mr. Lewis:** Mr. Speaker, I will come to that, I do not have records.

**Hon. Mr. Yaremko:** This is the conclusion the member has arrived at.

**Mr. Lewis:** No, it is not a conclusion, I will do that. I am glad to exchange with the Minister on second reading, but I am simply putting the facts before him and I know he will make comment on them. I hope to answer those observations of his.

Not only do we have a total of only 205 spaces in the province in this area, but 18 only for non-wards. Now, Mr. Speaker, I want to just pose the figure of 18 against what most critics or experts in the field postulated as being the need. The need they suggest is 20,000, and the availability is 18.

I think those figures are sufficiently dramatic to imprint themselves on the Minister's mind. One per cent of the child population is generally regarded—and that is a very, very Tory estimate—as requiring this kind of residential setting for which there are now 18 non-ward placements.

Now the Minister says to me, “Does the member know that the 80 per cent, rather than 100 per cent, is the feature which restricts the setting, these locations, to such a low number of non-ward children?” My answer to him, through you Mr. Speaker, is that in each case the director has indicated that it is very difficult indeed to find 20 per cent. They either have to use up all the moneys that are granted to them from the United Appeal, sir, or play games with the budget, or do a variety of other things which show dexterity in the manipulation of finances but certainly do not help in the provision of services.

And there is no question that they might well allocate a larger proportion of those places to non-ward children if there was 100 per cent funding. No one is suggesting, Mr. Speaker, that parents who can afford the wherewithal should not contribute a minute quantity—certainly no more—as evidence of good faith, if they wish. I am not even sure that that should be a requirement; it is probable that the state should pay, as indeed the white paper suggests, but in this instance the 80 per cent figure is still a prohibitive figure.

I point out to you, Mr. Speaker, through you to the Minister, that if your *per diem* rate is, let us say, \$24 or \$25 a day, and the 80 per cent is all you provide, you are leaving an institution or a private family with

the assumption of \$5 a day which, over a year, is obviously prohibitive for anyone on an income of anywhere from \$4,000 to \$10,000 a year or even more.

Mr. Speaker, what we are effectively doing, then, because of this kind of legislation, is narrowing the spaces available in the province of Ontario for non-ward children, narrowing it severely, and in a discriminatory fashion. And to take the Minister to his next point which he was implying, not only do we require, as a matter of principle, a change in the *per diem* rate but we also require as a matter of principle a complete alteration in the capital funding of all of these agencies.

Because if Sacred Heart children's village is not to be restricted to a maximum of 40 beds, but might have 80 or 120 or 160 as it could expand, it will require major funding, and there is nothing more pathetic or picaresque than funding at the level of \$5,000 per bed in this day and age.

The Minister of Social and Family Services need only talk to his colleague, the Minister of Health (Mr. Dymond) to find out how much a hospital bed costs. I guess it is now in the vicinity of \$25,000 to \$30,000 and here we are offering \$5,000 for comparable requirements, not comparable settings, but comparable requirements in terms of facilities to people.

Mr. Speaker, I say to the Minister that this should not be allowed to persist, and there is no reason in the world why the 100 per cent cannot be written into this legislation, a greater percentage of it recoverable under The Canada Assistance Act. There is also no reason whatsoever why the capital grants should not cover the entire requirement of any of these agencies because the need is for \$20,000 and the Minister is providing spaces for 18. We are not just in a dilemma, we are in a catastrophic situation.

And that is the point that is being put in any one of these agencies which come before any committee of the House, and which write testament to the fact that they have waiting lists of length and they cannot possibly take in non-wards because of the financial and capital restrictions.

I come to yet another point, Mr. Speaker, that if the Minister said, “Well, this will be altered by virtue of the accreditation committee in The Department of Health taking over this area and providing the funding up to 100 per cent,” then the reply again is that this in no way expands the service. That, I think, I will grant the Minister in good faith



he would wish to do, and that is what we are all after.

I would end in terms of this discussion of a small point of principle by simply pointing out again, Mr. Speaker, the extremity to which parents, any citizens in the province of Ontario, are presently driven. I do not know how often one may repeat it in this House, that because the provisions for funding only at the 80 per cent level, because the capital funding is not sufficient to provide the places, it means that parents must go before a court of law and ask for a judicial separation—child from family—in order that wards should be taken by the children's aid society and services be provided.

I think we have all collectively agreed that that is a malevolent procedure in a civilized society. No one is sanguine about it, no one is happy about it, and so we are putting to the Minister the proposition that the principle be changed, that you fund in entirety both operational and capital, and that you remove this invidious position where only 9 per cent of the places available under The Children's Institutions Act for this category of treatment, are available to non-wards. Only 9 per cent. The Minister is a man who knows his department well, and he knows that the percentage of those who require the aid is vastly greater than that.

Hon. Mr. Yaremko: Mr. Speaker, actually most of the remarks that the hon. member has made, although they relate to an item which appears in the section, that is the 80 per cent and the calculation of cost, really cover a matter which primarily should be discussed, in depth and at length, perhaps during the discussions in the course of the estimates.

I am not going to discuss, at the present time, the need for additional facilities within the province. My colleague has tabled a white paper of a year ago, in which is clearly indicated the direction upon which this government has embarked in providing facilities for this type of care.

The reason that I say that this matter could more properly be discussed in the course of the estimates, is that when one discusses the jurisdiction and the activity of The Department of Social and Family Services, it must, Mr. Speaker, in this day and age, be discussed as a package deal. I want this department, and the activities of the department, to be judged on the whole range of services it provides.

When the hon. member uses such words as malevolent and catastrophic in respect to

these items—may I say that I have accepted as a fact that if something concerns the life of one individual human being, one person, one child, one adult, that should be of concern to everybody. But we live in a world of reality, and we do the best we can with the facilities that we have—moving from year to year.

Consider, Mr. Speaker, the amount of expenditures in relationship to the children of this province—I am not talking about the billions of dollars expended by the Minister of Education, I am talking about the tens of millions of dollars spent now by the province with relationship to children other than in the regular course of living. I am talking about the retarded child, the emotionally disturbed child.

I am willing, and, in fact, I hope that somebody will engage and embark upon a comparison of what is done in every one of the jurisdictions of this continent, to see how well we stand up as opposed to others.

Mr. Lewis: That is hardly—

Hon. Mr. Yaremko: Mr. Speaker, when it comes to certain conclusions that the hon. member arrives at, that this proportion of figures is related to the 80 per cent, I do not accept that argument in total.

Mr. Lewis: In part?

Hon. Mr. Yaremko: If there are dozens, or hundreds of thousands of cases, who am I to assume a generalization and say that there is no such instance? If there are such instances, and they are pathetic, they should be taken care of.

Mr. Lewis: Well then change it.

Hon. Mr. Yaremko: Then we have other vehicles in which the needs of a family of that kind can be taken care of in the total picture.

If there were facilities and vacancies available—if for example Sacred Heart village, out of 40, had 30 Crown wards, and five non-wards, and five vacant places and there were five children outside who were non-wards who needed the facilities, who were not being placed—you could have a logical conclusion. But if those places are all filled, our problem is not this. Our problem is the one that the white paper is destined to solve, and that is to provide facilities in total for everybody.

Mr. R. Gisborn (Hamilton East): In due time.

**Mr. Lewis:** Your problem is both.

**Hon. Mr. Yaremko:** Now, having said once we have the facilities, we may be then confronted with the problem. We may then be confronted with whether the 80 per cent is a deterring or a discriminating factor.

**Mr. Speaker,** I should like you to know that a Crown ward is a child where the Crown stands in *loco parentis* of the ward. There is nobody else who has any responsibility for, or attachment to, or who receives anything from that child, other than society in total, through the Crown or agency.

A child in respect of which 80 per cent is being paid, is a child for which a parent not only has certain responsibilities, but let me say, has a certain attachment, something for which he must be prepared to assume responsibility. I say and maintain that when you are a parent, you have certain responsibilities. There are certain basic responsibilities that have to be provided for.

The child must have a pair of shoes, even if it is a child in the Sacred Heart village, which is a Crown ward, in which the Crown must provide all the necessities for that child—the food, whatever is necessary. Does the hon. member infer, or imply, that a parent who has a child that is in some way not in total the same as other children should then be divested of all responsibility for that child? Because that is purely what you are implying.

**Mr. Lewis:** Mr. Speaker, what I said was, that unless that parent can find between \$2,000 and \$3,000 a year out of his own pocket, under this legislation, then the parent is forced by circumstances to go to court and say to a judge, "Take my child from me in order that treatment be provided. I have no money." There is no other way.

**Hon. Mr. Yaremko:** Mr. Speaker, the hon. member would infer then that all the children in this category are the kind that go through the high cost facilities.

**Mr. Lewis:** I am dealing with those under this Act, schedules 3 and 4, these very institutions.

**Hon. Mr. Yaremko:** This covers the whole range.

**Mr. Lewis:** No, no. This covers these institutions.

**Hon. Mr. Yaremko:** But this section covers the whole range, the whole four schedules.

It is not limited to any. There are the high cost and there are the low cost. There are some institutions where the cost *per diem* is \$8 a day.

**Mr. Lewis:** Obviously there is no argument at that level. We are talking about the real problem.

**Hon. Mr. Yaremko:** And 20 per cent of that is not a major factor.

Now, as the hon. member also knows, the court does have the power to order a parent to pay up to a maximum of \$1.50 per day. I do not think it is a percentage, it is a set figure.

This is not to say, Mr. Speaker, that there is not much to be done in this field. There is, and this government has accepted it. I have recognized that in the field of social services, there are that vast number who come under our Family Benefits Act, in which is tens of millions of dollars.

We have to develop, over a period of time, and are developing over a period of time, a package of services to look after the needs of all of the sectors of our community, be they children, be they senior citizens, or be they those in the range between.

**Mr. Speaker,** this legislation that we are passing, is affirmative legislation, because the whole purpose of this section is really unrelated to what my friend and I have been discussing. This is only brought about because of the way that the legislation is drawn up. The purpose of this section is to remove residence requirements. That is solely the purpose of the amendment. But our Philadelphia lawyers, when they draw their legislation, instead of taking out words and putting in words, repeal a section and replace a section, then we get in the process of discussing something which really was not the reason why the legislation was brought forward.

**Mr. Lewis:** It is affirmative in the sense that it affirms a negative principle. That is how it is affirmative.

**Hon. Mr. Yaremko:** It brings out, it repeats the legislation as it now stands. But the legislation is being improved because of the residence requirements, insofar as that was one of the terms of the agreements with the Canada assistance plan to enable us to be a participating party. That is the reason for this particular section.

**Mr. Speaker:** Is it the pleasure of the House that the motion for second reading of Bill 63 carry?

**Mr. J. H. White (London South):** Mr. Speaker, on a point of order, I am given to understand that the member for Scarborough West and the member for Beaches-Woodbine (Mr. Brown), in their capacity as directors of Brown Camps Limited have an application with The Provincial Secretary's Department under The Children's Institutions Act.

**Mr. Speaker:** Perhaps the member might allow the motion which is before the House to be dealt with before—

**Mr. White:** That is why I am rising. My question for these members is, will they feel entitled to vote on this Act to amend The Children's Institutions Act?

**Mr. Speaker:** I am sure that the member is anticipating the matter as he has done in the past. I would ask that he wait until his point of order actually arises. The motion before the House is for second reading of Bill 63. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

#### PROVINCIAL COURTS AND JUDGES

**Hon. A. A. Wishart (Attorney General)** moves second reading of Bill 64, an Act to provide for provincial courts and judges.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, Bill 64 is quite an advanced step. It introduces a new system of administration of justice, insofar as what are now known as magistrates' courts, and juvenile and family courts are concerned. It is the sort of thing that has been suggested by us to the government over a number of years, and I commend the Attorney General for bringing forward this kind of legislation.

I think that it is going to make a substantial improvement in the present system and, goodness knows, Mr. Speaker, we need a substantial improvement in the administration of justice at the level of juvenile and family courts, and at the level of magistrates' courts in the province of Ontario.

The steps that will be taken under this bill, together with the fixing of the responsibility for the administration of justice at a provincial level, should produce—very quickly, I would hope—not only better-trained, and

better-paid judges, but, in addition, reasonable facilities within our municipalities for the administration of justice. What comes to mind very quickly, or course, are the very poor facilities that exist in the city of Toronto; the Attorney General is going to hear a lot more about that when his estimates come before the House, but it is just a disgrace and Toronto is not the only place. The city of London—all over the province—the facilities for the administration of justice at the magistrate's court level are just shocking.

**Hon. Mr. Wishart:** It was a municipal responsibility.

**Mr. Singer:** Oh, I know. Heretofore it was not the responsibility of the municipalities, and the municipalities, of course, Mr. Speaker, could not accept that responsibility, because the guardians of the Treasury who inhabit the front benches over there would not give them enough money to enable them to discharge their responsibilities.

**Hon. Mr. Wishart:** That is why we took it over.

**Mr. Singer:** That is right, that is right. Now, I was talking very nicely to the Attorney General, Mr. Speaker. I was complimenting him in saying that he knows that he now has the opportunity to have his name enshrined on these new courthouses, and he can call every one the Wishart Building. I am sure that Metropolitan Toronto would be very happy to inscribe on its new magistrate's court building, when it gets it, the name "Wishart Building." But if you start building it right away, we might even call it the Arthur Building, and we would all be very happy.

**Hon. A. Grossman (Minister of Reform Institutions):** What about the QC?

**Mr. Singer:** We will save that for the hon. Minister of Reform Institutions. Since the Minister of Reform Institutions is in, perhaps he could talk to his friend the hon. Attorney General and, when they are building this new courthouse in Toronto, we could have some decent lock-up facilities. I think that is the Minister of Reform Institutions. If it is, you should advise him, because you have got architectural leanings. However that is not the point.

Meanwhile, back at the bill, the substantial facet of this bill that concerns me very much is the ability to review the appointment of magistrates or county judges, once they have been made.



I did have the statute here, but it does not matter. I can recall from memory pretty well what the present statute says. What, in fact, the scheme of this bill does is to superimpose a council or an advisory board between—and I am talking now about disciplining provincial judges, once they have been appointed—an intermediate body who will meet in private, who conceivably, will slap the odd county judge or provincial judge over the wrist if he has done something wrong. It will be a body who then will be able to recommend to a judge of the Supreme Court that a kind of a hearing take place where it is contemplated whether the judge has misbehaved or is unable to perform his duties properly.

This is the present provision of The Magistrates' Courts Act, in essence. Regarding the words "misbehave" or "inability to perform his duties properly", to me the suggestion that such a judge would have stolen public money, or be unable to perform his duties properly, would conjure up in my mind the fact that the man was mentally no longer capable of coping with his responsibilities. Now, these are so obvious that they need not be stressed at all, and it is hardly likely that we are going to get into that situation even under the present law.

What I am saying is, in essence, that by limiting the ability of the province to review these appointments, other than for misbehaviour or inability, we have not changed the situation one single bit. We have this present ability now, in The Magistrates Act, and I do not think that it copes with the situation at all. What do we do with the provincial judge who has not misbehaved, and who no one is prepared to say is incapable of performing his duties improperly, but who is arbitrary? A judge who sentences people to jail for long terms, when the substantial opinion of all of his brother judges is that this kind of offence needs a period on probation? What do we do with that sort of a man?

What do we do with the man who will not listen, and who sits on the bench—and, unfortunately, there are judges who sit on the bench and will not listen? They will not allow the defendant, the accused person, to properly present his case. They do not give enough attention to the accused person's rights. This can happen, and it has happened on occasion, and we have been stymied in our ability to cope with this kind of unfortunate performance in this magistrate's courts. This is what concerns me very much, Mr. Speaker, when we find this bill is giving us more of the same that we have.

We are upgrading the courts; I think that I noted in one of the Attorney General's comments to the press that the salaries that these judges are going to be paid are equivalent to the salaries of county court judges, and those are pretty good salaries. We are going to have new buildings, and a whole new approach to this very important field. Well then, must we not be more careful than ever that we have some method of making sure that we get only the best people on the bench? That if by chance a mistake has been made, there is some way of reviewing the appointment and perhaps removing, for reasons other than or in addition to misbehaviour or inability to perform, those people who have been appointed that should not be there at all?

I recognize, sir, that we are walking a very tight line, and we really cannot afford to have the administration of justice depend on the arbitrary whims of the Attorney General of the day. There has to be the removal from direct political control, and political arbitrariness, the appointment and removal of people who are going to sit on our judicial benches and it is a very difficult problem how we cope with this.

Many people have talked about this. I have been concerned about it and I have talked with many people knowledgeable in the law—many gentlemen who occupy positions on the benches of the Supreme Court of Ontario, some of the present magistrates, and so on. You have heard me, Mr. Speaker, on occasion speak in this House on what I think are the shortcomings of many of the present magistrates.

The suggestion that seems to have substantial merit is that, as we embark on this new scheme—and this is the only chance we are going to have—that we make probationary appointments for a period, say, of three years, or five years. During that period of time, the Attorney General and/or his committee, if he wants—and the committee consists of some eminent people—can have a very close look at the performance of the individual who has been given that appointment. Then his appointment can be confirmed at the end of that period—if the period is reasonable, a few years, three years, perhaps even five years. Surely by then, if he has certain qualities that do not commend themselves to that position, then in their wisdom those responsible can say, "I am sorry, Mr. Smith, we are not going to confirm your appointment and you will just have to move along."

The argument against that, I know, is going to be that it is going to add difficulties

to convincing capable people—and these will all be lawyers, by and large they will be lawyers; certainly on the criminal side they will all be lawyers—that they should abandon their practices, take one of these appointments, be on probation for three years, with the possibility that they may not be confirmed. Then where do they go?

Well, the problem is not an easy one but I do not think the parallel is too different from anyone who is called upon to do public service. We who happen to arrive in this chamber have the same sort of a gamble. We do it voluntarily. We are here because we want to be here and we are here because—

**Hon. Mr. Wishart:** But they do not give up their practice?

**Mr. Singer:** I do not do my practice any good. I have heard the Attorney General complain, Mr. Speaker, on many occasions that if he was back in his office he would have an easier time and, perhaps, economically would be in a much better position than he is today. I do not think anyone here who is a lawyer and who sits in this House can say otherwise than that if he spent the time in his office he would be economically further ahead and possibly, in the whole picture, happier with the position he would be in there than he is here.

However, we are here and there it is. I tell you there are all sorts of parallels. That is only one that comes to mind; there are all sorts of pursuits that entice people to depart from what they are doing for a variety of reasons—for reasons of public service; for reasons of self satisfaction, and so on. It takes them away from what they are normally doing and directs them in other directions.

What concerns me very much, is the fact that if this bill is passed in its present form, and that the only system of review of appointment is as is now set out, it is the same system that we presently have and there is no method really available to remove bad appointees, other than these two very serious matters which are hardly ever likely to come about.

I need not draw the parallel with what happened in the House of Commons and the difficulty those legislators had in removing a certain judge, but it was distasteful within the parliamentary process. It did the whole cause of the administration of justice in Canada no good and they are tied down with the same sort of tight rules and regulations that we are going to continue to be tied down with.

So I say, sir, at this time, when we are embarking on a new course, which by and large is good, surely we should not lock ourselves into more of the same, insofar as our ability is concerned, to review the appointments that are made. There can be a better system and I would seriously commend to the Attorney General's attention the possibility of these temporary appointments whether they be three years or five years.

Now I know that this has been considered and I had hoped when I picked up this bill that this sort of thing would have been incorporated in it.

**Hon. Mr. Wishart:** Does the hon. member know anywhere it has been tried?

**Mr. Singer:** Mr. Speaker, it is a very interesting point. You know when these fellows on the government front benches bring in a bill that they are confident of, they say this is the greatest in Canada and the greatest in North America and the greatest in the western world; and that we lead, we are ambitious and we are prepared to experiment and if we are convinced that we are right, we will do it.

The Attorney General's interjection is a very interesting one. He apparently is going to take refuge in the fact that it has not been tried anywhere else. We have the problem here and if the people on the government side are as advanced in their thinking as they claim to be on so many occasions—be brave, and do it.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): He just asked the hon. member a question.

**Mr. Singer:** Right. He does not need you to come to his rescue. He can look after himself. I know what he was getting at, Mr. Speaker.

**Hon. Mr. Rowntree:** He is putting the hon. member right on the spot.

**Mr. Singer:** No, he is not putting me right on the spot. I am saying that this makes abundant good sense in my opinion. I am saying that in the opinion of many people to whom I have talked, who are learned in the law, and who occupy positions as members of the Supreme Court of Ontario, even, may I say, sir, some people in The Attorney General's Department think this idea has merit—

**Hon. Mr. Wishart:** Who?



**Mr. Singer:** Who? Some people in The Attorney General's Department think this idea has merit. I am afraid that if we go in this way that we are locking ourselves in. This will be our last real chance to review this for a long time in the future.

**Hon. Mr. Wishart:** Next year.

**Mr. Singer:** The Minister is not going to review it next year because he is going to start making these appointments almost immediately.

**Hon. Mr. Grossman:** Does the hon. member not think his party is going to be elected as the government soon?

**Mr. R. F. Nixon (Leader of the Opposition):** That is not why we would review it.

**Mr. Singer:** I would say this, sir, that you embark on a new form of courts and the appointment of a new set of judges, that the ground rules are established usually at the beginning and once they have been established, though governments may come and governments will go, as this one will in 1970—

**Mr. Nixon:** That is the year!

**Mr. Singer:** —once the situation has become entrenched it is difficult, if not impossible, to change it.

**Hon. Mr. Grossman:** Only if there are too many lawyers in the Legislature.

**Mr. Singer:** How many judges is the government going to appoint under this—100, a couple of hundred?

**Hon. Mr. Wishart:** Eventually.

**Mr. Singer:** After a couple of hundred judges are appointed, and appointed on the basis of this statute, there could be nothing more unfair to my mind than changing the rules after these appointments have been made. So I suggest to you, Mr. Speaker, that the rules should be established at this time before these appointments are made, so that everyone coming into these new positions will know the basis on which it is done.

I think it is important for the administration of justice that this kind of a review system be made available and I do not think it is sufficient for all the purposes of the administration of justice that the only way in which we are going to be able to remove provincial judges from office is for mis-

behaviour, or inability to perform their duties.

Those are very unusual things that hardly ever happen; to my knowledge no magistrate has ever been removed for these reasons in the history of the province of Ontario, and it is unlikely that any provincial judge would be removed for either of those reasons, because it is unlikely that they would ever get themselves into that situation. But there are all the other reasons that I talked about.

So with those very substantial reservations, Mr. Speaker, I commend the Attorney General for embarking upon a new course of the administration of justice here in the province of Ontario, but with all the conviction that I am able to muster, I hope that I have made some impression upon him and that he will, before this bill goes much further, reconsider the method of review of these appointments. The only chance that we are going to have to do this in Ontario for a long time in the future is now.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, again the Attorney General is to be commended. The bill before us this morning is far reaching with respect to the judicial apparatus in this province and as to the degree, quality and kind of adjudication the citizens receive before the courts.

It does embody the major recommendations of the McRuer report, and where it departs from the McRuer report, it seems to me sensible that it should, by and large. The recourse to the Supreme Court of Ontario and the county court structure, dealing both with civil and criminal cases, and appointed by the federal government remains. What we are doing here, in effect, is upgrading a large area of what is really, and may be saliently, the important judiciary of this province, in the sense at least of that judiciary before whom the great mass of the populace appears.

The situation is that the magistrates are now being made judges, and that the judges of the juvenile and family courts are given an increased jurisdiction and raised to greater dignity as provincial judges. Both sets of judges are brought within certain overall appointed powers through the judicial committee, which as far as I am concerned, and this group here, is a goodly innovation, a far reaching one. I do not think we can accord with the hon. member for Downsview that judges should be placed under probation. Maybe a probationary officer might be appointed in certain cases,



**Mr. J. E. Bullbrook (Sarnia):** What does that mean?

**Mr. Lawlor:** If I may just play with the concept for a moment—maybe they should all be placed on probation.

**Mr. Bullbrook:** Well is the hon. member with them or against them?

**Mr. Lawlor:** In any event, the business of setting up a time limitation with respect to the appointments seems a rather far fetched notion. The judicial council, with the important addition of a layman to that council, gives a far greater scope, and review potential. It takes this thing, by and large, out of the political spectrum where it has been too long immersed, and a movement in this direction can only receive the accolade, certainly of all the lawyers in this House, I would think, and the House as a whole.

I noticed that in clause 8, subsection 1(4), it goes on, "At the request of the Minister." I do not quite like that, Mr. Speaker. The Minister seems to have reached a halfway house, where he wants to go along with McRuer, but there is always the niggling little reservation left that if some friend of the party, or something like that, is deserving of an appointment, it will not have to go through the procedures of the judicial council. I would trust that would not be so in any appointment.

I would trust that that clause would not be interpreted as a prior condition, or a reservation, and that all appointments would go through the judicial council, and there would be the full review position within that council to establish the quality of the judges, so that the men would be independent of political alignment and that these men would not be seeking favours in any way. At least this sets up some kind of screen for the Minister, who must be on occasion placed under an embarrassing request to appoint people who he knows in his heart are not really qualified to carry out those judicial duties. I say the only courts most people ever see in this province are the magistrates' courts, now becoming provincial judges. In excess of two million cases were tried in the year 1965 and they were tried by and large with people, in many instances at least, with no qualifications.

I come then to the second point of my reservations, where I am trying to go along with the hon. Attorney General, rather than with Mr. McRuer as to these appointments.

As I read the section involved here, the sub-section 2 of section 9, in sub-clause (a) it says that a judge shall not exercise the powers or perform the duties conferred or imposed upon a magistrate under part 16 of the criminal code unless he has been a member of the bar of one of the provinces of Canada for at least five years, and there are other clauses giving him jurisdiction.

I take it, and I would ask the hon. Attorney General to clarify them for me, that in a certain range of matters—namely the range of indictable offences only, and not summary convictions—in that sort of case, there will be in effect two classes of magistrates. In other words, it may be the magistrates who try that sort of case, or the new judges who try that kind of case, will be of a certain experience and of a certain ilk. On the other side, there will be a second division of magistrates who will try the summary convictions, the highway traffic, the provincial offences and The Liquor Control Act, and all this sort of thing.

I wonder if that is altogether to the good? In other words, McRuer talks a great deal about the distinctions between deputy magistrates and senior magistrates, which the Attorney General has eliminated, and he talks about the distinction between part-time magistrates and others, and about those who have certain qualifications, which he recognizes, and others who have not. He seems to want uniformity in the appointment of magistrates, and yet the Minister seems to be introducing into this legislation a discriminatory principle, or division within the provincial judges' criminal division, which perhaps should be considered somewhat questionable. Either all the provincial judges in this division would be qualified people to handle all sorts of cases, or they would not be. I do not see why this sort of discrimination ought to be written into the law at this time, particularly when we are making a large step forward to make the law more reasonable, sensible and adaptable to our needs. I do not know that the salary scales would be distinct between the two. Certainly I would think so, if one is going to be highly qualified and another not. And the resources of the courts, the clerkships, the secretariat, and all this sort of thing, would be equally available to them or not, over against these other judges.

I want to know too, Mr. Speaker, as to what the intentions are—as nothing is spelled out, as I see it, in the terms of this bill—as to policy touching part-time magistrates. Are they all going to be full-time from now on? Of course all we can do is recommend that

they should so be, and that the salary scales will be sufficiently increased, as indicated in McRuer, to make this a possibility, and not only that, but a real benefit.

Now over against McRuer, you have done something which I consider rather nauseous. In section 12 of subsection 2, you say that the new judges, with the previous consent of the Minister, may act as arbitrators, conciliators or members of a police commission. Now that is a retrograde step. I suppose the answer would be, "Well, I must leave the door open. In some eventualities these men are valuable, have a high judicial temper, and have worked well in some instances, at least—although the trade unions do not usually think so—in the past, as arbitrators and conciliators. At the same time, I must leave a small gap in the door to permit the appointment of this sort of qualified individual."

Nevertheless, and as the Attorney General well knows, and I am in accord, Mr. McRuer has come down hard against such matters. He says all that that does is to take away a judge of high qualifications, impose an onerous burden on all the judges that are left, reduce the whole apparatus and working efficiency of the courts and destroy for the litigants before the courts or for the accused being tried, the right for an expeditious and a penetrating trial by a man highly qualified, who might be off somewhere else making a few bucks doing a job which somebody else could very well be trained for and many people are highly qualified in the lay population of this province. I would ask that consideration be given to taking that clause out entirely and removing the judges from the arena of politics and from the arena of the labour market in this way.

Mr. Common, in one of the pages of the report, has given a lengthy treatment of the clerkships and the position that magistrates up to this time have found themselves in. I would take it again—and I would ask the Attorney General to clarify it for me—that now working within the ambit of the county courts is adequate staff of the county court system, which, perhaps in an embracement of the present staff in the county court, or a specially selected staff of the provincial judges as such, will be provided. I know there are clauses in here saying that there will be a clerk for each provincial court under section 27. Nevertheless, in the light of the type of returns against which Mr. McRuer, at some length and with some heat, raises his voice and set up appendix after appendix to show to this House and to the Attorney General—

at page 919, appendices A, B, C, and other pages—I will not continue giving the detail of this.

But this sort of return, he says, is an onerous task and deprives the magistrates of the serenity of mind which we experience so often in their presence. So that they can achieve this state of mind, that they be not burdened with these reports and that adequate clerkships, secretaries and what-not be appointed to relieve them of all that responsibility, clear the decks, and let us do it now since we are bringing the new Act into being.

Mr. Speaker, I have only a few words to say with respect to the juvenile court. The position as set out in the bill before us is not nearly as elaborate as I find the strictures with respect to the roles of what is now the magistrates'. In other words, the matter is not spelled out at any length. True, you do appoint—

Mr. Singer: It might be political interference if you spell it out.

Mr. Lawlor: Well, he has done a pretty good job of spelling. He has gone up to "M" but from "M" on, we are rather weak. They have appointed, which is a kind of corollary—

Mr. Singer: That is right, straddle the fence.

Mr. Lawlor: I want the best of all possible worlds. They used to say this is the best of all possible worlds but everything in it is a necessary evil.

In the case of the rules committee that is being appointed, which largely controls the activities of the juvenile and family court judges, McRuer spends an enormous amount of time. Would my vocal friend, the member for Downsview, permit me the courtesy? He may learn something in the process.

Mr. Bullbrook: Serenity of mind.

Mr. Lawlor: In chapter 40 of the McRuer report, he has an elaborate setting forth of the qualifications of juvenile court judges which they presently do not have. He feels that a special training through the university set-up would be in order, and that the selectivity there must be terribly scrupulous and terribly high. I see nothing of that here.

I think the purpose of the rules committee as you set it up here is precisely to attain that objective. I would like the Attorney General to indicate if that is so and just precisely, if he knows to any degree of detail, how they propose to go about setting up these

appointments in that branch of the new judiciary.

I have a few more words to say, Mr. Speaker, but it is 12 o'clock. I wonder if I may adjourn the debate?

Motion agreed to.

**Hon. Mr. Rowntree:** Mr. Speaker, in this private members' hour, it is my understanding that order 59, being a second reading of Bill 87, will be combined with and taken at the same time with the resolution 28, standing in the name of Mr. W. Newman.

### THE HIGHWAY TRAFFIC ACT

**Mr. F. Young** (Yorkview) moves second reading of Bill 87, An Act to amend The Highway Traffic Act.

**Clerk of the House:** Notice of motion 28, by Mr. W. Newman.

#### RESOLUTION:

That, in the opinion of this House, all motor vehicles registered in the province of Ontario should be required to pass a regular annual safety inspection conducted by The Department of Transport.

**Mr. Young:** Mr. Speaker, today I am reintroducing the bill to amend The Highway Traffic Act. This bill calls for twice-yearly inspection of all motor vehicles on the highways of Ontario.

Last year, we killed 1,596 people in Ontario on the highways, we injured 65,000 and we did property damage of approximately \$73 million. We just have no proof as to how much of this damage was due to defective vehicles. I do not suppose that proof can ever be offered in hard and fast statistics.

But we do have some experience in other jurisdictions which have instituted highway safety inspection of this kind and I would like to bring before the House some of the experience of some of the jurisdictions that have instituted motor car inspection, either on an annual or semi-annual basis. I did some research in this field and have received some letters and some documents which I want to present.

The first one is from The Department of Highways, Victoria, British Columbia, and part of that letter says this: "—now, in the process of setting up inspections—" although the city of Vancouver has had this inspection for some time. The letter continues:

As a matter of interest the branch responsible for the operation of inspection stations in Vancouver have informed me that while there are no statistics available on the accident rate, the statistics on defective vehicles going through the station were 11 per cent at the inception date and at this time are less than 1 per cent.

Vehicles from surrounding areas tested, reflect a 7 per cent figure in comparison with less than 1 per cent for Vancouver City.

From the province of Alberta, where the inspection is just getting underway, a letter says:

I would advise that we are only starting our programme on a compulsory basis.

Last year's voluntary programme involving inspection of some 22,810 vehicles, indicated that roughly 60.9 per cent of the cars which were inspected had improperly focussed headlights, most of which were high, and the beam was to the left of the vehicle; 20.5 of the total had faulty brakes and 9.5 per cent had misaligned front wheels.

From the province of Nova Scotia where again the programme is just getting underway, they say that the system has been in operation for just one year, and it appears to be acceptable to the public.

We have no figures for comparison, on a before or since basis, that could be related to mechanical defects in vehicles. We do hear comments to the effect that the public has noticed a definite decrease in the number of old vehicles since the inspection system was brought into effect approximately one year ago.

I stress that this is one of the important results of the inspection system, the removal of many old vehicles from the highway.

From Texas comes this memorandum:

We are using a state appointed system of inspection stations. One inspection is required annually. The fee for the inspection—and this is interesting—is \$1.75 plus any corrections, adjustments, replacements or repairs.

That is in privately operated stations, \$1.75 per inspection.

When we began our inspections in 1951, 13 per cent of our vehicles involved in fatal accidents had vehicle defects that were a causative factor in these accidents. In 1967, this figure has been reduced to 3 per cent, a 10 per cent reduction in 15 years.



In non-fatal accidents, defective vehicles involved have been reduced from 12 per cent in 1951 to 4 per cent in 1967. These reductions have been gradual but constant from year to year.

In 1951, we found 62 per cent of the vehicles inspected had some kind of defect, some major, some minor. Currently our inspection stations find 60 per cent of vehicles pass inspection without any repairs, or adjustments.

The average cost to the motorist of an inspection in Texas in 1967, was about \$3.50. That was the total repair cost including the \$1.75 fee.

New Jersey has done perhaps one of the most outstanding jobs in this field of inspections. They started with six-month inspections, and later shifted to the annual inspection because of the weight, the very pressure of the job being done, but in 1937, the year before the inspections started, the deaths per 100 million vehicle miles was 12.35. The next year that rate had gone down to 8.21, that is after the first year of inspections.

In 1966, the death rate per 100 million vehicle miles was 3.5, a drop over those years from 12.35 to 3.5. Ontario today has a death rate per 100 million miles of 7.6, that is twice that number and a little more, so that while all that reduction in death rates cannot be attributed to inspection, at least some of it must be in that field.

New Jersey has done a pretty comprehensive survey of the whole field, and they tell us this, to use another approach:

In 1938, 38.6 of the vehicles inspected, were approved upon initial examination. This low percentage indicates the poor general condition of vehicles then used. By 1955 however, 68.3 per cent of vehicles presented for inspection were approved on initial examination. During the years between 1938 and 1955, there was a steady rise in the percentage of vehicles which received approval on initial examination.

But the significant thing is that in that year, 1955, because of the pressure of work, and because of the unwillingness of the state to expend more money for additional stations, they dropped their inspection from six months to one year, and this trend reversed after 1955, when one inspection was sufficient each year. "In 1962, for instance, only 59.2 per cent were approved on initial examination."

However, this is much better than it was before the examinations commenced. In New

Jersey, the cost of the inspection is \$1 per inspection and the fee is collected at the time that the registration fee is paid. In other words, it is collected with the licence so that the one dollar covers their fee. In New Jersey, in the year 1937, which was the last year preceding the vehicle inspection in this state, a total of 1,278 people lost their lives in motor vehicle accidents.

In 1938, the first year that inspection was required, the number had dropped from 1,278 to 865. This does not mean that motor inspection alone produces a decrease in traffic fatalities.

But nonetheless, it should be realized that all other safety programmes throughout the state were conducted in virtually the same manner and with the same degree of application as previously, and that there was no significant improvement in our highway system. It is noteworthy that since 1938, the death toll has remained consistently low compared to what it had been prior to the inauguration of motor vehicle inspection.

From 1938, through 1947, there were 7,603 traffic deaths or 4,483 fewer than the period of equal length prior to inspection. For the ten-year period prior to 1937, the national highway fatality rate was 17 compared to the New Jersey rate of 16.3. But from 1938 through 1947, the same ten years, the national rate was 11 per cent while the New Jersey rate dropped to 7.4 per cent.

The argument is that other factors remained very constant. The only changed factor really in the total situation was the inspection of the motor cars on a regular basis. Mr. Speaker, in this whole situation, we have had quite a few studies; the New Jersey people have conducted many of them and their people have looked into it, and they sum it up this way. I have not got time to give the studies in outline but they do sum it up this way. Statistics compiled by the national safety council and by their own people establishes the important fact that for the year 1961, where a concentrated study was made—

—states having state-owned and operated vehicle testing stations have the lowest mileage death rate, 2.83 fatalities per 100 million miles of travel.

Those are for the state-owned and operated testing stations.

States not requiring vehicle inspection have the highest mileage death rate, 6.07 fatalities per 100 million miles of travel.

In other words, it is more than doubled. This is another significant thing that:

States having private vehicle inspection have 4.74 fatalities per 100 million miles of travel as against the 2.83 for the publicly owned stations.

States having limited vehicle inspection have 4.50 fatalities per 100 million miles of travel.

So that these studies would seem to indicate that this or at least the change in this factor alone, the fact of regular inspection of motor cars, does pull down the death rate on the highway.

These reports were backed up by a study recently conducted by Dr. Robert C. Buxbaum of the Harvard medical school and Dr. Theodore Colton, also of Harvard. Dr. Buxbaum says that automobile inspection exerts a preventative effect upon mechanical failure, and that the states where such inspection is required have considerably lower motor vehicle death rates.

This is, of course, the same finding that I have just indicated, and Dr. Buxbaum went on to say that the death rate is even lower in states requiring two inspections a year. That again is borne out by some of the statistics here.

The investigations show that among non-whites in the area that they investigated, the proportion of people owning old automobiles is high. Death rates fell from 64.2 per 100,000 in non-inspection states, to 37.9 in states inspecting once a year, and to 27.2 in states requiring two inspections a year. For whites, the comparable figures were 38.2, 25.1, and 22.5 respectively. In other words, in the areas where the cars were older, the non-white areas, the rates were higher than in the white areas where, by and large, the cars were newer models. Also, in the states with inspections once a year, the rate came down, though it did not come down as drastically as in the states with the two inspections per year.

I know that inspection lanes are now being operated in Ontario. We have this underway on a voluntary basis and certainly we commend the Minister for the start that has been made here but I would point out in the recent report of The Department of Transport, 1966-67 annual report, figures are given which show that the registration of motor vehicles last year amounted to 2.8 million.

The number of inspections amounted to 126,400. That is, about 4.5 per cent of the vehicles in Ontario actually were inspected last year. Now in that group of 126,400, 3,341 were found to be unsafe and their

licence plates were removed. It may not be perfectly safe to project these figures to the total automobiles in Ontario, but it should be reasonable to do so and if that were done we would find, according to these statistics, that we must have about 60,000 to 70,000 vehicles on the roads in Ontario which are in the same state as the 3,300 which were found to be unsafe and had their licence plates removed.

Mr. Speaker, in this total figure we must realize that the people who go for voluntary inspections are people who have some doubts about their car, in many cases. The people who get caught on the highway have run-of-the-mill motor cars—and I suppose a good average is discovered there—but the person who has an old car and knows there is something wrong with it, and that it will cost him something to get it fixed up, shies away from a voluntary inspection.

He just does not go through the lane. And there are literally thousands of people in this province who are driving unsafe cars and do not know it. Sooner or later they discover it when a tragic event occurs and that is the only way they find out.

In the face of this, the mandating of regular inspections will drive those people in to have their cars repaired. This is the experience of all the states and jurisdictions that have written me. They say that it results in a great improvement in the quality of the motor cars on the road.

Older cars are repaired more readily, and when they come around to the inspection date most of them are in fair shape though not all. Those which are not in good shape are caught at the inspection and then, of course, they are given a certain length of time to get the repairs made, and those repairs must be made, or the car does not continue on the highway.

I know it is a real problem for the Minister to get this inspection set up. I have a couple of documents here, one from the garage operators' association and the other from the Ontario automobile dealers' association. Both of them are urging the periodic inspection of all motor vehicles. One of them just recently, March 19, 1968, from the dealers' association says this:

Our industry strongly urges the Ontario government to establish a universal compulsory motor vehicle inspection programme now. Until government inspection stations can be made available the dealers of Ontario have, in a brief to the Minister of Transport, offered their facilities to the government in the implementation of an inspection programme.

We suggest that accidents caused by mechanical defects can be prevented and that they should be prevented. We suggest that the compulsory motor vehicle inspection programme will assist in making the people of this province more safety conscious.

We also recommend that serious study be given now to the development of facilities for examination of vehicles involved in serious accidents to determine whether or not mechanical factors are involved.

This organization, along with the garage operators' association, have offered their facilities and their full co-operation to the Minister in setting up a compulsory inspection programme. They say that until the Minister is able to set up his full range of publicly operated stations that they would be willing to operate under licence and issue the stickers under the direction of The Department of Transport, and they are quite willing, too, in the long run, that this be phased out and that the personnel be transferred to the public stations at the proper time and as they are built.

I have before me a couple of newspaper clippings, one from the *Globe and Mail* of last year—March 22, 1967:

A coroner's jury ruled today that a 22-year-old youth was killed because his \$20 car was unsafe. It recommended changes in Ontario laws to require regular inspection of all cars.

And from the *Toronto Daily Star* of March 29, 1968:

Oakville: Compulsory annual automobile safety checks were proposed last night by a coroner's jury that found Oakville beauty queen Judith Lynn Cowan, 18, died of carbon monoxide from a car with a defective exhaust system.

Why we fight this whole programme as a government I do not understand. It has been pointed out to us time and time again that other types of vehicles, other types of power sources, are inspected regularly. The federal steamboat inspection service began in the second quarter of the last century; aircraft inspection began in the 1920s; trucks and buses, in the 1930s. Why we cannot come to the place where we realize that the terrible death toll on our highways and the great injury and property damage that is being caused there, could be cut down drastically by periodic inspection, and why we cannot go forward to set up this kind of inspection is a

matter which some of us find very difficult to understand, not only on this side of the House, but on the other side of the House.

I would hope that the Minister will listen to his own members, as well as to the members of the Opposition benches, and that he will very quickly set up the legislation which will provide for this kind of regular inspection to save lives; to cut down the accident rate in the province; and to improve the quality of the motor cars that are now using our highways.

**Mr. W. Newman (Ontario South):** Mr. Speaker, in rising to speak on resolution No. 28 standing in my name, I would like to draw your attention this morning to some rather curdling and revealing statistics tabled in the annual report of the city of Hamilton's vehicle safety check programme.

From May through September of 1967 the Hamilton police department, in co-operation with The Ontario Department of Transport, operated motor vehicles safety check lanes in that city. During the five-month period 1,499 vehicles were inspected; 53 of them were voluntary inspections, the remaining 1,231 were carried out on a non-voluntary, or spot check basis.

Of the 1,499 vehicles inspected, 342 had one or more unsafe tires, 1,153 had faulty headlights, 190 had no headlights at all, and 81 had no windshield wipers. 109 drivers were summonsed for not having proper insurance, 156 vehicles had defective steering, three suspended drivers were arrested and 81 vehicles were found to have no foot brakes.

Of those 1,499 vehicles, only 142 were issued with stickers labelling the car safe, 224 were declared totally unsafe and the licence plates were removed, and the vehicles were towed away for repairs.

Mr. Speaker, all but 142 of those 1,500 vehicles were potential accidents looking for a place to happen, and, as the members of this House know, the story is an all too familiar one. The commissioner of the Ontario Provincial Police summed up the part his department played in the 1967 vehicle inspection programme by saying:

Our personnel assisted the compulsory safety lane inspection at 61 locations where 60,753 vehicles were checked. Members of the force assigned to this operation controlled traffic, directed vehicles to safety



lanes and checked operators for drivers' licences and insurance certificates.

As a result, 262 charges were laid under the provisions of The Motor Vehicles Claims Act, and 326 charges for offences relating to drivers' licences.

The need for continuing compulsory inspection is indicated by the fact that 47,115, out of a total of 60,700 vehicles, did not pass the examination.

An even smaller percentage of vehicles get by the inspectors at the Imperial Oil's seven Toronto-based car clinics. At these computerized centres, vehicles are subjected to a rigorous one-hour 200-point inspection that diagnoses not only safety hazards, but engine ailments as well.

Imperial Oil takes pride in the fact that several Toronto used-car dealers are now putting all their vehicles through the process, in order to warrant the mechanical condition to the customers.

Mr. Speaker, to bring this problem closer to home, albeit on a much smaller scale, yesterday we took the cars of three members of the legislative assembly up to The Department of Transport's safety check point and the car of one representative from the press. All four vehicles submitted for inspection were less than three years old. One was a 1968 model, with just a few thousand miles on the speedometer.

**Mr. R. F. Nixon** (Leader of the Opposition): Was that a Rolls Royce?

**Mr. W. Newman**: No, that one did not go up.

The inspection itself covers 38 points and requires approximately five minutes to complete. Of the four vehicles inspected, two, one of which was a 1968 model, were issued with safety stickers and an invitation to return at 5,000 miles for a further checkup. The third was found to have a defective horn, but thanks to an alert inspector, the small, but necessary repairs were made on the spot. The fourth vehicle failed the inspection miserably and is to be submitted for re-testing. In order to protect the guilty, I am not going to mention their names.

The chief inspector on duty at the Downsview checking centre estimated that four out of five vehicles that passed through the inspection lanes required attention to one or more safe-driving points. Steering and suspension defects are the most common weaknesses, and I submit, Mr. Speaker, that steering and suspension failures are respon-

sible for many of the loss-of-control accidents on this province's highways.

Unfortunately, Mr. Speaker, it is difficult to translate motor vehicle inspection figures into accident figures. The proportion of accidents involving mechanical failure is largely a matter of conjecture. Estimates range from 2.5 per cent—derived from police reports, and used as a basis for the Ontario Department of Transport studies—to a figure of almost 90 per cent quoted by some of the more recent American studies. However, the most commonly quoted figure for Canada is 9 per cent.

If we accept this modest estimate, then ridding the roads of mechanical weakness would prevent about one accident in 11. In 1967, there would have been 13,000 accidents avoided in this province of Ontario. Mr. Speaker, the longer this province waits to bring the necessary legislation into effect, the longer that 9 per cent of property damage injuries and deaths will be made a part of the cost of modern motor transportation.

Consider too, Mr. Speaker, the important secondary benefits of compulsory motor vehicle inspection. It is a unique opportunity to educate the drivers of this province, to contact them personally regarding the benefits of safe driving and to instil in them a sense of safety consciousness.

I am told that those provinces, states and countries with compulsory motor vehicle inspection have lower insurance premiums for bodily injury and property damage. Motor vehicle inspection assists law enforcement agencies by encouraging drivers to have proper vehicle permits, drivers' licences, and liability insurance slips. The resale value of the vehicle is increased and depreciation lessened by keeping the car in consistently good operating order. And finally, motor vehicle inspection has the effect of improving garage workmanship for repairs. It must then meet minimum standards laid down by this province.

Naturally there are arguments against motor vehicle inspection. There is the initial cost to the province of establishing the system, estimated to be somewhere between \$12.5 and \$20 million. Then there is the annual cost of operating the inspection programme. This could be handled by a small fee, which would probably be offset by the reduced insurance rates. If, as the industry says, accident rates do have a direct effect on premiums, insurance costs would drop.

There is the argument that only a small number of accidents are caused by mechanical

defects, that even when mechanical defects are found in cars involved in accidents, we cannot be sure that the defect caused the accident. However, as Wayne State University notes in its report on motor vehicle inspection, and I quote:

Vehicle inspection laws are comparable to fire safety regulations. It is impossible to estimate how many fires are prevented by safety regulations, but few would advocate that we do without such regulations.

There is a statement that a sticker pasted on the windshield is meaningless if the brakes fail an hour later. It is also the claim that with inspection, a bare minimum of maintenance can become established as a norm, that drivers may well put off needed repairs until just before the next inspection is due.

Mr. Speaker, these arguments just do not hold water. Until the hard facts that seem to be required are in, the only approach to the problem of traffic accidents involves chipping away at the grim statistics. Compulsory motor vehicle inspection is one way to knock out an appreciable piece.

I recommend that all vehicles, including cars, trucks, buses, trailers and motorcycles, registered in the province of Ontario, be required to pass a regular annual safety inspection conducted by The Ontario Department of Transport.

Mr. D. C. MacDonald (York South): The Minister looks as though he is interested.

Mr. Young: The hon. member pushes it hard.

Mr. MacDonald: Do not be misled by looks. He has had the look for years.

Mr. W. Newman: I am sorry, I did not hear the hon. member.

Mr. Young: The hon. member pushes it hard.

Mr. W. Newman: Although a six months' interval would be preferable, an annual inspection is a good beginning and will give the department a chance to familiarize itself with the system. In order to thoroughly inspect the more than 2.5 million vehicles registered in Ontario, on a regular basis, The Department of Transport will have to improve its inspection methods and extend its inspection facilities. Rather than introducing a costly province-owned and operated system where inspections are carried out by civil service personnel, working at stations leased or owned by this province, I feel that a

province-appointed and supervised system should be implemented.

This method of inspection is one of the four currently under consideration by The Department of Transport and is explained in detail in the various studies devoted to motor vehicle inspection. This system is already in effect in Nova Scotia, and areas throughout the United States.

Under a province-appointed and supervised system, garages or stations would file an application with The Department of Transport, whose responsibility would be to administer and supervise the programme. An investigation would then be conducted to determine the applicant's eligibility, space, manpower and equipment requirements as set forth in the legislation, which would have to be met by the applicant in order for him to qualify.

Oral examinations would also be given the applicant to determine whether he fully understood the responsibility associated with the inspection programme, and whether the applicant's personnel were qualified to perform the inspection programme, as set forth in the rules and regulations.

If the station met all the space, manpower and equipment requirements, it would be appointed as a designated inspection station and a nominal annual registration fee would be charged by the province. Training programmes would be conducted and continual checks made to ensure that the designated station was operating in accordance with the rules and regulations, to certify a mechanic's competency, and to determine the availability of minimum required tools and equipment. The actual routine of inspection would be set forth in documents provided to the inspection stations along with a step-by-step check sheet for the actual inspection process.

Should the vehicle successfully meet inspection requirements, then some appropriate means of identification—a sticker or a slip—would be issued. If a vehicle failed to pass the inspection, then repairs would have to be made within a designated period of time, and the vehicle submitted for reinspection before being issued with the identification sticker or slip. Cost to the motorist of inspection would be approximately \$2, the same fee presently being charged vehicle owners of the province of Nova Scotia.

A province-appointed and supervised system of motor vehicle inspection is particularly appropriate to this province. A large number of stations may be authorized, permitting a

choice on the motorist's part, even in the smaller communities. Travelling distance to the nearest inspection centre would be cut to a minimum, an important consideration in the more remote areas of Ontario.

The system may be quickly and easily organized, since stations already in existence need to be examined only for floor space, manpower and equipment requirements. The costly selection and training of a large inspection force is eliminated. Financial consideration, location, selection and purchase or construction of the testing site are eliminated. Questions regarding government competition with private enterprise are eliminated. And finally, any required corrective work can usually be done at the same garage where the inspection is performed, subject to the approval of the vehicle owner.

Mr. Speaker, all of the transportation industry is currently engaged in reappraising and changing its standards in the interests of automotive safety. Manufacturers are equipping their new vehicles with dozens of safety innovations in accordance with the rigid standards set down by this province under The Department of Transport. Engineers are making conscientious efforts to design an additional margin of safety into our highways. The petroleum and automotive accessory industries are involved in large-scale research efforts and sophisticated quality control methods in the cause of safety. More attention is being paid to the driver in safety education.

Mr. Speaker, it is my opinion that this province can help meet the challenge presented by the 1,500 projected but avoidable highway casualties in Ontario this year by introducing annual motor vehicle inspections as soon as possible.

Mr. MacDonald: With all that support, I think we must get action.

Mr. T. Reid (Scarborough East): Mr. Speaker, in speaking in support of the private member's resolution, and also the second reading of Bill 87, I would like to try and review as much as possible some of the information provided by the present government. I think the other speakers have done an excellent job in outlining some of these facts available in other jurisdictions and the need for serious consideration of the significance of those facts in our own planning in this province. But I would like to use as much as possible some of the statistics supplied by The Department of Transport itself.

Perhaps I should begin my remarks, Mr. Speaker, by noting that I went up to Ottawa in early April with my wife and child and babysitter, to a most important convention, in a 1962 Volkswagen. I was stopped between Kingston and Ottawa by a very polite officer of the law, not a Department of Transport official. He was very courteous, he asked me to pull over. I pulled over and he said this is an inspection and could I flick my lights and honk my horn. He checked my tires, I believe.

It was a very simple inspection, a very pleasant inspection, and he informed me that my 1962 Volkswagen seemed, to him, to be apparently in good condition. He asked me if I would like to have a sticker on my windshield and I said I would be delighted, so he put a nice sticker on my windshield and my wife, my son, the babysitter and I continued to Ottawa to help elect Mr. Trudeau.

Mr. Speaker, to begin my remarks, I would like to refer in particular to the annual report, 1966-1967, of the Ontario Department of Transport, the section entitled "Vehicle Inspection," page 8. I think the remarks made on that page are quite significant for a number of reasons and let me note why I think they are significant for this particular debate.

The annual report mentions that there were 200 staff members involved in vehicle inspection and this had been a substantial increase since 1957, in which there were only 40 employees of this particular branch of the department. This is very good. Hopefully this would indicate that the concept of vehicle inspection was receiving more attention and care by the department. But when we look at some of the other remarks in that section, we find the following. We find that the primary purpose of the vehicle inspection branch has to do with the protection of the province's highways from damage caused by overloaded vehicles.

In that year, there were 45 permanent and ten portable weigh-scales, whose primary purpose was to inspect vehicles to make sure they were not overloaded outside the regulations under which they were licensed. We find that there were 1,240,639 inspections for this purpose and that this resulted in 3,296 convictions.

Then we find that the passenger motor vehicles inspected for purposes of safety were 126,458, resulting in 3,341 of these automobiles having their licence removed on the spot, because they were unsafe on the highway.



There were—by the Minister's own admission, that is—roughly 1,241,000 inspections, the purposes of which were to protect the province's highways—to protect the concrete and the asphalt from overloading. Over one million such inspections, compared to less than 127,000 inspection whose purpose was to protect the people of Ontario from unsafe passenger motor vehicles.

Mr. Speaker, I am very pleased the Minister is here to hear some of this analysis, and, after the mumblings of the other two parties, I will continue. I am very pleased the Minister is here to listen to these remarks, this very rough analysis, Mr. Speaker—if I might refer to the Minister—of some of the statistics in his report. I was surprised that this type of analysis had not been presented before. So I am delighted if this information might be of some use, to present it to the Minister, it is written on the back of various envelopes here.

But the point is simply this, the protection of asphalt receives ten times more attention than the protection of people from unsafe cars. That single fact reflects the twisted system of priorities, Mr. Speaker.

Another interesting fact, Mr. Speaker—again from the one page of this report of the Minister—is this—and this fact emerges from an analysis of these very simple and bare statistics. I am quite willing to be corrected by the Minister's experts if I am wrong. I do not think I am, but I do admit I am going from inadequate factual information—information which I quite frankly find confusing in the presentation. But here is the other additional fact: Over a million inspections were necessary to protect asphalt, resulting in roughly 3,300 convictions. About the same number of convictions as cars which had their licence plates removed, resulting from 120,000 inspections to protect people from unsafe cars.

Let us think about that fact. Even making the heroic assumption in our value system that asphalt needs the same protection from motor vehicles as people, let us just judge the rate of return to inspections, treating asphalt and people equally. It takes 376 inspections for the purpose of protecting asphalt to get one conviction—376 inspections get one conviction for abusing asphalt. It takes only 38 inspections for the purpose of finding unsafe cars to protect people, to take one utterly unsafe car off the highways by removing its licence plates—38 and one.

In short, the rate of return per dollar spent—if you assume the cost of inspecting

vehicles to protect asphalt the same as the cost of inspecting vehicles to protect people—the rate of return per dollar spent to protect people from unsafe cars is ten times the rate of return per dollar spent to protect asphalt. I think that is pretty significant.

In my opinion, this latter point shows the complete lack of understanding of cost-benefit analysis in this particular area. It illustrates completely inefficient planning judged in terms of efficiency as opposed to humanitarian terms. The rate of return to protect people is ten times the rate of return to protect asphalt. That to me is the significant point.

If, in addition to this inefficiency argument, we decide in our value structure that somehow in our society the people are more important than asphalt—if the government would make that admission—then the government stands guilty on two counts. It stands guilty on the count of inefficiency; it stands guilty on the count of twisted values about what our society is for. Mr. Speaker, that is the main point I wish to make.

I wish to refer, however, to a second point—and here I refer to the publications entitled *Accident Facts* published by The Ontario Department of Transport. These are statistics relating to motor vehicle traffic accidents in the province of Ontario. I have gone through the *Accident Facts* for 1964, 1965, 1966 and 1967 over the last 20 minutes and some very interesting results come out of it.

The item in these statistics entitled “condition of vehicles: all accidents” only begins to appear in 1965. That is to say, when we look at the report entitled *Accident Facts*, 1964 we do not find a reference at all to the condition of the vehicles involved in motor accidents in this province. Then, in 1965, we find that this is put into the report, which is a good step in the right direction.

Then let us look at the statistics about the condition of vehicles in accidents in Ontario for the years 1965, 1966 and 1967. Before I make any reference to those statistics, I think I must draw to the attention of the members in this House, Mr. Speaker, that I have very, very severe reservations about the quality and the reliability of these statistics relating to the condition of vehicles involved in accidents in the province of Ontario. I have severe reservations, even on a quick glance, both as to the evaluation of the information supplied to the central data collection agency in the department, I believe—the evaluation of it—and also I have severe reservations about the reporting process in getting it up to you.

Of course, there is a fundamental problem which several members in this House have mentioned, including my colleague on this side of the House from Yorkview, the problem of who evaluates the condition of the car involved in an accident; what are the vested interests of the people evaluating the car; if there are any special interests? In other words, how reliable is the estimation of the condition of the car when that examination is made? Who are the people making those inspections? Do they have something to protect themselves from in a report that the condition of the car was bad? I leave that open, I do not know; I have several reservations on this.

In the tables contained in the reports for 1965, 1966 and 1967 entitled *conditions of vehicles; all accidents*, the very first item there is the item "apparently good." Under that particular item are the other items—"brakes defective", and so forth. The statisticians have been honest here—they have used the words "apparently" good.

The key question when we evaluate these statistics is what is meant by "apparently." If the type of inspection is the one that my 1962 Volkswagen went through on my drive to Ottawa then I would say, sir, that that is not an inspection of the quality of my 1962 Volkswagen, it was just a brief look at it.

I know that this is done by a member of the provincial police force as opposed to a member of The Department of Transport, so there may be a variation here. I will look into this further. I just draw this to the attention of the members that the key word here in these tables is "apparently." What is meant by it, who evaluates what "apparently" means, and so forth?

With those reservations which I think are probably the most important question to ask of these statistics relating to the condition of vehicles involved in accidents in Ontario given, I will just give some results of my calculations. I forgot my slide rule this morning so they are a bit rough.

When we look at the total number of vehicles involved in accidents which had some defects, we find that in 1965 there were 13,652 such vehicles, and this includes vehicles such as passenger, motor vehicles, trucks, buses, motorcycles—not stated—so it is not just passenger vehicles. So in 1965 there were 13,652 that were in defective condition as judged by the people who examined the cars.

For 1964, as I mentioned, we do not have the facts, so we cannot compare it to 1964.

In 1966, there were 14,114 defective vehicles involved in motor vehicle accidents in Ontario. In 1967, there were 14,171 such vehicles. Well what is the increase?

We find that between 1965 and 1966 there was an increase of 462 defective vehicles involved in motor accidents. Between 1966 and 1967 there was a small increase of 57.

Now, one of the points that can be raised is that even though there has been an increase in the number of defective vehicles involved in accidents in Ontario over the three-year period in which statistics are available, the proportion of the total number of vehicles involved in accidents has fallen.

The analysis I have here shows that it is fairly stable. It is between 5.5 per cent, sorry 5.6 per cent, and 5.4 per cent, so it is a stable proportion that is increasing absolutely. But when we look at passenger motor vehicles we get a different story. We find that the proportion of defective passenger motor vehicles involved in accidents in Ontario has been increasing. The proportion was 2.7 per cent in 1965, 2.6 per cent—a slight fall—but in 1967, unless my calculations are completely out, it rose to 4.3 per cent.

I would like to leave the debate on this, Mr. Speaker, just noting that not enough has been done in the area of vehicle inspection to protect people. We seem to be more concerned with the protection of asphalt from overloading than we are with the protection of people from unsafe cars. I think this reflects the conservative view of society, but that is a personal opinion. I also think that the rate of return on money spent on vehicle inspection is about ten times as high as the rate of return on inspections of trucks for overloading on our highways.

The final point, Mr. Speaker, is simply this. If we are going to get into the type of operation called for by the private members' Bill 87 by my colleague on this side of the House from Yorkview and the resolution by the hon. member for Ontario South, we must realize what the benefits are of instituting the law that all motor vehicles should pass a regular annual safety inspection conducted by The Department of Transport. We must know what the benefits are. We must have some idea what those benefits are. We must know what the costs are.

For example, I would like to have from the Minister of Transport (Mr. Haskett) some idea of the cost to the government of checks that they have been involved in for purposes of safety. I would like to know per inspection



cost what that comes to. In my brief survey of his statistics I have not been able to calculate that.

From this we could have some idea of what might be involved, perhaps, in a more extensive programme of inspection. Perhaps, as the member for Yorkview noted, what the cost would be to institute this on a regular basis, not on the highway, but making people come in.

We should hit at the benefits of this as well as the cost and I submit that in my opinion, in my analysis, this morning, I have proved to my own satisfaction that the rate of return per dollar spent on vehicle inspection to protect people from unsafe cars is ten times the rate of return for dollars spent on inspecting motor vehicles to see whether they are overloading our highways for the purpose of protecting our asphalt.

To me sir, that is the fundamental point. It reflects the concern of the present government with asphalt instead of people.

**Mr. R. Gisborn (Hamilton East):** Mr. Speaker, after the unanimity which has been shown in support of this problem, one would think that the Minister would—

**Mr. W. Newman:** On a point of order, sir. I believe that if the time allocation is right, Mr. Speaker, it is 20 minutes per party. We only used about 12 minutes, and we have another speaker. I believe this party over here had about 22 minutes.

**Mr. Speaker:** Unfortunately, Mr. Speaker was not advised except as to one speaker per party, and that being so, normally the next speaker would revert to the party which spoke first. But if the government has another speaker, the member is quite correct and there is time left for that party.

I have written the whips and asked that they advise me of the names of the speakers for their parties. Today I received from each party just one name, which normally would indicate that only one person was speaking for that party. I would ask that the member bow to the view of the member for Ontario South, which I think is quite correct. Had they furnished me with the name of another speaker, I would certainly have given the floor to the government speaker.

**Mr. Gisborn:** Well, I would agree with that, Mr. Speaker. There is not much time and not much more can be added. I just want to enlarge on a few things. I was glad that the hon. member for Ontario South did use the

figures that I put on record last year in this regard, and we should, with the unanimity of the feelings, ask the Minister to move toward legislation.

**Mr. G. E. Smith (Simcoe East):** Mr. Speaker, the hon. members for Yorkview and Ontario South and Scarborough East, have unquestionably made some strong cases for the compulsory inspection of all motor vehicles in the province. Certainly all of us in this chamber deplore the mounting accident toll. I have not time to talk about any of the statistics and some of the figures that I have available which have not already been covered. But I would like to state at this time that I feel as far as this Department of Transport is concerned, as far as this Legislature is concerned, that it is a matter of priorities that have to be considered, in deciding upon the annual inspections.

According to the information that I received from The Department of Transport, it is my understanding that 19 out of 20 accidents on the highways are caused by driver error or human error, and not in all probability, by mechanical failures. I think this more or less substantiates the old adage that it is not the loose nut on the car that causes the accidents, it is the nut behind the wheel that causes the bulk of them.

Consequently, I would commend The Department of Transport for the system that it is following, and I feel that the audit system, the voluntary inspections, are a step in the right direction. But as I said earlier, I do feel that priorities come into the matter. I will quote from *The Financial Post* of May 4, and if I may, I would like to quote from the federal government. I hope that the hon. leader of the Opposition notes that I am quoting from a spokesman of the federal government.

The Ottawa Planned Safety Onslaught; the first step to highway safety, will be a major conference to sell provinces on the idea of uniform national driving laws.

It goes on to say that its primary function will be to bring some order to the fragmented policies and regulations governing traffic safety in Canada. We want uniformity across the country. I think that this is certainly a very important step in the right direction. How many times have we gone into another state or province and wondered if it was legal for us to make a right-hand turn when the light was red after coming to a stop? I know that there are some jurisdictions that do not honour this ruling that we have here in Ontario, and there have been cases when it



has proved a hardship, and when traffic violations have been caused by our people, and in all probability accidents have occurred.

I neglected to mention that I am in favour of the principle of the bill and the resolution, but I do feel that there are certain more important subjects that should be given priority over mandatory inspection. As far as the prevention of accidents is concerned, as I said, 19 out of 20 accidents are caused by human error, not by mechanical failure: I would suggest that The Department of Transport might do well to consider co-operating with the federal plan in establishing more uniform laws, and at the same time step up its education to drivers and motor vehicle operators as far as safety standards are concerned. I would expect that if our people do not co-operate with this type of voluntary inspection to make it effective, then at some time in the future we will have to consider a mandatory inspection. Thank you, Mr. Speaker.

**Hon. Mr. Rowntree:** Mr. Speaker, before adjourning the House, may I remind the hon. members that on Monday we will continue with the estimates of The Department of Health. For some matters a little bit beyond our control, it might be necessary to deal with the order paper for an hour or so in some part of the day.

**Mr. Nixon:** The government is out of control!

**Hon. Mr. Rowntree:** The Minister may be absent for part of the day, and I do not mean that he is out on patrol or anything like that.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1:00 o'clock p.m.

## APPENDIX

30. *Mr. Sargent*—Enquiry of the Ministry—1. Would the Minister reveal the total cost of the printing of the three volumes of the Royal commission report entitled "Inquiry Into Civil Rights"? 2. (a) How much money was paid to Mr. Justice McRuer? and (b) How much was paid to each of the other commissioners? 3. How much money was paid to the consultants of the commissioner and to their research councils and staffs?

Answer by the Provincial Treasurer:

1. \$91,914.00.

2. (a) The amount paid to Hon. James C. McRuer for the period from his appointment in May 1964 to March 31, 1968 was \$51,666.49.

(b) There are no other commissioners. The two assistants to the commissioner, Mr. O. D. Mundell and Mr. R. S. Mackay, received \$69,999.72 and \$64,206.09 respectively.

3. \$114,211.51 to March 31, 1968.

42. *Mr. Paterson*—Enquiry of the Ministry—(a) What are the names of the chairmen and secretary-managers of all marketing boards in Ontario? (b) What were the total operating budgets of each marketing board in 1967? (c) What was the total salary paid to each chairman and to each secretary-manager in 1967?

Answer by the Minister of Agriculture and Food:

(a) Operating under the authority of the Ontario milk commission:

*The Ontario cream producers' marketing board*, 31 Wellesley Street East, Toronto 5, Ontario:

Chairman: Howard Goddard, R.R. 1, New Liskeard, Ontario

Secretary-Manager: E. Harold Martin, 20 Paragon Road, Weston, Ontario.

*The Ontario milk marketing board*, 31 Wellesley Street East, Toronto 5, Ontario

Chairman: G. R. McLaughlin, R.R. 3, Beaverton, Ontario

General manager: Lorne Hurd, 116 Old Sheppard Avenue, Agincourt, Ontario

Secretary: E. C. Rouse, 12 Speers Avenue, Weston, Ontario.

Operating under the authority of the Ontario farm products marketing board:

## FARM PRODUCTS MARKETING BOARD

Toronto

Chairman: C. E. Mighton; Vice-Chairman: N. O. Watson

Members: E. H. Hutton, Ray Lougheed, W. C. Nickerson

Secretary: J. W. Drennan, 4405 Whitney Bldg., Queen's Park, Toronto

Telephone 365-2124

## 20 LOCAL MARKETING BOARDS

*Apple Producers' Marketing Board*

Chairman: Gerry Long, 316 Commissioners Rd., W. London

Secretary: Wm. Bond, 305 Ontario Food Terminal, Toronto 18.

*Asparagus Growers' Marketing Board* (asparagus for processing)

Chairman: Donald Tilden, R.R. 1, Leamington

Secretary: R. K. Matthie, 52 Scott St., Box 252, St. Catharines.

*Bean Producers' Marketing Board* (white pea and yellow-eye beans)

Chairman: Robert Allan, Brucefield

Secretary: Robert Eaton, Wellington Rd., R.R. 4, London.

*Berry Growers' Marketing Board* (strawberries, raspberries for processing)

Chairman: M. Ferguson, R.R. 2, St. Catharines

Secretary: J. A. Howard, 209 MacNab St. S., Hamilton.

*Broiler Chicken Producers' Marketing Board*

Chairman: Gerald Tedford, R.R. 4, Lakefield

Secretary: John E. Janzen, 1254 Plains Rd. E., Box 5035, Burlington.

*Egg and Fowl Producers' Marketing Board*

Chairman: James Huetwith, Forest

Secretary: John Stewart-Smith, 4809 Yonge St., Willowdale.

*Flue-Cured Tobacco Growers' Marketing Board*

Chairman: George A. Demeyere, Tillsonburg

Secretary: C. N. Heath, Box 78, Cedar and Lincoln Sts., Tillsonburg.

*Fresh-Fruit Growers' Marketing Board* (peaches, pears, plums, prunes for fresh market)

Chairman: P. E. Tregunno, Martindale Rd., St. Catharines

Secretary: J. M. Sandham, Box 100, Vineland Station.

*Fresh Grape Growers' Marketing Board* (grapes for fresh market)

Chairman: Harry A. Parker, R.R. 3, St. Catharines

Secretary: R. D. Twiss, Box 100, Vineland Station.

*Grape Growers' Marketing Board* (grapes for processing)

Chairman: Ron C. Moyer, R.R. 1, Grimsby

Secretary: R. K. Matthie, 52 Scott St., Box 252, St. Catharines.

*Greenhouse Vegetable Producers' Marketing Board* (cucumbers and tomatoes)

Chairman: Vern Toews, R.R. 2, Ruthven

Secretary: Keith Malott, 1 Princess St., Leamington.

*Hog Producers' Marketing Board*

Chairman: Claire Curtin, R.R. 2, Lindsay

Secretary: C. James Boynton, 4198 Dundas St. W., Box 1103, Toronto.

*Onion Producers' Marketing Board*

Chairman: Cornelius Rood, Grand Bend

Secretary: Peter Woodger, Box 819, Bradford.

*Seed Corn Growers' Marketing Board*

Chairman: Ross Huffman, R.R. 3, Blenheim

Secretary: N. D. MacKenzie, 64 Fourth St., Chatham.

*Soya-Bean Growers' Marketing Board*

Chairman: Lester Longhurst, R.R. 7, St. Thomas

Secretary: K. A. Standing, 143 Wellington St. W., Chatham.

*Sugar Beet Growers' Marketing Board* (sugar beets for processing)

Chairman: George Higgs, R.R. 7, Dresden

Secretary: M. C. Campbell, 143 Wellington St. W., Chatham.

*Tender Fruit Growers' Marketing Board* (peaches, pears, plums, cherries for processing)

Chairman: D. R. Paxton, R.R. 2, St. Catharines

Secretary: R. K. Matthie, 52 Scott St., Box 252, St. Catharines.

*Turkey Producers' Marketing Board*

Chairman: George Gray, 36 Edith St., Georgetown

Secretary: G. K. Samis, 227 Sunset Dr., St. Thomas.

*Vegetable Growers' Marketing Board* (tomatoes, green peas, sweet corn, carrots, cabbage, pumpkin, squash, beets, green wax and lima beans for processing)

Chairman: Thos. Robson, R.R. 1, Leamington

Secretary: J. A. Howard, 209 MacNab St. S., Hamilton.

*Wheat Producers' Marketing Board* (Ontario winter wheat)

Chairman: James O'Shea, R.R. 3, Granton

Secretary: K. A. Standing, 143 Wellington St. W., Chatham.

(b) Attached is a statement showing the receipts, expenditures and the balance of the 20 agricultural marketing boards operating under the authority of the Ontario farm products marketing board on the basis of the last available annual financial report. It should be appreciated that several of these boards are now approaching the time of their 1968 annual meeting when their financial position of course will be up-dated.

In the case of the Ontario cream producers marketing board and the Ontario milk marketing board, complete financial statements are available to anyone wishing this information by writing to the secretaries as listed under (a)



(c) The total salary paid to each chairman and secretary-manager in 1967 is deemed to be the business of the board and its members. For further information on this, contact the respective boards.

<i>Board (Last Annual Report)</i>	<i>Receipts</i>	<i>Expenses</i>	<i>Balance</i>
1. Apples (June 30, 1967) .....	\$ 114,570	\$ 113,823	\$ 746
2. Asparagus (Sept. 30, 1967) .....	22,410	26,595	-4,185
3. Beans (Aug. 31, 1967) .....	85,107	49,591	35,516
4. Berries (P) (Mar. 31, 1967) .....	5,318	1,880	3,438
5. Broilers (C) (Dec. 31, 1967) .....	206,516	204,597	1,919
6. Eggs (Dec. 31, 1966) .....	56,144	54,911	1,233
7. Flue Tobacco (Mar. 31, 1967) .....	1,788,127	1,666,575	121,552
8. Fr. Fruit (Dec. 31, 1966) .....	107,307	65,700	41,607
9. Fr. Grape (Dec. 31, 1966) .....	33,303	17,377	15,926
10. Grape (P) (Jan. 31, 1968) .....	42,293	33,301	8,992
11. Greenhouse vegetables (Aug. 31, 1967, 5 mo.) .....	100,209	31,257	68,951
12. Hogs (Dec. 2, 1967) .....	1,380,579	1,341,824	38,755
13. Onions (June 14, 1967) .....	113,560	96,520	17,039
14. Seed corn (Dec. 31, 1967) .....	12,774	9,773	3,001
15. Soya beans (Aug. 31, 1967) .....	68,727	57,466	11,261
16. Sugar beets (Mar. 27, 1962) .....	14,905	14,793	112
17. Tender fruit (Jan. 31, 1968) .....	23,452	32,394	-8,942
18. Turkeys (Dec. 31, 1967) .....	56,594	60,606	-4,012
19. Vegetables (P) (Mar. 31, 1967) .....	125,635	136,826	-11,190
20. Wheat (June 30, 1967) .....	120,856	112,487	8,369
Totals .....	\$4,478,386	\$4,128,296	\$350,088

48. *Mr. Gaunt*—Enquiry of the Ministry—(a) Is it true that ARDA has refused a grant toward Balderson cheese factory in Lanark county? (b) Are there more cheese factories producing natural cheese which have requested ARDA assistance? (c) If so, could the Minister indicate how the applications stand? and (d) Could he specify those refused in the counties in which they are located?

Answer by the Minister of Agriculture and Food:

(a) Yes. Only very limited assistance is provided under the federal-provincial rural development agreement to assist in the capital requirements of milk processing plants and, as such, we have had to restrict grants to areas where there is no other market outlet. The Balderson plant received a grant of \$60,000 from the federal government under The Cheese Factory Amalgamation Act in 1964. There are no other market outlets for milk in this area.

(b) Yes.

(c) No action has been taken on any of these requests for the reasons stated in (a).

(d) These applications are from cheese factories in the counties of Peterborough, Hastings, Leeds, Lennox-Addington, Renfrew, Carleton, Northumberland and Dundas.

Peterborough county: Lakefield cheese factory; Hasting county: Bronk cheese factory; Leeds county: Plum Hollow cheese factory; Lennox-Addington: Amherst Island cheese factory; Renfrew county: Union Star cheese factory; Carleton county: Woodlawn, Diamond and Kinburn cheese factories; Northumberland county: Hoards cheese factory; Dundas county: Hubert cheese factory and Eastern Ontario Milk Producers' Co-op Ltd., Hallville.

Several other plants have made telephone inquiries.

49. *Mr. Sopha*—Enquiry of the Ministry—1. What amounts of money were expended by The Department of Lands and Forests for research in silviculture in the last five fiscal periods? 2. Of such amounts how much was expended in the following categories: (a) soil chemistry; (b) climatic effects upon regeneration; (c) development of rapid-maturing species; and (d) any other area related to silviculture?

Answer by the Minister of Lands and Forests:

1. 1962-63, \$458,623; 1963-64, \$521,470; 1964-65, \$548,131; 1965-66, \$594,775; 1966-67, \$614,158.

2. Estimated expenditures in the following categories:

(a) Soil chemistry: \$41,372, \$42,448, \$44,348, \$47,292, \$63,333.

(b) Climatic effects upon regeneration: \$63,111, \$64,770, \$69,090, \$72,757, \$90,851.

(c) Development of rapid-maturing species: \$58,225, \$61,230, \$64,756, \$70,603, \$76,782.

(d) Other areas related to silviculture (including administration): \$295,915, \$353,022, \$366,937, \$404,123, \$383,192.

53. *Mr. Ruston*—Enquiry of the Ministry—(a) Will the Minister of Agriculture and Food indicate the number of appeals filed with the Ontario dairy commission resulting from decisions on milk quotas by the Ontario milk marketing board? (b) Have any such appeals been heard? (c) Has the commission increased quotas as the result of such appeals?

Answer by the Minister of Agriculture and Food:

(a) Ten (10).

(b) Yes—Two (2).

(c) No.









# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, May 6, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
TORONTO  
1968

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 6, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today as guests we have: In the east gallery students from Fairmount senior public school, Toronto; and in the west gallery from Upper Canada College, Toronto, St. Theresa separate school, New Toronto, and Bramalea secondary school, Bramalea.

Later this afternoon, in the east gallery, we will have students from Algoma district school area No. 1, Richard's Landing.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

The member for York South has the floor.

**Mr. D. C. MacDonald (York South):** Mr. Speaker, I have two questions, the first to the Prime Minister.

In view of the weekend policy statement of the national leader of the Progressive Conservative Party, in support of the principle of a guaranteed annual income and its immediate implementation—

—for all Canadians who cannot earn for themselves and who live below the poverty line,

—would the Prime Minister indicate what measures this government will introduce to meet this objective?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I really feel the hon. member must have had his tongue in his cheek when he dreamed up this question. I would suggest we wait until after June 25 and then, when Mr. Stanfield forms the government after that date, we will be able to see how he proposes to implement the policy he mentioned over the weekend.

I would say this, that this government and this party is always ready to examine any proposal put forward that would be of benefit to the people of the province. I was present when Mr. Stanfield made this statement over the weekend and I was quite

impressed. I must admit I have been thinking about the statement before it was made and since, and there are some aspects of it that are not too appealing; but there are many aspects of the concept that are really quite appealing. As a government we would be quite happy to sit down and confer with the federal government in order to work out a plan that can be properly implemented in the hope that after June 25, we will have more opportunity to confer in developing these national programmes than we have had in the past.

**Mr. MacDonald:** Mr. Speaker, would the Prime Minister permit a supplementary question?

In view of the fact that the government voted down the principle in our amendment two years ago, would the government—

**Mr. R. F. Nixon (Leader of the Opposition):** And our amendment this year.

**Mr. MacDonald:** Yes, their amendment one year later, he is right, Mr. Speaker. Would the government consider implementing those aspects of it that are clearly under jealously guarded provincial jurisdiction?

**Hon. Mr. Robarts:** Well, Mr. Speaker, I can only say that we are completely flexible.

**Mr. MacDonald:** They certainly are.

My second question, Mr. Speaker, is to the Minister of Labour. A three part question.

Would the Minister comment on news stories appearing in the *Toronto Telegram* on May 2, that the industrial training branch suspects there is widespread exploitation by interpreters of non-English speaking immigrants taking provincial exams for certified trades?

Second, are charges to be laid; and if so against how many persons?

And third, has the Minister considered providing independent interpreters for such examinations so that the danger of exploitation can be avoided and the assurance of fair examinations can be guaranteed?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question of the

hon. member for York South, my officials and I are very much concerned over difficulties that non-English speaking applicants are facing in obtaining certificates of qualification in the trades. Examination officers in the branch have been unable to explain why many persons who appear to possess sufficient background to pass the trade test fail in a disproportionate number of cases.

An applicant for examination is allowed to take an interpreter with him, provided the interpreter is not a tradesman in that particular trade. This system is, frankly, not working satisfactorily. A paper identifying the salient points in regard to these difficulties was prepared by one of the branch examination officers and it was presented to a meeting attended by representatives of other government departments, as well as outside public and private agencies that are involved in helping of immigrants. The last meeting of this group took place on April 18 of this year, and further meetings are planned in order that a practical solution can be developed.

In reference to the second part, the branch has been told by a few applicants that they paid as much as \$200 for the services of an interpreter. In addition, it is suspected that in a few cases an interpreter may actually have known the trade and may have virtually answered the paper for the applicant, sometimes for a fee.

But it has not been possible to obtain firm evidence to corroborate this latter suspicion, although the matter has been under investigation in the past and is currently under investigation. I am not able to say at this point whether charges will be laid and against whom they might be laid, since the investigation is not complete.

In reference to the third part, we are dealing at the present time with several alternative methods of solving these problems and of helping immigrants obtain their certificates, to which they are entitled, but these matters are still under consideration.

**Mr. Speaker:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I have a question for the hon. Minister of Trade and Development.

In view of conflicting radio reports, will the Minister inform the House precisely what statement or commitment he made regarding an extension of GO service towards Georgian Bay when speaking to the Ontario division of the Canadian manufacturers' association on May 2?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, I would be delighted to answer that question. I am unaware that there were any conflicting statements or commitments made due to my comments at the annual meeting luncheon of the Canadian manufacturers' association.

I made reference to the equalization of industrial opportunity programme, which is now in effect throughout Ontario. The Ontario development corporation is administering it, as we well know. I compared it to the federal government's designated area programme and the fact that Georgian Bay was a designated area, which is now discontinued.

I also outlined that hundreds of millions of dollars had been invested in plants in the Georgian Bay area, and that by the year 2000 it is estimated there will be something like 490,000 people living in that area. I stated: 'So the GO train will be going there, I guess, on a daily basis or an hourly basis, by the year 2000.'

The speech was not given from a fully prepared text, but we have a tape recording of it on the excerpts which I just related. I may say that if anybody wants a pass I will try to get one for him for the year 2000.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr (Sandwich-Riverside):** Mr. Speaker, I have a question for the Minister of Health.

Inasmuch as the Canadian advertising advisory board includes the following rule in its newly announced code—"No advertisement shall be prepared or knowingly accepted which would result in damage, physical, mental or moral, to children"—will the Minister advise the board that in his opinion, this prohibits the advertising of cigarettes?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, I am afraid this one has hit me like a bolt from the blue. I have never heard of it before, I have never seen it. I am afraid I will have to take it as notice.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the hon. Minister of Trade and Development. I originally had the question scheduled to be asked on Thursday and the Minister was not here, so I ask it today.

In view of the representations made by the united auto workers, local 444, at Windsor—

**Mr. Speaker:** Local 444 or 449?

**Mr. B. Newman:** No, it is local 444!

Is the Minister considering a reappraisal of the department's geared-to-income policy in order that rents in geared-to-income housing be lowered to a maximum of 25 per cent of the tenants' incomes; and that a ceiling be established to reflect the value of the accommodation provided?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member's question I would like to reiterate, as I have done a number of times in the past, that the rental scale currently induced by the Ontario housing corporation is a national scale laid down by the federal authorities and applicable to all parts of Canada, it is not the geared-to-income policy of my department.

I am aware of, and sympathetic to, the dilemma of families who must pay an unreasonably high rent in geared-to-income accommodation yet cannot find alternative accommodation on the private market. As the hon. member is aware the original intentions of the geared-to-income scale was to assist families in the lower income groups and then, when their income reached a much higher level, to encourage them to seek accommodation on the private market.

Today, when housing is in short supply it is not, in my opinion, reasonable to use this form of economic pressure to encourage higher income families to vacate. I have on a number of occasions approached the federal government with a view to establishing a geared-to-income rental scale with a ceiling which reflected the market value of the accommodation provided. In the past I have been advised that such a ceiling would be concurred in only in a manner similar to the earlier full recovery development if a maximum income for continued occupancy were established.

Quite recently this matter was again raised in Ottawa by the Ontario housing corporation and the federal authorities indicated they will now be prepared to give sympathetic consideration to our proposal. Accordingly, OHC is now preparing a submission recommending a geared-to-income rental scale culminating in a ceiling rental reflecting current market rentals for comparable accommodation in the municipality concerned.

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** I have a question for the Minister of Education. Will the Minister introduce legislation during this session which will provide elementary school students who must board away from home to attend school a three-dollar-per-day allowance as now paid for high school students?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, this suggestion is under consideration within the department at the present time and when a decision is made I shall be quite prepared to inform the House.

**Mr. Speaker:** The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, a question of the Minister of Trade and Development. How many applications for Ontario housing accommodation were received at the office of the housing registry of Metropolitan Toronto for the first three months of this year?

**Hon. Mr. Randall:** Mr. Speaker, the housing registry of Metropolitan Toronto acts as a central clearing house for all applications for public housing in Metropolitan Toronto. Accordingly, where an applicant qualifies to apply for housing, with both the housing authority of Toronto and Ontario housing corporation, the registry forwards these applications to both bodies. During the first three months of this year, OHC received from the housing registry 3,235 applications for family housing. It is not known how many of these were also sent to the housing authority of Toronto.

**Mrs. M. Renwick:** Would the Minister accept a supplementary question? Is this not approximately a 50 per cent increase or 100 per cent increase over the first three months of the previous year or the last three months of the previous year? It is almost double I believe, Mr. Speaker, is it not?

**Hon. Mr. Randall:** Well, I do not have those figures with me. I cannot say it was or was not but I would just say to you that we have housed 774 of these families in the first three months. I would be glad to check out those differences if you would like me to.

**Mrs. M. Renwick:** Thank you, Mr. Speaker. It was just the sudden increase that concerned me and prompted the question.

**Hon. Mr. Randall:** I would say this, that the more success we have in housing people,



the more people we are going to get on application.

**Mr. MacDonald:** A lot of backlog there!

**Hon. Mr. Randall:** There will always be a backlog if you are successful.

**Mr. Speaker:** Order!

**Mrs. M. Renwick:** Mr. Speaker, a question of the same Minister: In the 18-month period, October 1966 to March 1968, during which 465 families were accommodated in the two emergency shelters located in Toronto, is it correct that only 25 families of the 465 were placed in housing by the Ontario housing corporation? The Minister will notice I have the dates correct—18 months.

**Hon. Mr. Randall:** Mr. Speaker, in order that the hon. member will fully appreciate the position of Ontario housing corporation *vis-à-vis* the emergency shelters, I would like to answer her question in some detail if I may.

The armoury's emergency shelter opened on October 12, 1966, and the Dundas Street shelter on January 1, 1967. According to the annual report of the executive director of the housing authority of Toronto, dated February 12, 1968, 401 families and individuals had registered in the shelters to December 31, 1967.

We are advised that a further 136 families and individuals have registered in the shelters from January 1, 1968 to date. A breakdown of the circumstances of the 401 families and individuals registered in the emergency shelters to December 31, 1967, are as follows: Evictions 179, fires 37, transients 185; for a total of 401.

I must agree that a substantial number of those registered at the emergency shelters were individuals who stayed overnight only, using the shelters in a similar manner as travellers' aid. During the time the shelters were under the administration of the housing authority of Toronto, reports were received by OHC on a very spasmodic basis.

Furthermore, many individuals and families did not complete application for housing. Since the emergency shelters have fallen under the jurisdiction of the welfare department of the municipality of Metropolitan Toronto, arrangements have been made for regular reports to be submitted to OHC and in addition, all families are now required to complete applications for accommodations.

I would now like to deal with the number of families from the emergency shelters who have been provided with accommodation.

During the 15-month period January 1, 1967, to March 1968, accommodation was provided in OHC housing for 32 families. However, during the 12-month period January 1, 1967, to December 31, 1967, OHC provided accommodation for a total of 1,014 families who, for reasons of eviction, fire or other emergency circumstances, including urban renewal activities by the city of Toronto, had been or were about to be rendered homeless. These families advised OHC of their circumstances and were provided with accommodation without having to be accommodated at the emergency shelters.

It is interesting to note that, in a report to board of control dated November 23, 1967, the executive director of the housing authority of Toronto, reported that during the three months' period, July 1 to September 30, 1967, a total of 114 families were housed directly by the housing authority of Toronto or the Toronto limited dividend company. However, of these 114 families, only two were from the emergency shelters.

From January 1, 1968, to date OHC has housed 283 families who were under notice to vacate or were in emergency circumstances of some form or another.

I feel it is rather unfortunate that misleading information is given from time to time concerning the operations of OHC, as this can well have an adverse effect on the acceptance of the housing programme. For example, last week an article attributed to the executive director of the housing authority of Toronto appeared in the *Telegram* which indicated that a large number of the families housed in the emergency shelters result from evictions by OHC.

To set the record straight, there were only six instances in 1967 where OHC found it necessary to obtain court orders for possession, and only three of these were proceeded with. To date, in 1968 no such orders have been requested. Having regard to the fact that OHC has in Metropolitan Toronto alone 6,537 houses under administration, I feel this reflects to the credit of both the corporation and its tenants.

Similarly, it was stated that OHC ignores large families. It is interesting to note that the corporation have 935 four- and five-bedroom units under management in Metropolitan Toronto at the present time and a further 422 under development. By comparison, the

housing authority of Toronto has only 139 dwellings in this category under management. However, it is also interesting to note from the executive director's report of November 23, 1967, that 114 units in Regent Park north were occupied by smaller families than the size of the unit warranted.

Now, Mr. Speaker, I hope this information will set the record straight as I can assure the hon. member that we at OHC are not interested in playing a numbers game, but are doing all we possibly can to house people.

**Mr. Martel:** What did he say?

**Mrs. M. Renwick:** Mr. Speaker, I would like to ask the Minister if he would accept a supplementary question. This is really two or three questions rolled into one. Please understand, Mr. Speaker, that I am not attempting to play a numbers game either, through you.

**Mr. Speaker:** May I ask the member to confine herself to a supplementary question?

**Mrs. M. Renwick:** Yes, but do you realize that the purpose of my asking was to find out how many families were cared for through OHC by keeping a contact on the smallest of the families that were in the shelter, nine or ten families at a time, 12 or 13? As I learned that this was not done, I am anxious to know that it is being done now. What I really wondered was—was there a reason why it was not being done before?

My understanding from Mr. Anderson's letter, which the Minister read into the record recently, is that it is being done now on a systematic basis by the people filing an application or checking up on their sometimes very old application with the OHC. If this liaison is working, this was what I want to know.

**Hon. Mr. Randall:** Mr. Speaker, I do not know how this can form a supplementary question.

Let me say that I will always welcome questions from the hon. member for Scarborough Centre at any time. We had a half hour conversation here the other night and we discussed some of these problems, and I think that this report I gave today is to offset so many of the questions that are thrown at us, because they read something in the newspaper.

Now if we have somebody with a different point of view trying to sell a programme of his own, and somebody in the Opposition picks up that report and says, I see by the

*Globe and Mail* this morning that—this causes us a great deal of research, as hon. members can appreciate.

Our people are trying to build houses, but every time somebody makes a statement to the press, whether it is true or untrue, we have to research it; and I think, from time to time, we have to put the facts before the House. I hope this gets into the press to clarify some of the comments made last week.

I cannot answer for the statements of an independent housing authority that does not have anything to do with the Ontario housing corporation, but I would say to the hon. member now that Mr. Anderson is running the shelters, and that I think we have a liaison there that will probably settle some of the difficulties that I am sure the hon. member is concerned with, and so are we.

**Mr. S. Lewis (Scarborough West):** The hon. Minister still gives—

Interjections by hon. members.

**Hon. Mr. Randall:** Hon. members overlooked the point there were 1,014 whom we housed who never went near the shelter. Do not overlook the 1,014.

Interjections by hon. members.

**Mr. Speaker:** Order, order!

**Hon. Mr. Dymond:** Mr. Speaker, before the orders of the day, I have the answer to the question of the hon. member for Sandwich-Riverside.

The Canadian advertisement advisory board, I find, has no power or authority to legislate, so any rule they make would have no force or effect. So anything we would be saying to them would just be passing on our views and we would have no hesitation in letting them have our views.

On Friday, Mr. Chairman, the hon. member for High Park asked me a question: "What steps has the department taken to eliminate the odours from Toronto's St. Clair Avenue packing plants?"

We have completed an emission survey in this area—

**Mr. M. Shulman (High Park):** I cannot hear the answer.

**Mr. Speaker:** Order!

**Hon. Mr. Dymond:** Swift Canadian Company have advised us that they will discontinue the feather rendering operation and

they will provide controls for the inedible rendering operation. Application for approval of control equipment is expected in the immediate future.

Canada Packers have submitted an unofficial plan for the control of their complete operation. Verbal approval has been given and an official application is expected shortly.

The data obtained from the emission survey will be used to predicate regulations of the entire meat packing and allied industries in the immediate future.

Other industries in the area will be advised of the controls required for their operation.

**Hon. Mr. Roberts:** Mr. Speaker, before the orders of the day, I believe it was on Thursday I said I would tell the House what we proposed to do about the investigation of Cara Villa. Now I have not completed my investigation of this situation, but as soon as I have the decisions I will, of course, bring it into this House and tell the hon. members.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 52nd order; House in committee of supply; Mr. A. E. Reuter in the chair.

#### ESTIMATES, DEPARTMENT OF HEALTH (Continued)

On votes 804, 805 and 806:

**Mr. Chairman:** Item 7, vote 804.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, while the staff are taking their place before the Minister, I might put a question to him concerning the future of the facilities for the treatment of mental disorders in the province. In the last few years we have seen our general hospitals and public hospitals, expanding with rather more commodious psychiatric wards than have been available up until that time. It means that people in the local community, who can benefit from short term treatment for mental disorders, can afford to be treated, having the facilities in their own community, rather than being shipped off to the Ontario Hospital, often many miles away, where their families can play no part in giving them the kind of assistance and moral support that is so often useful.

The Minister himself, some years ago, predicted that we would be moving away from

the large and sometimes very antiquated facilities in the Ontario Hospitals, toward community care for the mentally ill. This is obviously something that would be in the best interests of the victims of this disease, as well as, I believe, a measure of real economy if it were viewed in the long run. Now, I know the Minister would agree that if we could remove the methods of treatment from the great warehouses that the mental hospitals have become—warehouses for really derelict humans in many cases—then we would really be able to make much better use of new technology in treating the mental illness.

Earlier in this debate it was mentioned to the Minister that the province of Saskatchewan has taken some very large steps in this connection. In following this up rather closely, these changes have not all been to, let us say, the complete acceptance of the community's concern. But I do understand that the patient population in the provincial mental hospitals in Saskatchewan has been reduced tremendously, and some of these facilities have been turned over to The Department of Education for use as technical schools in the communities where they would fit in for that purpose.

There is another side to the argument, as the Minister would well know, Mr. Chairman, where the effort to put the patients back in a community setting and actually return them to their own homes has been perhaps a bit overenthusiastic, with some rather tragic results in one or two cases. But, somewhere along the lines that Saskatchewan has pioneered, there must surely be a new approach for Ontario and I think I mentioned last week that the Minister himself predicted three or four years ago that we were going to embark on this new approach, which we have not seen as yet. I would like to know whether the Minister has changed his philosophy in this regard, or whether the Treasury board has simply refused to provide him with the funds that would permit him to bring about an orderly transference from our present system of Ontario Hospitals to community facilities which would be closely associated with psychiatric wards in community hospitals and with the out-patient facilities that are being established in the community hospitals at the present time.

In my opinion, this is one area of expenditure where the Minister should get wholehearted support from the government as he would, I believe, from informed members of the Legislature.



But we are lagging behind in a progressive development along these lines, development that really accommodates the new experience in technology, medicine and therapy. The whole vote associated with the three items that we have been dealing with for the last few days has to do with this matter and, I believe, in the long run we are talking about a better treatment facility for the victims of mental illness as well as the very effective means of cutting our overall costs.

**Hon. M. B. Dymond** (Minister of Health): Mr. Chairman, I am very interested to hear what the hon. leader of the Opposition has to say, but I would say, with great respect, that I think he is out of touch. We have not changed our philosophy unless to upgrade it. We still believe that the psychiatric patient should be returned as quickly as possible, in the judgment of the professional people, to his home setting or to a setting other than the psychiatric hospital.

I have to take very strong exception, sir, to even our Ontario Hospitals being dubbed as institutions for the warehousing of derelict human beings. This is completely out of keeping with fact. I am rather interested to hear what the hon. member has to say about Saskatchewan but after all we were in this business before Saskatchewan was. We first adopted, I think, in 1935—in fact it was under the government the last time that his party held—ruled—governed this province that the approved home concept was started and that was broadened very greatly. We used those homes in the first instance, and we still do, as sort of half-way houses. We do not use as many now because we do not believe they have to stay as long in the half-way house.

I did say in my opening remarks that over 6,000 people had been discharged from our hospitals to homes for special care. This is the concept that Saskatchewan is following and I like to think that Saskatchewan followed our lead but I might be criticized as being too boastful if I were to say that. I would point out, too, that in nearly all our hospitals we have set aside a part of the hospital. It is no longer a hospital, it is a residential unit and there are some 2,600-2,800 people in that.

Those people are discharged from the hospital. They are still living on the property, not in the hospital, but in a part of the physical plan that by order-in-council has been separated and is now a residential unit.

In addition to that, we have 700 people in approved homes. They are on a trial run, so to speak, to see if they will fit well into the

community. We believe that this is a worthwhile step because the Saskatchewan programme, in our view, on many occasions has been overly ambitious. They have been more anxious to reduce the hospital's population or perhaps to present a better set of statistics, I do not know which. I think they are serious in their attempts to get more people out of the hospital but we believe that they have discharged them too early.

We are trying to be a little bit more cautious and yet stay within good medical practice and we have not had the return to the hospital in our experience that has been experienced in other areas.

To sum up, sir, we have not changed our philosophy. We still believe that the psychiatric hospital—and every one of the Ontario Hospitals now is a psychiatric hospital—is providing the whole spectrum of care. It is a hospital and is being used for that purpose.

Indeed, we were criticized publicly a little while ago because on two different occasions the hospitals had refused to accept patients who, as the report said, had been committed by outside doctors. And I had reason to compliment my staff for this action because that is their responsibility.

If someone is sent to the hospital and the doctors who are going to look after the patient say that in their judgment the patient does not need to be admitted to hospital, then of course, they are not to admit them, because a hospital is a place to provide specialized care. And, if in the view of those who are responsible for the patients in hospital, the patient should not be an in-patient, then of course they are not to be admitted.

Now what about the community resources? This, of course, is an important part of our whole programme in medical health—that the patient who is mentally ill should in every way possible be looked upon as a patient who is sick and, therefore, should have the benefit of the community services as close to his home as possible. To that end, we now have psychiatric services provided in 42 general hospitals throughout the province; 28 of those are complete services. The other 14 so far have only started the out-patient service as the first step toward providing the total service. This is not only approved but it is encouraged in every way we possibly can.

Indeed, scarcely a general hospital is now established that does not include psychiatric service within its range of services.

Mr. Nixon: Mr. Chairman, I would like to see associated with the range of psychiatric services that are being provided by the general hospitals, a community facility that might, in fact, be in the hospital if it happens to be located where the cost of real estate and construction would permit it; but anyway, in the community and associated with the hospital.

In this way the patients who are not undergoing the type of treatment that requires hospitalization, either in the general hospital or in an Ontario Hospital, would have a community facility in which they could be treated and cared for in such a way that they would be close to their own environment and their own families and the sources of treatment that they have come to expect.

The Minister has said that parts of the Ontario Hospitals are already set aside for this sort of half-way type of treatment. But there are many communities that are not served by the Ontario Hospitals. As the Minister well knows, those people who are stricken with mental illness have to face the very difficult situation of being transported many miles for the kind of care that often takes many months. In this sort of a circumstance I believe that the removal from the community and from the patient's own family circumstances would be anything but in the best interests of the person who is being treated.

I believe our aim in the long run should be to close down these large Ontario Hospitals or to at least change the emphasis in the care that they give, so that the care can be given in each individual community of reasonable size. Any community where there is a local hospital that comes up to the standards that the Minister is prepared to recognize.

I have discussed this with the Minister and with his people on other occasions, but we do not seem to be moving in this direction at all. There is still the possibility, as a matter of fact it is a probability, in most communities that where a person is afflicted with this sort of an illness he will be treated for a short time in the wards of the local hospital and then be transported to an Ontario Hospital where he will be kept, sometimes, for many months or many years.

The record is obviously improving as the ability of the psychiatrists and the doctors in the Ontario Hospitals to treat this situation improves, but I believe that we should be aiming towards the phasing out of these large hospitals of the type that you have built most recently, I believe, in North Bay—these

great brick places, five and six stories tall, set out in the midst of nowhere, from which the patients are shipped back and forth to their homes when the need is there. I think that the Minister could expect from the Treasury board in this House a very sympathetic hearing indeed if he were to ask for the funds that would upgrade the community facilities for the treatment of mental illness.

Hon. Mr. Dymond: Mr. Chairman, we have never refused any community hospital the funds necessary to provide an approved service. It is an essential of every psychiatric service in a general hospital now that it provide five basic services. This is laid down in the new Mental Health Act. They must provide an in-patient service, and an out-patient service, day-care, emergency, consultation and education to local agencies. This is inherent in the approval given to them to establish a unit.

The general hospital does not have to discharge a patient at any particular time if the general hospital staff in their wisdom believe that the patient can be improved after a year's stay. We have never laid down any period of time by which the patient must be discharged from the psychiatric unit. We have emphasized that they should concentrate on short term treatment but—

Mr. Nixon: What will they use the Ontario Hospitals for then?

Hon. Mr. Dymond: Because we get very many references to our Ontario Hospitals directly from physicians practising in communities where there are established psychiatric units. We still have many references to the Ontario system from the city of Toronto and from Metropolitan Toronto, to our Ontario Hospitals, in spite of the fact that every new hospital in Metro Toronto has a psychiatric unit. A great many of the old established hospitals also have such a unit. It is rather interesting to know.

My hon. friend spoke about the number of patients who are transferred from the community facility to the Ontario Hospital. This does not exceed 4 per cent of the total so it is not a sizeable figure. As far as the large institutions are concerned, I gave an undertaking in this House in 1959 that no more large hospitals would be built and we have to stick to that.

No facility we have built since that time has exceeded 300 beds, so we have observed this. This is one of the reasons that we have taken from every one of the existing hospitals,



whatever part we could spare as residential units to look after those patients for whom it is difficult to find residence in any community, who have no home community, who have no friends or family, but must be cared for.

Those patients who have been discharged from the hospital, and I mentioned a figure of somewhere between 2,600 and 2,800, are living with us as guests of the province, but these are not parts of the hospital, and this has resulted in cutting down the size of the hospital quite markedly.

I spoke in my opening remarks about the Lakeshore psychiatric hospital, for instance, in Etobicoke. When I became Minister there were 1,400 or more patients there. There are fewer than 600 patients now and that is the total capacity of the hospital—and that is what the total capacity of the hospital will be. There is no intention to continue to build large hospitals. This undertaking was given the House and we have observed it ever since.

**Mr. Nixon:** I do not want to labour this, Mr. Chairman, but I know the Minister is aware of the fact that, for example, the St. Thomas hospital has patients referred to it, as he likes to put it, from communities as far apart as Windsor and Brantford, and beyond that. Certainly, these people who are referred there for treatment, are referred there because there are no community facilities—

**Hon. Mr. Dymond:** Oh no. I would like to correct the hon. member. Windsor has facilities. Let me give you a case in point. I recall a big hospital in this city on one occasion referring a patient to us because he was too noisy—until we reminded the administrator of the hospital that that was exactly why they got approval to build a psychiatric unit.

If they are going to get disturbed because a patient makes a little noise, they should not be in the hospital business. Our hospital in Toronto is not built just to take the noisy and difficult patients. Of course, I believe my staff is smarter than most of them and they do take the difficult cases, by and large, but we are not going to clear out the undesirable patients from the standpoint of the comfort and convenience of staffs in general hospitals. But Windsor has psychiatric units, Brantford has a psychiatric unit—

**Mr. Nixon:** That is right. Still many—

**Hon. Mr. Dymond:** Every general hospital in the area has a psychiatric unit and these

are all provided on a formula basis which meets the needs—borne out of experience—for psychiatric services in the area that these particular hospitals serve.

**Mr. Nixon:** Yes. If these psychiatric community services could be expanded so that so many of the patients would not have to be referred to the Ontario Hospital which, in this case, I guess is 70 miles away, that would be an improvement and I would think that in the expansion of the system, the Minister should be concerned with this.

Now this is certainly true of Ontario Hospital schools, and when you talk about community facilities, many communities now have an expansion or at least a transference, of the old sanatorium facilities for the care of the grossly retarded. We have this in my area and I know that there are similar features in the old sanatorium facilities in many communities.

But for any of the young people who can benefit from the approach that an Ontario Hospital school would take, still there are just really the three collection points for the three hospital schools within general range of the southern part of the province, and the young people have to be sent away a considerable distance.

We are aware of the overcrowded circumstances that prevail in those places and I wonder if the Minister has similar plans to expand community facilities for this type of training and care of the mentally ill.

**Hon. Mr. Dymond:** The whole problem has been surveyed and we are in the process of preparing a master plan for these facilities but I want to repeat the precautionary words I mentioned the other night, that we are not wedded to a policy of building a great many institutions for the retarded. We believe that a great number of the retarded can be looked after in the community outside of institutions. I think the modern concept is not to institutionalize others than those who can be benefited by, and profit from, institutionalization. With that in mind we are approaching this business of providing institutions very cautiously.

May I go further into this matter of the large Ontario Hospital. I think if you look upon the large Ontario Hospital as the regional hospital, and put it in a comparable situation as the regional general hospital, from your general area, for instance, I believe that difficult cases are referred probably to the university centre in London or in Hamilton.



You are sort of in between the two and could flow in either direction.

I would think that probably 4 per cent of the organically ill population would be referred to one or other of these centres and you will find that the proportion is no greater with us than it is with you, or with those who are organically ill. Our hospitals are not to be looked upon as huge warehouses; they are looked upon as hospitals that take the more difficult cases—and the records will bear this out, just as the large general hospital, generally-speaking, based upon the teaching centres in our province, perform that same function in the case of the organically ill.

I think if it is looked upon in this light, it is more readily understood that a patient who is seriously ill from an organic disease, and has to be referred to the large teaching centre, has to travel just as far to get away; or a patient who has some rare condition, perhaps demanding open heart surgery, or intra-cranial surgery, or something of that kind, has to go to the highly sophisticated, high specialized centre oftentimes long distances from home. This same sort of thing applies in the case of our regional mental hospitals.

**Mr. Nixon:** Yes.

Just to comment on one thing that the Minister has said, Mr. Speaker. He said that he does not want to give the impression that it is the aim of the department to institutionalize the people that suffer from these afflictions. If the words institution and institutionalize have a sorry connotation, I would say that it comes directly from the public impression that the Ontario Hospitals have given down through the years.

If the Minister is under the impression that homes for special care and other private organizations are prepared to take the responsibility from the Minister's department and that that is an appropriate answer to what he would like to call institutionalization, then I would disagree.

Anything that he could do to persuade parents to maintain their responsibilities for retarded children in the home, I would certainly support; but to give the impression that somehow we are going to have private homes that are going to be supported by public funds to take the place of what the Minister calls institutionalization, I believe that this is wrong.

He is not prepared and not equipped to give the kind of supervision and inspection that these particular homes need and I would

think that it should be his goal to replace many of these with new facilities that are directly under his control.

**Mr. Chairman:** When the committee reported last week, on Thursday, I mentioned at that time that I had one or two members who had indicated to me that they had wanted to take part in the discussion of these particular votes. I think that I should put it on the record that the next member who had so indicated to me was the member for Cochrane South (Mr. Ferrier), who is not now present.

The member for High Park.

**Mr. M. Shulman (High Park):** Thank you Mr. Chairman. I have some concern about the salaries paid to the aids working in the mental hospitals, I am now in vote 806, section 1, and I would like to ask the Minister: at the present time, what is the starting salary for first year of employment for male attendants, and ward aids you may call them—I am sorry, there are two classifications, male attendants and ward aids—and I would like to know the starting salaries for both and what is the maximum to which this can rise over a period of what number of years?

**Hon. Mr. Dymond:** Could the hon. member ask some other question at this time and come to that area again later?

**Mr. Shulman:** Did the Minister ask if I would ask another question?

**Hon. Mr. Dymond:** Yes.

**Mr. Shulman:** All right, I will ask another question, although I will come back to this.

Under maintenance, vote 806, I would like to come back to the Lakeshore psychiatric hospital, because the member for Lakeshore (Mr. Lawlor) and I had the pleasure of having a conducted tour of that institution recently, and there were, although I may say that we were very impressed by the management of the institution, there were a few matters that caused us some mild concern. I mentioned the fire danger situation the other day regarding the third and fourth floors of the administration building, but I will not go back to that. I would like to go on to another matter. I would like to ask the Minister if the trade workshops are still located in the basement of the hospital?

**Hon. Mr. Dymond:** Yes, I believe so. There is a trades building to be erected—this is a temporary thing. I think that the

trades building was burned out, and the new one is scheduled for construction.

**Mr. Shulman:** Well, I would like to point out to the hon. Minister that it was a year ago that this occurred and over a year ago, his department was sent a letter from the fire marshal, and I will take the liberty of quoting from that letter:

The trade workshops are located in the basement of the hospital. I strongly urge that steps be taken immediately to relocate these workshops. I recommend that proper space be provided for these shops, if possible, in a separate building. They should remove these shops from unsafe locations and remove materials that should not be in these buildings.

This was a year ago. Mr. Chairman, has anything been done in that time?

**Hon. Mr. Dymond:** Mr. Chairman, I would just like to advise the hon. member that the new building is scheduled for construction.

**Mr. Shulman:** When?

**Hon. Mr. Dymond:** It is scheduled for construction. I am not just sure where it stands in the public works programme.

**Mr. J. B. Trotter (Parkdale):** It has been scheduled for years.

**Mr. Shulman:** Yes, the member for Parkdale is quite right, it has been scheduled for years. Inasmuch as it may be some years before this building is constructed, will the Minister take some immediate steps to guard against the danger of fire involving these trade workshops?

**Hon. Mr. Dymond:** Yes we will, Mr. Chairman.

**Mr. Shulman:** Thank you, Mr. Chairman.

Now, I would like to go on to another matter at the Lakeshore psychiatric hospital—involving the fire alarm system. Is the fire alarm system at the Lakeshore psychiatric hospital now up to the standards as set out in the Ontario fire marshal's hospital design standards?

**Hon. Mr. Dymond:** Mr. Chairman, these are questions that demand a great deal of research. I think that if the hon. member puts them on the order paper, we will get these answers for him, but it is quite impossible to get all of these specific details. Each hospital is responsible very much for its own affairs.

We would have to get this all gathered together.

**Mr. Shulman:** Well, then perhaps I could make it a little easier for the Minister. I am continuing in the same letter, and I read from the letter, this is criticism No. 13:

The automatic fire alarm system at the present time covers only 90 per cent of the hospital. Full coverage is required and must be installed. The entire system should be checked and brought up to date if required. A fire drill was held while I was in the hospital, and there was a malfunction of the system. This system must be brought up to the standards as set out in the Ontario fire marshal's hospital design standards.

Now, what I want to know from the Minister, inasmuch as nothing was done in at least two of the other items that I already mentioned, item 13 relating to the automatic fire alarm system, has that been looked after?

**Hon. Mr. Dymond:** Mr. Chairman, this whole report was submitted to us and it is all in the hands of our people, who are working in concert with The Department of Public Works, and all these required alterations, changes or improvements will be undertaken because this is essential in the hospital's programme.

**Mr. Shulman:** Thank you, Mr. Chairman. I would like to point out once again that these recommendations were sent over one year ago. If there is a fire and these changes have not been carried out, I should think that there should be some responsibility lying in the Minister's department. But inasmuch as he is looking after all these matters, I shall not go into the other eleven in this letter. But next year, I shall again tour that hospital, and we shall see if within that time you carry out your responsibilities.

**Hon. Mr. Dymond:** Mr. Chairman, if the hon. member would like me to appoint him to a hospital under that Act?

**Mr. Shulman:** Yes, I should be delighted; Mr. Chairman, if the Minister would do that, I accept the position.

**Hon. Mr. Dymond:** Well, I can assure you that there will be ten moons in the sky before I do.

**Mr. Shulman:** Mr. Chairman, let me assure the hon. Minister that I shall continue to carry out that function in any case without the

appointment, but I thank him for his kind thought.

Well let us go on to the situation at the mental hospital at Whitby. I hoped that the salaries might be available before I went into that, but I will go ahead in any case.

**Hon. Mr. Dymond:** The salaries and starting salaries for hospital aids: In group one, while under training are \$1.86 per hour and \$1.94 per hour after one year; group two, \$2.10, \$2.19, \$2.28 per hour.

A hospital attendant, group one: First year, while he is under training, \$1.94 per hour, and \$2.02 per hour after one year; group two: \$2.28, \$2.37, and \$2.46 per hour.

**Mr. Shulman:** Well, I can see that things have not changed very much in the last couple of years.

**Hon. Mr. Dymond:** I think that it should be understood by the hon. member that the matter of salaries is a matter for negotiation between the CSAO, and The Department of Civil Service, not The Department of Health.

**Mr. Shulman:** Well, now, perhaps I can get a ruling from you, Mr. Chairman. Am I to understand that the low salaries that the aids receive cannot be discussed under this vote?

**Mr. Chairman:** Well, the amount of salaries is indicated in the vote, and can certainly be discussed, but the reason for their being high or low, or otherwise, is, as the Minister mentioned, not within the jurisdiction of The Department of Health.

**Mr. Shulman:** I am not too interested in the reason. I am interested in getting something done about it, and—

**Hon. Mr. Dymond:** With respect, I submit that salaries cannot very well be discussed because I have not got anything to do with them. This is a matter for negotiation between the CSAO and The Department of Civil Service, which does not come under the purview of my departmental responsibilities.

**Mr. Nixon:** On a point of order. If that is the case, why are the salaries not put in under The Treasury Department instead of in each vote? As the way that they are—

**Mr. Trotter:** We have been studying this matter for years and certainly it affects the shortage of personnel in this department. I know that I have spoken on this vote before a number of times, so have many members.

Surely at this late date you are not going to rule that out of order?

**Hon. Mr. Dymond:** Well, Mr. Chairman, it is not very long ago that this CSAO got into negotiations and it was when that came about that the change was made, that the negotiations were carried out directly with the CSAO. They are matters for negotiation—they are not a matter for a departmental decision or responsibility. They go into negotiations, just the same as any union will do, and they negotiate with the groups set up to represent employees and employers and The Department of Health does not have this responsibility. It comes under The Department of Civil Service.

**Mr. Trotter:** Well, Mr. Chairman, speaking to the point of order. We could well discuss salaries, because certainly the Minister did not use this excuse to interfere with the strike at the Trenton hospital two years ago. There you may recall was a conflict between the Minister of Labour—

**Hon. Mr. Dymond:** It was an entirely different thing and I did not interfere with the Trenton hospital.

**Mr. Trotter:** You sure did.

**Hon. Mr. Dymond:** I was invited down there as a guest—

**Mr. Trotter:** You gave your own Minister of Labour a rough time.

**Hon. Mr. Dymond:** —but I had nothing to do with that whatsoever; and it is an entirely different situation anyway.

**Mr. Chairman:** Well, I think the Minister has clearly indicated that the matter of salaries in this particular department is a matter for negotiation, and he could do nothing about it one way or the other. The amount of the salaries included in here are the amount required by his department, and I think that the member could properly discuss the level of salaries under the civil service appropriation.

**Mr. Shulman:** I will do that. Thank you, Mr. Chairman. The only thing I would like to point out in this case is in a letter which I have here from the civil service association with respect to the salaries of the attendants and other employees at the mental hospitals, that, without discussing the reason or the level, and I quote:

The records speak for themselves. As high as 50 per cent turnover to staff. A



much greater percentage of injury and infectious diseases than in any other occupation. The job of aids and attendants is even considered a hazardous one by some life insurance companies.

Under these circumstances, may I suggest to the Minister that perhaps many of the difficulties which are presently being found with staff and with personnel at the psychiatric and mental hospitals has a great deal to do with salaries and perhaps he should interest himself in this particular problem. However we will save that for the—which estimates?

**Mr. Chairman:** Civil service!

**Mr. Shulman:** Civil service. Now, I would like to come to the situation at Whitby. There is a problem there, which has resulted in the staff being extremely unhappy, so unhappy that in a strike vote which was taken a few days ago, some 76 per cent, I believe, of them voted to take a strike, and I quote from the Oshawa newspaper. This is back in March:

Members of branches 27 and 156 of the civil service association of Ontario will take a strike vote April 9 if the working conditions are not rectified by then. If the membership favours strike action, workers will leave their jobs May 10.

I understand, Mr. Minister, through you, Mr. Chairman, that a strike vote was taken as a result of certain findings having been made by a committee which was studying the situation at the Whitby hospital. What I would like to know is, what it was in that particular report that so incensed the workers, and would the Minister be prepared to let us have a copy of the report?

**Hon. Mr. Dymond:** Mr. Chairman, this report was not submitted for me, or to me. The hon. Provincial Treasurer (Mr. MacNaughton), I think, undertook to answer a question in this regard some time ago. I cannot remember what he said, but his answer will be found in *Hansard*.

Again, this is a matter between the CSAO and The Department of Civil Service.

**Mr. Shulman:** Am I to understand that morale of workers does not come under this particular Minister?

**Hon. Mr. Dymond:** I do not think that we are just ready to discuss morale. I do not know whether morale was involved in this or not. I only stated that the hon Provincial

Treasurer dealt with this matter in answer to a question and his answer will be found in *Hansard*.

**Mr. Shulman:** The question, of course, was a different question, as I asked it and I remember it very well. But I will leave that. I ask the Minister then, inasmuch as the heading here is—"Strike Threat at Ontario Hospital"—inasmuch as 76 per cent of the workers voted to go on strike, is the Minister aware of what has caused so much unhappiness at the Ontario Hospital in Whitby?

**Hon. Mr. Dymond:** Mr. Chairman, as I understand it, under The Public Service Act, the employees cannot go on strike and I am quite certain that the present negotiations between The Department of Civil Service and the CSAO will bear fruit, and the matters will be resolved.

**Mr. Shulman:** I am hopeful, too, that the Minister is correct, but this has nothing to do with my question. My question was that 76 per cent of the workers, whether they could legally or not go on strike, signified they wished to go on strike. What is making them so unhappy? What is wrong at the Whitby hospital?

**Hon. Mr. Dymond:** Mr. Chairman, I really do not know. I have not had any involvement in this at all. Again I have to repeat, this is between the CSAO and The Department of Civil Service.

**Mr. Shulman:** I am not going to pursue this, Mr. Chairman, but may I suggest to the hon. Minister that if 76 per cent of the workers in a hospital under his department are prepared to go on strike, perhaps the Minister should know something about it, and once again this is a commentary on this particular department, and this particular Minister.

**Mr. W. Newman (Ontario South):** Mr. Chairman, on a point of order. I would like to bring out a point of order, Mr. Chairman—the figures that are quoted here today, about 76 per cent of the workers at the Ontario Hospital voting to strike, are not true. It is 76 per cent of the people who were present at the meeting. I just wanted to put the record straight.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** That is a little different.

**Mr. Shulman:** Then let me repeat my comment, Mr. Chairman. If 76 per cent of

the people in the civil service association who attended that meeting were prepared to go on strike, may I suggest the hon. Minister and the hon. member from that area should have enough responsibility to look into the matter and find out what in the world is wrong in this department and at that hospital.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, several years ago, the Minister and I discussed the need for mental health facilities in the community of Windsor and the need for an institution. Since then we have had a community psychiatric hospital developed at the IODE, and it is a real asset to the community. It is fully in operation, but I would like to ask the Minister how large an institution does he foresee at IODE, as far as the psychiatric wing is concerned?

**Hon. Mr. Dymond:** Eighty beds for adults and 40 for children.

**Mr. B. Newman:** I understand that. Is that your limit?

**Hon. Mr. Dymond:** No, that is the immediate limit.

**Mr. B. Newman:** Yes, I know that. I would like to know how large an institution can you foresee there? Do you foresee an institution capable of, say, handling 200 to 300 people?

**Hon. Mr. Dymond:** Not at the present time, not in the foreseeable future. Again I have to point out, Mr. Chairman, that since we spoke in terms of a community psychiatric hospital some eight or nine years ago, I pointed out to the hon. member that psychiatric units have been established in all the general hospitals of any size in the area, so that actually the situation is improved, in that people can be treated closer to home than we had visualized when we spoke of a community psychiatric hospital in Windsor to serve the whole geographic area.

**Mr. B. Newman:** I understand that, Mr. Chairman, and may I assure the Minister we really appreciate the fact that we have the facilities there now. Still there is the problem of large numbers of our former residents being housed in St. Thomas. Is there any answer to the problem of having them housed closer to their own area, so that friends and relatives and loved ones would have an opportunity of visiting them more

often, and the visits themselves being of some therapeutic value?

**Hon. Mr. Dymond:** We can just say this in answer to that question, Mr. Chairman, that the units in the Windsor area are still not being used to capacity. So it would be folly to build more facilities when those that now exist are not being fully utilized. There is 68 per cent occupancy at the IODE unit, for instance.

This means that 32 per cent of the facility is standing idle. But the determination to establish psychiatric units is based on a formula and this needs formula has grown out of many years' experience: 0.4 beds per 1,000 population for short term active treatment. This is the formula on which we have established our psychiatric units in general hospitals and we find that it is meeting the need.

If experience indicates to us that the Windsor area has some differences and that the occupancy exceeds the 100 per cent, or 95 per cent, then we would have to take another look at our figures and see if they should be reviewed.

I would point out, short term treatment in our thinking means 12 months' stay for a patient.

**Mr. B. Newman:** I think we are not communicating with one another at this stage. I am referring to the large number of Windsor residents that are housed in St. Thomas. Is there some way of removing them from St. Thomas and setting them in some type of facility in our own community, so that loved ones would have an opportunity of visiting them more often and in this way being of some material advantage to them?

**Hon. Mr. Dymond:** I think that we had better have a look at the figures. We are talking about the large number of Windsor residents who are in St. Thomas.

First of all, I do not know what this number is. I do not know what their status is. I do not know how many of them are, for instance—

**Mr. Nixon:** But you said it should be about 4 per cent.

**Hon. Mr. Dymond:** Yes, that would be those who are referred, but my hon. friend is talking about those who have been admitted to St. Thomas when no other facility existed—so it could exceed that figure in this particular case.



The Windsor community unit is relatively new. It started in 1963, and is now in its fifth year so that there could be a number of long stay patients at St. Thomas who were admitted when no other facility was available.

How many of those are residential people, I do not know. I think what we had better undertake to do first is to look at the number of people from Windsor who are in St. Thomas and determine how many of them could be brought back to the community, and then let you know what our findings are.

**Mr. B. Newman:** You see, Mr. Chairman, there is a financial difficulty for an individual to visit a friend or relative at St. Thomas, 120 miles away, where if that person could be hospitalized at IODE or some other facility, a community facility, it certainly would be a tremendous asset financially to the loved one and possibly mentally to the patient who happens to be confined at the time.

Ontario Hospitals are financed completely by The Department of Health, are they not, Mr. Chairman? Ontario Hospitals are financed completely by the provincial government.

**Hon. Mr. Dymond:** Yes.

**Mr. B. Newman:** This is one of the difficulties here. The community psychiatric facility requires a municipality to put up one-third of the funds, whereas other municipalities that happen to have an Ontario Hospital do not have to put up any of the funds for the facility they have there. Should not the department consider taking over the complete cost of the psychiatric portion of the hospital?

**Hon. Mr. Dymond:** No, Mr. Chairman, there is a misconception about this. The ironic feature is that with few exceptions where we have our Ontario Hospitals situated, the general hospital in the area has also been given approval for a unit—with very few exceptions, and the community is providing its one-third of the cost. Every community wants to take responsibility, then it must take the whole responsibility.

After all, this is only the capital share. There is no charge on the municipality for operating costs and these are the big costs because they go on and on for ever. In fact, the municipality's cost of the new facility is more than expended within one year's operating costs so it is a relatively small share of it.

**Mr. B. Newman:** But still it costs the municipality a certain amount of money to construct the facility. With the provincial government assuming the complete cost of the community psychiatric hospital, the community could build other treatment hospitals in its own area and in that way alleviate a lot of the problems that the community is confronted with.

You see, we have a hospital bed shortage, an acute shortage, as the Minister knows. The problem is overcrowding in Riverview hospital and the other hospitals in the community. You wait sometimes as long as five weeks to get accommodation in the hospital, depending on the type of problem that the individual is confronted with. But were the Ontario government to assume the complete cost of the construction of community psychiatric hospitals, funds would be available to the community to do something else with those funds.

**Hon. Mr. Dymond:** Mr. Chairman, we cannot have it two ways. If we are going to demand that the psychiatric patient be looked upon as a sick person, that is fine. But we must accept all of the responsibilities inherent in this. If the patient has got a gall bladder or ingrown toenails, we are prepared to pay our third, the community is prepared to pay their one-third of the capital cost of the hospital. Society, I think, wants the psychiatric patient looked upon as a sick individual. If they are to be treated in the home community, in the general hospital, as in my view they should be, then the community assumes this as part of its responsibility for caring for the sick.

I think that we have gone a long way in this problem when we provide two-thirds of the capital costs of construction of all hospitals, with certain exceptions. Those exceptions have relation to teaching facilities and regional facilities, but strictly community services. I think the municipality or the community served must take its fair share of the responsibility or there is an immediate separation or segregation of a particular type of patient or a particular disease and immediately some stigma is attached, wittingly or otherwise.

**Mr. B. Newman:** Is the Minister considering turning over to the community such hospitals as the Brockville, Goderich, Hamilton, Kingston and so forth, London, New Toronto, North Bay, Owen Sound, Penetanguishene, Porcupine—



**Hon. Mr. Dymond:** No, no, Mr. Chairman. These hospitals serve greater than a community function. St. Thomas hospital, for instance, does not just serve St. Thomas and Elgin county; it serves a catchment area. It is a regional hospital and this, I suggested to your hon. leader, is the way we would ask you to look upon all the Ontario Hospitals, as serving a regional function rather than a municipal function. The hospital in Whitby does not just serve the town of Whitby or Ontario county. It serves a whole catchment area and the same goes for every hospital we have. None of them is a community hospital.

**Mr. B. Newman:** Well, the IODE is a regional hospital for the region, only it is a smaller region. It is a region known as the city of Windsor.

**Hon. Mr. Dymond:** No, Mr. Chairman. The IODE hospital is not a regional hospital. It was a regional hospital but it is a regional hospital for the service of tubercular patients—a very small unit which serves tubercular patients. But the hospital itself is strictly a community hospital. I think it serves the city of Windsor and the county of Essex. It is a community hospital.

**Mr. B. Newman:** Mr. Chairman, I bring this up because I am anxious to get hospital bed facilities in the community of Windsor, and if we can get it by you taking over the costs to operate the psychiatric hospital then we could probably afford to provide other facilities in the community.

May I ask the Minister if he is considering a medical school associated with the University of Windsor?

**Hon. Mr. Dymond:** I do not know, Mr. Chairman. I have not got the report of the council of health on educational facilities yet. As soon as I get that I will be pleased to let the hon. member know their feeling.

**Mr. B. Newman:** Thank you.

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, there are two or three items I would like to speak to on this vote. The first one is going back to the matter of the type of plant—if we can use that term—that we have to keep the mentally ill in our Ontario Hospitals.

We on this side of the House were happy to see the government support the psychiatric boards in the general hospitals. There is still, in truth, almost a 100 per cent tendency for

the general hospitals to treat those cases that are not going to last for a very long time. If there is a serious case it comes to a general hospital—to the psychiatric ward of a general hospital. The patient usually ends up in the Ontario Hospital. This is not the truth in every case but this is the main policy that is taking place. It is true what the leader of the Opposition said, that in many cases our mental hospitals are becoming warehouses for those people who are seriously mentally ill.

There is no doubt that the superintendents of these hospitals do not want this to happen. They are encouraged and they try to encourage that the patients in our mental hospitals be discharged as quickly as possible, but the trouble today is that they are under so much pressure to discharge patients quickly, because of the lack of space, that a lot of them are discharged, really, before they should be.

I do not intend, Mr. Chairman, to read the essays of the superintendent of the Ontario Hospital at Kingston or some of the essays of the superintendent of the Ontario Hospital at 999 Queen Street. These two men have written on what they call the revolving door policy, that in some cases patients are discharged too quickly, and even when they could be discharged if they had proper care they could still manage to survive on their own. But there still is not enough personnel, in respect of social workers, to take care of many of the people discharged by our mental hospitals.

There is approximately a 60 per cent turnover. In other words, six out of every ten people who are discharged from a mental hospital are going to go back in, despite the fact that we have out-patient services, and despite the fact that many so-called wonder drugs can now be a great deal of help.

Mr. Chairman, it comes down to this: the facilities that we provide in Ontario Hospitals simply will not do. It is true that improvements have been made at the London Ontario Hospital after many years. That place was a shame and a disgrace to this province and now, of course, it is greatly improved. Year after year, Mr. Chairman, I have complained bitterly about the conditions at 999 Queen Street, a building constructed back in 1847 and still being used despite the fact that it is in a condition that really is a fire trap.

I know that the Minister was criticizing the member for High Park—when he was

talking about the fire conditions at the Lakeshore hospital. I will just give you an example to show that those of us who have pointed this out from year to year really cannot be exaggerating. I complained about fire conditions in nursing homes and yet now from the mouth of the Minister on these estimates we find that only one in ten of Ontario's nursing homes qualify for the proper fire protection—far worse than I was saying and far worse than what I ever thought was the actual case.

It is the same with these Ontario Hospitals. The vast majority of them are completely out of date and over the years that I have been here and examined these hospitals very little has been done. I brought up the fact that there had been a fire in an Ontario mental hospital last year and it was denied, and now I find that there actually was one and this was in the workshop of the hospital at Lakeshore. Well, Mr. Chairman, it is not that we are trying to scare people. It is when you tour these buildings and see the hundreds of people crammed into these ancient bastilles that you see the real possibility of a tragedy taking place. It is only reasonable to foresee the danger.

Now we have been promised, year in and year out, that the new building for 999 Queen Street West is on the planning boards and we have plans. The Minister tells us it is not his fault, it depends what the Minister of Public Works (Mr. Connell) is going to do, and when the estimates of the Minister of Public Works come up, we discuss these matters and we just see it on the drawing board and there are plans.

When we consider that 999 Queen Street is in the heart of our largest city in this province; it has the largest out-patient service—I think there are 2,700 people a year who attend the out-patient service at 999 Queen Street—they simply do not have the facilities either to look after people who are going to stay there for any length of time, or to care properly for those people who are attending the out-patient facilities that they have there.

I can remember about three years ago attending down at 999 Queen Street with the committee on aging, and they were showing us what facilities they had, in order to administer drugs to the out-patients and yet they were apologizing for the poor facilities they had. But they assured us that there were new plans that were going to be avail-

able, and the construction was going to begin in the near future. Well, of course, we inquired "how is the construction coming? How are the new facilities?" They just are not there, and too often we have seen a prospective building announced, and announced, and reannounced. It is more or less helped by headlines. We often have mentioned about housing by headlines. Here, insofar as many of our facilities for the mentally ill are concerned, it is treatment by headlines. We are simply not coming to grips with the problem.

Now, Mr. Chairman, I am not asking that the Minister go out and rebuild these great bastilles. We all know by now—surely we all do—that any facilities that are provided for the mentally ill should be small buildings of not more than 300 patients. I think the Minister mentioned that since Cedar Springs there had not been any facility built with more than 300 beds. But what we need down at 999 Queen Street, what this city needs, and what this province needs, is literally a complex that will take care of the various needs of the mentally ill in this large area. I told the Minister that there really had not been any beds built for the mentally ill in central Toronto in many years. Well, he corrected me and said there was a psychiatric wing in the general hospitals; that there was the Clarke institute; but these are relatively small numbers of beds, and the Clarke institute is really more for experimental services.

**Hon. Mr. Dymond:** No. It is a research hospital.

**Mr. Trotter:** Well it is a research hospital—

**Hon. Mr. Dymond:** Oh yes, but it is performing a service function.

**Mr. Trotter:** How many beds do you have there now?

**Hon. Mr. Dymond:** There are 240.

**Mr. Trotter:** Well, if you have ever compared the growth of the population in this area with the services that have to be rendered by your department, then this number of beds that have been built in the last few years in Toronto—such as the Clarke institute—do not begin to take into consideration the increase of the population. They simply do not keep up with the increase of the population, to say nothing of the backlog. So again I press the Minister, particularly with regard to 999 Queen Street, that we build in there a new complex, and by a

complex, I mean literally a community centre, so that not only does it have the facilities as a hospital for the mentally ill, but also has the out-patient services and the therapeutic services that are greatly needed.

In the long run, a capital investment will save this province money. The more people that we can return to the community and have earning wages and paying taxes, the better. It is far cheaper in the long run than having people in the hospitals for a length of time, or going through this revolving door, in and out, year in and year out. In talking about the plan that we need for our mentally ill, the same applies for those who are retarded. The Minister keeps emphasizing that he is anxious to keep those children who are retarded in their family homes. I could not agree with him more, Mr. Chairman. This is quite true.

But again it must be emphasized that there is going to be a certain proportion of the retarded, possibly only 10 per cent that are going to require institutional care. When one sees the number of cases that are brought to a member of this House, and hears the stories of various families, it is obvious that for the sake of the normal children in the family, in many cases for the sake of the health of the mother, that many of these children are going to go into institutions, and we simply have not provided the facilities that are required. They are still crammed into Orillia and Smiths Falls like sardines. I did not disagree with the Minister when he cut down the bed space of Cedar Springs from 2,400 to 1,000. I believe the original projection for Cedar Springs was to have 2,400 beds, and when the Minister came along, he put a stop to it and he said: "No more than 1,000 beds". But it was obvious that when the need for 2,400 beds at Cedar Springs was forecast, what we should have done was not just build the one hospital of 1,000 beds at Cedar Springs, and forgot about the other 2,400 beds. What we should have done was to have supplied at least three smaller hospitals in the general area—or shall we call them hospital schools? Again this has not been done, particularly when we remember that in this province, we simply do not even look after the backlog, let alone the expanding population.

I know that we have gone over the figures on many occasions, and there is a lot of disagreement as to how many retarded children are going to require bed-space in an institution. I think that the figure is used, that 3 per cent of our children are born retarded,

and 10 per cent of those will have to go into institutions. Well, if those figures are anywhere near accurate, we simply do not begin to meet the requirements. I know that any time that I have applied to the Minister to place a child in an institution, he has given that application every thought. I do not think that any of them were ever turned down. But the trouble today is that these hospitals and schools are so crowded, that after people have waited two and a half years in desperation, they go to an MPP. I say to the Minister through you Mr. Chairman, that in this province it should not be necessary for a family to think that "if maybe I see the MPP, maybe we can twist somebody's arm. I will get my child in this school".

I do not believe for one moment either, Mr. Chairman, that in the vast majority of these cases, these families are just trying to get rid of the child. I know that in the vast majority of cases that I have had, it is simply a matter of desperation, and this government simply is not giving the service that is needed in the field. I mentioned these different buildings from time to time, but I believe, Mr. Chairman, that there are still 249 retarded adults at Aurora, and there may have been a cutdown to some extent, but I do not think so, and if so, I hope that I am corrected.

But there is another instance where one can say that the hospital for the adult retarded at Aurora is a fire trap, when you see the conditions that these people live in, where they are bedded down. This condition has existed for a number of years, despite the fact that year in and year out we complain about it, nothing is done.

I went into some detail back in about April of 1966 complaining about the hospital at Aurora, and basically the situation is just as bad as it ever was. Again, at Whitby, they have the retarded hospital for women. The building there, neat and clean and well painted are so old that they would just go up in flames, if something went wrong.

**Hon. Mr. Dymond:** I think that this is a most unfair thing to put on the public record. First of all, Whitby is not a centre for the retarded, I think that the hon. member perhaps means Orillia, but the buildings would not go up in flames—they are solid brick buildings.

**Mr. Trotter:** No, there is the one for the girls—the retarded school at Whitby.

**Hon. Mr. Dymond:** Cobourg, I think—

**Mr. Trotter:** It is the old school there—



**Hon. Mr. Dymond:** Cobourg is an old facility; it is a residential facility.

**Mr. Trotter:** It has a residential facility there and I am not denying that the place is neat and clean, but those buildings, in some cases, were never meant for the purpose that they are used for today. Plans again have been underway for many years to change the facilities for the retarded women at Cobourg, but again nothing has been done.

I do not think that the authorities at Cobourg or those in charge there will deny what I am saying. Because they know the situation, and are anxious to have improvements, and what concerns me is that this government still has a "do nothing" policy, no matter what year it is, and that is the truth of it.

No matter what government we have, no matter what political party we have had over a long period of time, in treating these people this policy of doing very little or doing as little as you can has long existed.

But no matter what other administrations have done, and no matter what other Ministers have done, the fact that there is so much more knowledge available today, and that there is literally more money today despite all the complaints that we have of the shortage of money, we are certainly more affluent than we ever have been, and yet a proper appropriation of the cost has not been given to this greatly needed part of our health services.

So, Mr. Chairman, I again plead with the Minister that something can be done in this because it is no exaggeration to say that in too many places, be it Aurora, or Smiths Falls, or Orillia or Cobourg, these people are just literally crammed into places that do not give the facilities that could be given to them.

Mr. Chairman, while I am on my feet, I would like to mention the fact that on April 26, it was the 50th anniversary of the founding of the Canadian mental health association. Under these votes, we give a grant of \$10,000 to this association, to their Ontario wing, and I would like to bring to the attention, of the members of this House through you, Mr. Chairman, the great work that this association has done and is doing.

I have often suggested—and last year I went into some detail—that we should be giving this association more than \$10,000. The reason for it is that they do so much work voluntarily, they can make a govern-

ment dollar go farther than many other associations, and often farther than the government can do.

I believe that there are about 20,000 or 30,000 people, volunteers throughout Canada, who work through the Canadian mental health association with our mentally ill, and a good proportion, probably the majority of them, are in the province of Ontario. The research that they do, the advertising of the cause of the mentally ill, is of great importance to us, and I think that it has been of great assistance to the government. They have recommended many projects, in fact initiated many projects that are now carried on entirely by governments, be it the province of Ontario, or other provincial governments, or the federal government at Ottawa.

So, I would like to congratulate them going into their 51st year, and thank them for the great work that they are doing.

Finally, Mr. Chairman, in reading the literature of the Canadian mental health association, and seeing some of the problems that are still before us, I would like to ask the Minister a few questions before this vote passes on what we are going to do about the emotionally disturbed child.

There has been a lot of debate in this House—certainly the member for Scarborough West (Mr. Lewis) has had a great deal to say on this subject, and his words have been well taken, while the answers really have not been forthcoming from this government.

The Canadian mental health association points out that there are 100,000 mentally disturbed children in all of Canada, and if we go by population and urbanization, it was safe to say that 40 per cent of those children are in the province of Ontario. I am told that in all of Canada, there are only 400 beds for emotionally disturbed children.

Maybe a majority of those beds are in the province of Ontario, but it shows that if we had 40,000 emotionally disturbed children in this province, we are far short of the facilities that are really required. Now, the Minister brought before this House last year, and I hope that most of us read it, a white paper called "Services for Children with Emotional and Mental Disorders."

There is very little that you can disagree with the government in that white paper. I have been saying most heartily, "Bully for you, go ahead"; because it certainly talks about the problems, and gives the appearance that it is going to do something, but from

what information I have received, Mr. Chairman, of what is actually being done in the field of emotionally disturbed children, the white paper is a pipe dream.

It is not that it is impossible, that we cannot do these things, it is that the government is moving so slowly that it is a farce to say that that important white paper, that we had last year, should be any pretense at all in being a policy of government; if it is a policy of government we support it.

But what is infuriating and what really is a fraud to the public, is when they see a document, such as that which we had presented to us by the Minister of this House—"Services For Children With Mental and Emotional Disorders"—when we have a document like that presented to us and through this House, to the public, so many of whom assume that a lot is going to be done, and the public certainly assumes that something was going to be done. Not just something, but a basic policy change—a basic improvement in the treatment of these many thousands of children.

And yet, I would just like to conclude these remarks with three questions of the Minister, Mr. Chairman, and it involves this.

The Minister, in his white paper, was going to treat the emotionally disturbed children on a regional basis. They were going to set up regional centres.

I would like to know, Mr. Chairman, under this matter of regional centres for treatment of emotionally disturbed children, how many have been set up in the province of Ontario and how many are actually active? By that, I mean, they are not just shells but they are active and how many patients are they treating?

The second question is that they promised us on recommendation 14 last year that pilot projects would be undertaken to explore new methods and techniques in the management of particular problems. I wonder, on that question 14, if they could tell us what they have done in exploring new methods and techniques?

Finally, in recommendation 3 they said this:

Training programmes will be undertaken to assist those identified with the various agencies and service to recognize a child in need of special attention.

I would like to know what training programmes have been initiated, or the number of students increased since this report was given to us about a year ago?

Well, Mr. Chairman, there were about 16 recommendations in that report, and I do not intend to go into them all right at this point, or probably on these estimates. But I can tell you, Mr. Chairman, that out of those 16 recommendations there is just not much that can be shown that has been done. We still have approximately 40,000 emotionally disturbed children in this province. I cannot say that that is an accurate figure, but what concerns me is that nobody really knows, because not enough has been done and I just hope the Canadian mental health association keeps pushing this problem enough to embarrass this government into finally taking some action.

I see, Mr. Chairman, the Minister's assistants were taking down my three questions. I wonder if he would give me some answers.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member has covered a wide range of topics and many of them are very interesting.

I want to touch first, on some of the things he said about the mental hospitals. Again, I have to emphasize that the Ontario Hospital of today is an entirely different institution to the hospital of ten years ago.

First of all, the hospital is a hospital in the true sense of the word. It provides a total range of services and in this regard it differs somewhat from the general hospital, because there are not very many general hospitals which offer the whole range of services; active treatment, convalescence, and extended care such as the Ontario psychiatric hospitals do.

Now the matter of the difficult cases still being referred to the Ontario Hospital: We are sorry to see that this still continues in some respects. I quoted a figure of 4 per cent; my staff tell me that this, in itself, shows marked improvement. Many years ago, this figure was 15 per cent, but by education and reminding general hospitals and by giving them extended facilities, this figure of referred patients has reduced now to less than a third of what it was even ten years ago.

Now again, unfortunately, the hon. members in the House are obsessed with this business of readmissions, and I cannot blame them because the psychiatrists have set this tone and nothing I can say to the psychiatrists will get this knocked out of their heads. There is no other phase in the practice of medicine where there is this preoccupation with readmission. And particularly, in light of the fact, that more than 50 per cent of these people readmitted to Ontario hospitals have



been out of hospital for a year and in my view, as a physician, I would say this could be a completely new illness. It could be coincidental that they are suffering a relapse. I do not know. But, if a patient for instance has congestive heart failure, they may be in and out of the hospital half a dozen times in a year, and nobody gets upset about it. Why in the name of common sense once again, if a psychiatric patient is a sick patient, should we become so preoccupied by the fact that he has to go back in hospital? If the patient is out of hospital a week, two days; if there is a break in that hospital stay, I say this is all to the good and this is in the patient's interest and I say this regardless, without regard to what my psychiatric staff may say. I, as a practising physician, am delighted when a patient can be let out of the hospital, no matter for what cause he has been admitted and I can assure you, Mr. Chairman, and the hon. members in this House that I am serving notice on my psychiatrists that this readmission rate is going to be dropped from our statistics. It will not appear in next year's statistics if I am the Minister of Health. I can assure you of that. I think it is stupid. I do not think it should ever have been used unless it is going to be used in respect of all sick people and all hospital admissions.

**Mr. Trotter:** Your own superintendents disagree with you—

**Hon. Mr. Dymond:** It is quite all right if my superintendents disagree with me. I am laying down the policy that readmission rates will be taken out of the statistical records because they have absolutely no relevance—

**Mr. Trotter:** Are you ashamed of that?

**Hon. Mr. Dymond:** —and I can bring enough professional backing for that opinion that we will argue that, but I will argue that with my own staff.

**Mr. D. C. MacDonald (York South):** You are challenging the experts.

**Hon. Mr. Dymond:** Yes, I am challenging the experts in this regard because I think my opinion has some validity.

**Mr. Trotter:** You want yes men!

**Hon. Mr. Dymond:** They are not yes men. We will argue this out and we will resolve it.

**Mr. Trotter:** Your own free men telling you.

**Hon. Mr. Dymond:** But if we are going to have readmission rates listed in the statistics for mentally-ill patients, then they must be listed in all statistics, so that there is a fair comparison, and we will know how often the heart patient or the bronchial patient or any kind of patient has to be readmitted and compare *vis-à-vis* with the psychiatric patient. The statistics will have some relevance.

At the present time, they have no relevance. They stand out like a sore thumb as though this was something dreadful. I do not think it is dreadful at all. If the patient needs to go into hospital I do not care how often, as long as he is treated well and is able to be discharged for some time—

**Mr. Trotter:** Sixty per cent of general hospital patients are—

**Hon. Mr. Dymond:** Fifty per cent of the readmissions, let me remind my hon. friend, have been out of hospital a year or more. Just let us keep this in mind, a great majority of Ontario Hospitals are outdated, my hon. friend said. I have to disagree with this and to speak of them as bastilles is most unfair.

**Mr. Trotter:** It is quite true.

**Hon. Mr. Dymond:** A great many people in the province of Ontario have been well treated and well cared for in the—

**Mr. S. Lewis (Scarborough West):** It is moderation.

**Hon. Mr. Dymond:** Yes, a little moderation would be—a little bit more moderate language, thank you—would be really useful in this case. With the exception of Toronto, I think every Ontario Hospital in the last 15 years has been renovated and upgraded. A great many of them are completely new, and this programme is going on steadily.

I received a note just after the hon. member for Parkdale left, he was talking about the turnover at Whitby. I would like to put it on record, sir, I am advised that as of the present time, in spite of all the hon. member has said about the difficulties in Whitby, there are two vacancies for nurse aids and four vacancies for attendants in a staff of some 960.

Apparently, the great majority of employees are not so dissatisfied as would appear.

The hon. member spoke about mental retardation in some degree. He spoke about 10 per cent of all mentally retarded being said to require institutionalization. I would say



with respect that I think this figure is 4 or 5 per cent, and to say that we did not build any small facilities in the area of south-western Ontario, of course, is wrong. We did build a 240-place unit in Palmerston, which—

**Mr. Trotter:** Mr. Chairman, on a point of order. I did not say that. Originally you were going to have 2,400 beds at Cedar Springs, and you cut it down to 1,000, which I am not arguing about. We agree that even 1,000 is too large. But it showed that even back in those days—back about when was it, 1957 or so when you opened it—you needed another 1,400 beds. And yet you certainly did not provide that much down there.

**Hon. Mr. Dymond:** No, but let me remind my hon. friend, I am sure he realizes that the whole concept of this has changed. Our own views have changed about this. We, ourselves, have gotten away from this enslavement to, or obsession with institutions, with beds. Again, we have expanded community facilities from the educational standpoint, from the standpoint of vocational facilities, and from the standpoint of clinical facilities, so that more and more retarded children are being retained in the home setting. The education of society has undergone a complete transformation in the past 10 or 12 years. But the need for beds is not nearly as great now as it was. More and more physicians, for instance, are not saying, as soon as they deliver a retarded child: "Oh, it must go into an institution". This is just not being done at nearly the degree it was ten years ago.

**Mr. Trotter:** How long is the waiting list?

**Hon. Mr. Dymond:** Well, the waiting list I read out, and indeed the answers to many of the questions which my hon. friend put just now are already reported in *Hansard*, because I read them into the record in my opening remarks.

Now he spoke about the provisions for the emotionally disturbed children. I read that into the record too. But before I go into that, here again there has been a great obsession with the need for beds. Just recently an extract from a paper prepared by Dr. B. Pasamanick, the chairman of the liaison committee to the joint commission on mental health of children in the United States, he points out the great concern and the great preoccupation with the need for beds. In Great Britain the same thing applies. The Ministry of Health in Great Britain suggested after their lengthy studies that there should

be 25 beds per million population for children, and 25 beds per million population for adolescents.

Mr. Chairman, if we are going to go on that statistic we already have a surplus of beds because, as I stated in my opening remarks, we have 450 beds for children and adolescents and our immediate objective is to add a further 400 beds. We plan again, as I read into the record in my opening remarks, that we are aiming for 850 beds. Now what facilities promised in the white paper of last year are operating? Again, this is on the record. I shall repeat it. The eight regional assessment centres—and may I correct my hon. friend. I did not state that they were to be treatment centres; they are regional assessment centres, and they are established and they are functioning.

Ottawa has been providing out-patient and day care programmes for some time. An 18 bed in-patient unit opened in July, pending the construction of a new children's centre.

Kingston—an out-patient service has been in operation for many years. A 16 bed in-patient unit was opened in a separate building, which was completely renovated for this purpose last May.

Toronto—a new out-patient service has been established at Thistletown in a new building. The master plan prepared and submitted to increase the capacity of the Thistletown facility to 160 beds. Renovations at the former Toronto psychiatric hospital are nearing completion and will enable the mental retardation centre to expand their programme to provide a total of 65 beds and an enlarged out-patient and day care services.

Hamilton—an out-patient and day care programme has been established as a first stage in the development of a regional centre and additional space made available to expand these services. Preliminary sketch plans have been prepared for the construction of the new building.

London—beds have been provided for 50 emotionally disturbed children and adolescents at CPRI. Approval has been given for the construction of three new cottages which will provide an additional 36 beds. Sketch plans are now being prepared.

Windsor—an out-patient service is being provided and the construction of new community psychiatric hospital nearing completion. It will not be possible to establish the in-patient unit until the new addition to the general hospital has been completed.

Sudbury—out-patient services are being provided and an in-patient unit is under development.

Port Arthur—out-patient services are being provided and the in-patient service and the diagnostic and assessment unit will be expanded as soon as available and as soon as additional professional staff are available.

These centres, Mr. Chairman, are operating now and are actively involved in development in every one of the cases. In the matter of staff, the child care workers in training at Thistletown have been increased to 130. They used to graduate an average of 30 to 36 a year. This has increased almost three times to what it used to be, and this has all come about in a year.

Additional training programmes have been established at CPRI in London, Lakeshore psychiatric hospital and in Ottawa. Two community colleges are now providing courses for child care workers and a committee has been established in collaboration with The Department of Education to co-ordinate the further development of training centres for child care workers and to relate the training programme to the standards established at Thistletown and adhered to by all provincial facilities offering such courses of instruction.

Mr. Chairman, I read all of this into the record already, and I think this is gilding the lily to go over it again. And I also read into the record a statement or an extract from papers written by Dr. F. J. Esher, the senior registrar and consultant to the department of psychiatry at the university hospital, University of Saskatchewan. This is a man who has spent a great deal of his professional life in Great Britain on mental retardation. He was a recognized authority and consultant in this field in Great Britain before he joined the staff of the University of Saskatchewan.

I am not going to re-read this, because it is very flattering to the province of Ontario, but I think it would do the hon. members a great deal of good, sir, if they would re-read this, to let them know that actually the province of Ontario is in the lead. We are the first to admit that there is yet a great deal to do, but we are moving ahead and moving ahead faster and on a sounder basis than any other jurisdiction in our country. We do not say this boastfully. I believe it is Ontario's duty to move forward faster than anywhere else.

On the other hand, I do not like to be reminded constantly that we are doing

nothing, that we are going back. Some day when I get out of this chair and take the opportunity in this House, which opportunity I hope I shall have, to detail once again—despite the fact that it has been said over and over and over again, Mr. Chairman—to detail what this province has done for the mentally disordered, and for mental health in general, I think it will make a book well worth reading.

Mr. Trotter: Well, after that speech, Mr. Chairman, I would like to ask the Minister why is it in an area even close to this House, say, at 999 Queen, that it has been left in the condition that it has been, despite it being in the main centre of our population and involving all these problems of the emotionally disturbed and the mentally ill? You have these plans in the books and they have been announced for years, but why has nothing been done?

Hon. Mr. Dymond: Mr. Chairman, I think the answer, which I have given many, many times, is that I would like to see new buildings. I would like to see alabaster palaces. But I am not concerned, sir, with the buildings nearly so much as I am concerned with what is going on inside of the buildings. There are good programmes, good treatment programmes going on inside even our oldest hospitals. I only remind the hon. member, I am sure he has heard me say that publicly on many occasions of places like Oxford, Cambridge, like Hotel Dieu in Paris, Hotel Dieu hospital in Quebec. Some of them are six, seven hundred years old, parts of them still being used, but tremendously fine programmes are going on inside them.

This is my concern, and as long as I can get the money to run the programmes, I am content to wait until I get the money to put up new buildings. I almost hesitate to say that we are making progress, however, in the matter of capital programme for Toronto, but I am not going into detail, because I am not quite positive of how far advanced it is. It is going forward, sir, but—

Mr. Trotter: You have been promising it for years.

Hon. Mr. Dymond: Yes, and I am going to keep on promising it until I get it, because again I emphasize, as long as I can get money to run a good programme I would be content to make do with what we have by way of buildings.

**Mr. Chairman:** The member for Scarborough West.

**Hon. C. S. MacNaughton** (Provincial Treasurer): You will not have to ask that question again.

**Mr. Lewis:** Mr. Chairman, perhaps I could take up this point which is just being discussed between the Minister and the member for Parkdale about the Toronto Ontario Hospital and its permanent state of disarray. I will not embarrass the Minister, Mr. Chairman, by reading into the record his completely definitive undertaking, year after year, to have that hospital reconstructed. I will go into the whole business of reconstruction in a moment. But his undertakings in this chamber to have that hospital reconstructed year in and year out, his promises to the House that it would be done, his looking over his shoulder at the Minister of Public Works nodding in assent as they collectively agree, and the Cabinet benches agree, that the hospital would be rebuilt—it is a scandal on the floor of the Legislature at this point in time that, in fact, not only do we this afternoon learn that it may not be rebuilt, but is in permanent abeyance. Now the point is, Mr. Chairman—

**Hon. Mr. Dymond:** On a point of order, I never said any such thing. I did not say it was not likely to be built and I did not say it was in permanent abeyance; I just said that I am not going to be accused of making promises any longer; the plans are going forward.

**Mr. Lewis:** Mr. Chairman, with great respect, when this Minister says to the House, "I am not sure of our capital position and I am no longer prepared to make promises," then on this side of the House we know that this means permanent abeyance, because we have heard it too often, and that is a simple reality.

**Hon. Mr. Dymond:** You should not jump to conclusions.

**Mr. Lewis:** It may be a socialist conclusion, Mr. Chairman, but it is a Tory reality and a state of suspension in this department is not unknown to the members of this Legislature. It is a perpetual state of suspension.

Mr. Chairman, one of the things that might be pointed out about the Toronto Ontario Hospital when one extols the virtues of the programmes within its barren walls, is that the superintendent of that hospital—and there is probably no finer a superintendent in the province of Ontario, given that they are all

equal men, but certainly Dr. Christie is renowned throughout the province for his capacities—is on record as saying that his programmes are defeated by the environs in which they take place.

He is on record, and with regard for the Minister, how can one possibly talk about the value of programmes in the Toronto Ontario Hospital—about voting the money for those programmes—when the superintendent of the hospital himself has indicated that on occasion they are self-defeating?

They are self-defeating, Mr. Chairman, if I can bring this back now to another earlier point in the discussion, because the pressures in that hospital of overcrowding and understaffing are such that, on occasion, it, like other hospitals in the province of Ontario, resembles a treadmill for the mentally ill who are housed therein.

You have a readmission rate in the Toronto Ontario Hospital, in the most recent statistics which are available, of 57 per cent in one year—so we have now come to the point where we readmit more than we take in by new admissions.

Mr. Chairman, while I may recognize some of the things the Minister says about admissions, no one gives to those statistical figures an absolute validity on this side of the House. Nonetheless, I draw to your attention, and to the attention of the House again, that the superintendents of the hospitals themselves, be it Dr. Paul Christie, at the Toronto Ontario Hospital, or Dr. Pratton, at the Kingston Ontario Hospital, are on record writing that their programmes are being undermined by the facilities within which they work; and that the readmission rates are accounted for by the treadmill process primarily, and nothing else will explain it.

Let us not have some casuistry on the part of the Minister to explain the readmission process. Obviously people are readmitted—we will accept that proposition—but listen to the readmission rates, Mr. Chairman. Let me ask you—as a man of enormous wisdom and stature, recognized as such in this House, a Chairman who takes his seat and all of us tremble with pride—let me point out, Mr. Chairman, that the most recent readmission rates for the Ontario Hospitals housing the mentally ill in Ontario read as follows: In Goderich—52 per cent; In Hamilton—53 per cent; In Kingston—48 per cent; In Lakeshore—50 per cent; In London—48 per cent; In Whitby—48 per cent; In North Bay—50 per cent; In Penetanguishene—48 per cent; In



Port Arthur—42 per cent; In St. Thomas—45 per cent; In Toronto—57 per cent.

Fifty per cent readmission rate right across the board.

**Hon. Mr. Dymond:** Would the hon. member answer a question?

**Mr. Lewis:** Certainly.

**Hon. Mr. Dymond:** Will you give me the readmission rates in comparable general hospitals?

**Mr. Lewis:** Mr. Chairman, I will come to the comparable general hospitals.

**Hon. Mr. Dymond:** You cannot. They are not available.

**Mr. Lewis:** Mr. Chairman, if the Minister is so proud of the analogy about the way in which the department treats the mentally ill, *vis-à-vis* the physically ill, why are your *per diem* rates for the mentally ill not in this report? Why is not the *per diem* rate for the mentally ill?

I will answer it for him, Mr. Chairman. It is not in this report because the money this government will expend on the mentally ill is so shockingly low—such a pittance in terms of the need—that it is not prepared to make the statistics available unless some member rises in his place and asks the Minister for the information—virtually has to extort the information from the government.

If the Minister were truly pleased about the parallels between the mentally ill and the physically ill in this province, then there is no question that the data which has eluded us year after year in order to draw the comparisons would be available. Mr. Chairman, as I said, you as a man of wisdom, of insight, of sensitivity, will know that any readmission rate across the board which approximates 45 per cent to 57 per cent without alteration, begs out for some kind of correction. Perhaps one would say, and one might be moved to believe, that 10 per cent, 15 per cent, 29 per cent even, would be a valid readmission rate given the facts and figures that we have at our disposal—but 50 per cent, Mr. Chairman?

The Minister of Health surely would not tax our credulity to the point of advocating that this is a viable figure, and as I have said, Mr. Chairman, it is an indictment of the entire system which the Minister insists on perpetuating. If you shore up that which is archaic then it comes back, not so much to haunt you, Mr. Chairman, as to make life exceedingly difficult thereafter, and that is

precisely what has happened in the Ontario Hospital system.

As I say, very much like the Minister, I can only pretend to bring to this debate on Ontario Hospitals what one reads in the field and hears from his own department—and what one hears from his own department, Mr. Chairman, I repeat, is that this situation cannot be allowed to continue.

Let me give another example to the Legislature, documented from his own department. It comes back again to the kind of facility entirely. The superintendent of the Ontario Hospital school at Smiths Falls, and now we are into the area of the mentally retarded, has asked this government, and has put before this Minister and his mental retardation division, a plan which would effectively dismantle Smiths Falls Ontario Hospital school.

I suspect that in his quieter moments, Dr. Franks would like to see the entire apparatus razed to the ground and some civilized small cottage-like units rise in its place. But as an alternative to that, accepting the realities of the Treasury board, knowing that the Minister is not likely to acquiesce in that request, the superintendent of the Ontario Hospital school in Smiths Falls has said, "Give me a number of small cottage units; let me put people in those cottage units at a level of 15 or 20 so that I am not dealing with mass numbers in excess of 2,000, so that my whole structure does not resemble one perverse dehumanizing process".

That is what is happening in the Ontario Hospital system generally, because with the greatest of respect to members who still see some validity to the Ontario Hospital system—and I was struck by what the leader of the Opposition said when we began this vote this afternoon—the whole system is obsolete, the whole system does not deserve to stand.

If the Minister wants some kind of memorial to his work as Minister, let him not write a book, Mr. Chairman, because his prose is less than inspiring in this House, I say to him, let him demolish the Ontario Hospital system root and branch; let him level the buildings, and let him erect in their place a vast network of small units around the province which have ties, not only with the community, but which sustain modern concepts of the treatment of the mentally ill, and which will not have one superintendent after another knocking at his door to request that everything from fire escapes to toiletry be repaired or completely reconstructed.

Mr. Chairman, that is what a Minister of Health should, I submit to you, sir, undertake. Anyone who wants to visit the facilities, be they the new facilities at London or the older parts of Hamilton and St. Thomas, or the ancient towers of Toronto Ontario Hospital, anyone in this House who visits and tours them, can have respect for the programmes but only enormous discomfort at the mass dehumanizing nature of the process.

These are not small psychiatric wings, or psychiatric units as has been developed in a general hospital—and I will come to that, too, Mr. Chairman—these are conglomerate institutions in which mental health should not be attempted, and with the greatest respect, time has come in this Legislature for the Minister to say, “We are not going to rebuild the monoliths, we are going to take an entirely new approach to the capital expansion of existing mental health facilities.”

That leads me to the next point, Mr. Chairman, perhaps the Minister will comment on some of them when I take my seat, and that is the whole proposition of the continued preoccupation with developing psychiatric wings in general hospitals, reconstructing ancient Ontario Hospitals and violating what the leader of the Opposition was putting to the Minister this afternoon, violating the proposition of community mental health.

There is virtually no community mental health in the province of Ontario, there are out-patient departments of medical models, of existing psychiatric institutions and that is not community mental health, Mr. Chairman. Again, with your Solomon-like grasp of the situation, you will know that that is not mental health, that is not in the community, it is attached to an outmoded institution which delimits the assistance which is given, and which frankly intimidates the community or makes the community resources so self-conscious that the obvious avenues of referral are not exploited. What are the obvious avenues of referral? Mr. Chairman, before you hasten to enter the debate and tell me, allow me to express my thoughts to you.

They are the schools, the courts, the family service agencies, the health and welfare apparatus, family's self-referral of individuals. But what in fact does the referral pattern show in the province of Ontario? And I come to it again, so that we know whereof we speak. I must say, Mr. Chairman—the new Mr. Chairman—that the capacities of your predecessor are exceeded only by yourself. You too will understand the import of my remarks.

I want to point out, Mr. Chairman, that when one analyzes the referring agencies to the so-called community mental health facilities, one finds that in the most recent year for which statistics are available, 62.2 per cent of the referrals came from doctors.

I want so say to you, Mr. Chairman, that I respect the fact that it is nice to have the family doctor, the general practitioner in the vanguard, referring people to community mental health facilities—but let me point something else out to you: The referral pattern from the educational centres has dropped from courts, probation officer and police, referrals from friends or relatives have dropped, self-referrals have dropped and all the other referral sources have remained the same over the last two, three or four years.

So that the pattern which has developed in the province of Ontario, Mr. Chairman, one would almost think it conspiratorial if it were not so destructive to mental health. The pattern of referral that has developed is from a doctor to a medical model, that is the pattern and that is not appropriate in community mental health. It is dictated, Mr. Chairman, primarily by the fact that because the mental health resources are not truly in the community part of the community, whether it be a suburban subdivision or a downtown area in Toronto, or where the old community mental health centre used to be in London before it was trapped into the hospital under the renovation, the old pattern, Mr. Chairman, was a better way of putting it in the community.

It would effect a liaison with all these more appropriate referring agencies, but not under this Minister

Under this Minister, the medical model dominates the field, it arbitrarily affects the trends in the field, and those trends are not advantageous to those who seek assistance because of some mental disability. That, I think, Mr. Chairman, is what this estimate is essentially all about, what we in the Opposition benches have been saying roughly, I think, might be summarized as follows: That if you want community mental health then you have to take it out of the hospital and into the community. And if you want hospital mental health which is relevant, then you have to demolish the existing Ontario hospitals and, if you want Ontario Hospitals which are relevant, then you have to change the nature of the staffing and the nature of the *per diem* or your readmission rates will continue to soar and will be destructive of the programme.

There are a great many other things which one could analyze; one or two of them I



would like to pursue further, but other than having the Minister fire at me, as I am sure he will do in his friendly fashion for some of the observations which have been made, I would also like him at the end of his reply to put before the House the *per diem* rates in his Ontario Hospitals across the province. Maybe he would be kind enough to compare those *per diem* rates with the rates that exist in the general hospital, so that I will not have to do it for him and then we will see the analogy of which the department is so proud. I wonder if, at this point Mr. Chairman, the Minister wishes to make any observation.

**Hon. Mr. Dymond:** There is very little point in me making any comment on what the hon. member has said. He has not asked any new questions and I think that if you refer to *Hansard* of last year, the year before and the year before, you will get exactly the same record played over and I would be replaying the record if I were to answer.

I would point out, however, to bring him up to date on statistics, about Queen Street: there are 850 staff members; 757 patients; 226 people in residence who are not patients, they have been discharged from the hospital and are living in a part of the building which is no longer hospital. But 850 staff to 757 patients is not too bad a ratio.

We are not going to raze Smiths Falls, this would be ridiculous. I hope that I have a little more sense of responsibility to the people of Ontario than to put the bulldozers against something which represents an investment of millions of dollars of their money just because it is a large building. There is no reason in the wide world why Smiths Falls, and the large buildings, cannot be unitized.

Here again, I have to ask the hon. member, if we are going to treat the mental disordered as a sick patient, why there is all this preoccupation with large buildings for the mentally ill, but never a word about the large general hospitals. We have general hospitals of over 1,500 beds in size. Not many of them it is true, but we have them.

But I hear no comment about that, and this is one of the points with which I took very grave issue in the Hall commission report. No mental hospital should exceed 300 beds he said, but not a word about the size of general hospitals; indeed the minimum economic size for a general hospital is considered to be 200 or 250 beds and again if we are to put the mentally ill patients on the same basis as all sick people, then the hospitals should be on the same basis.

We are not going to build any more at Smiths Falls because it is, we agree that it is, too big already. We are certainly not going to put up more buildings to make it bigger because the whole point of our exercise in mental health is to cut down the size of the institutions, but not to stupidly raze them if they are buildings which serve a useful purpose and I am quite certain the people of Ontario would never put up with that.

In fact, if the hon. member and his party expect to win power they never will—but if they do expect to win power in this province, I would give them a little bit of free advice, for goodness sake do not go to the public with that kind of programme because they surely will not vote in as many of you as they might otherwise.

However, the people of Ontario are gifted with good sound common sense and I know that they have seen the error of their ways last November and they are going to correct it the next time and there will be back to the old three socialists again as we were in 1955.

The pattern of the community health service—it is rather strange that we in Ontario are wrong, and yet two of the other large jurisdictions in the world, the United States of America and the United Kingdom, both of whom are very much preoccupied with mental health, as are all civilized countries, both believe that the community mental health facilities should be centred in the hospital, and they are bringing it back to this.

The fact that 52 per cent of mentally disordered patients are referred by doctors should not create any surprise. If it creates surprise, Mr. Chairman, I submit to you that the surprise should be that the figure is not a larger percentage, because who is better equipped, by training, by education, by experience to recognize illness, than is the physician?

The fact that he refers them to the mental health clinic is evidence of the fact that he believes in specialized training. But the sick people naturally should come through the health service at whatever level. Many of the school cases, I am quite certain, are picked up in the first instance by the school nurses, doubtless referred through the medical centres and then referred on to the mental health facility.

There is nothing to be surprised at at all. The member spoke about *per diem* rates; I am quite certain I know what he is going to say. But the comparison of rates in the mental hospital with rates in the general



hospital are quite unrealistic. If he were to compare the rates in the psychiatric hospital, with the rates in chronic care hospital, then there would be a more relevant comparison. But there is no need for highly sophisticated equipment in the mental hospital; there is no need for a case room; there is no need for a surgical unit; there is no need for those expensive treatments that we find are necessary in general hospitals, and these are the facilities which should up the *per diem* cost in general hospitals.

Perhaps we are not paying as much as we ought. But some of the rates are rather staggering, Mr. Chairman, and this is the experience in all jurisdictions, and I am quite sure that once again, when Ontario's record is measured against records that are available in other jurisdictions you will find that we are in the van in this regard, as in all others.

**Mr. Lewis:** Mr. Chairman, would the Minister read the *per diem* list into the record?

**Hon. Mr. Dymond:** The comparison for the *per diem* rates established for the year ended March 31, 1966, and the new revised *per diem* rates for the year March 31, 1967, indicates that the over-all average has increased from \$8.49 per patient day to \$9.55. Unfortunately the two figures cannot be compared to any degree of accuracy, since they are based on different methods of calculation, the former being a non-specific *per diem* rate including services provided by the facility, the latter being a specific *per diem* rate for in-patient care and treatment only, eliminating all non-in-patient service costs.

Figures for the various places: Aurora, \$6.70; Cedar Springs, \$9.55; Cobourg, \$6.95; Edgar, \$16.40; Orillia, \$7.20; Palmerston, \$28.15; CPRI, \$42.65; Smiths Falls, \$7.65; mental retardation centre, \$39.60; Brockville, \$8.55; Goderich, \$18.50; Hamilton, \$10.15; Kingston, \$12.35; Lakeshore \$12.55; London, \$12.20; North Bay, \$9.75; Owen Sound, \$15.55; Penetanguishene, \$9.90; Port Arthur, \$9.00; St. Thomas, \$8.60; Thistletown, \$38.30; Toronto, \$11.10; Whitby, \$8.60; Woodstock, \$8.95.

**Mr. Lewis:** Well, Mr. Chairman, I shall make comment on these figures in a moment. I want to assure the Minister that we recognize the nature of Smiths Falls Ontario Hospital school. Like so many of the conglomerate hospital schools in this province, it was built for reasons of crude political patronage and for no other reason. And I can

certainly assure him that it would not be a political policy of this party to promise any electorate such indigenous institutions for purpose of the garnering of votes.

**Hon. Mr. Dymond:** Would the hon. member mind answering a question, Mr. Chairman? Do I take it that he has abandoned the philosophy developed in Saskatchewan, that he would not follow the pattern laid down by the present national leader of his party, the then Prime Minister, T. C. Douglas?

**Mr. Lewis:** Mr. Chairman, I do not really know the pattern to which the Minister refers.

**Hon. Mr. Dymond:** I would be glad to enlighten the hon. member. Every move they made, everything they did in Saskatchewan throughout the whole period that they held office was done simply with an eye to the political advantage it could accrue.

**Mr. Lewis:** Mr. Chairman, it is a staggering revelation that a government would do things from political motivation.

**Hon. Mr. Dymond:** That is what they did.

**Mr. Lewis:** That is an insight into the process that I was not privileged in having before, but the fact of the matter is that in the province of Saskatchewan they build mental hospitals by the various regions and units so that they are spread equitably across the province.

**Hon. Mr. Dymond:** He only dug a hole in the ground.

**Mr. Lewis:** There is a considerable difference, Mr. Chairman, between that and isolating a hospital in Smiths Falls, so that because of the distance it is often agony for the parents who have children in that hospital, in terms of reaching there. One need only ask members of the Legislature and, I suspect, of any political party who come from northern Ontario, and you will have children of constituents who are confined in that Smiths Falls Ontario Hospital school—ask them about the parents' feeling of access and reliability.

**Mr. Chairman,** does the Minister want to enter the debate?

**Hon. Mr. Simonett:** Are you suggesting the school should have been built at Cochrane?

**Mr. Chairman:** The member for Scarborough West.

**Mr. Lewis:** I was breathless for a moment, Mr. Chairman, but I shall continue. One should point out, I suspect, that what we were getting in explanation from the other side, Mr. Chairman, was that the hospital is located in eastern Ontario, and therefore people from eastern Ontario are placed there; that, in fact, is not valid. Smiths Falls acts as a clearing house for children from all over the province of Ontario, including large numbers from northern Ontario, where they can be nowhere else consigned.

If, for instance, the Minister of Health wanted to place his provincial offices at the Smiths Falls Ontario Hospital, rather than razing it to the ground, rather than dismantling the building, we would be pleased to facilitate that, but I say to you, Mr. Chairman, that in terms of improving mental health, Smiths Falls has critical limitations. And to pretend otherwise is to falsify the situation. But let me go to the point that is being made about the *per diem* rates. The Minister says charitably, perhaps we are not paying what we should be, but in comparison with other jurisdictions our largesse is overwhelming. Well, Mr. Chairman, the fact of the matter is that for the moment I am not interested in other jurisdictions. We are talking about the province of Ontario, and the Minister has said to the House this afternoon that in the last fiscal year, the average *per diem* rate in Ontario Hospitals and hospital schools was \$8.49.

Now who, Mr. Chairman, who is there brave enough in this Legislature to stand and defend that rate for the treatment of the mentally ill? Who? Certainly not the Minister himself, because the Minister knows that that is a disgrace beyond reprove. At \$8.49 per day on the average; whom are we kidding? And when the Minister says: "Well make your comparisons with the chronic hospitals"; well, Mr. Chairman, I point out to him that within the variation of his own Ontario Hospital system, he has CPRI at \$42.65; he has Thistletown at \$48 plus; in the psychiatric wings of the general hospitals, the rates rise to \$35 or \$40, or \$45 or \$50 a day. Those are valid comparisons.

The fact is, Mr. Chairman, that if we are talking about active treatment patients in the Ontario Hospital system, if we are talking about that and not some kind of custodial care, then \$8.49 a day cannot be justified. What in heaven's name are they providing in Aurora for \$6.70 a day, or in Orillia for \$7.20 a day, or in Smiths Falls for \$7.65 a day? I remind you, Mr. Chairman, I remind

you that we are paying more for ambulatory patients in nursing homes—yes, ambulatory patients in nursing homes—than the average which we paid last year in the Ontario Hospital system. We pay more in our jails, we pay more in our reform schools, we pay more in our training schools, we pay more in our nursing homes across the province.

One comes back to it again when mental health comes before this Cabinet, the Cabinet says, "To blaze with mental health"; and it is as simple as that. And the Minister can write all the books he wishes, but that is the attitude in the province of Ontario.

What is the phrase that the Canadian mental health association came up with—"Pennies for the Mind." I think that that was the most charitable definition.

**Hon. Mr. Dymond:** Mr. Chairman, I must correct the hon. member. I thought that he knew everything, but the title of that report was "More for the Mind." And strangely enough they called on my staff to write much of the report.

**Mr. Lewis:** Right. Well, Mr. Chairman, I have no doubt, since the report was drafted in the province, that they would draw on the Minister's staff, but let me make the distinction, Mr. Chairman, which I hope is an important one. The Minister's staff in this field, from my limited knowledge of the last four or five years, worked exceedingly hard to make productive what they have.

I can remember many of the Ontario Hospitals and in talking to the superintendents, and realizing what an extraordinary contribution they were making, given the limitations of what they had to work with, I have no doubt that that is probably true of the professional services division, and of many of the senior civil servants in mental health and mental retardation—and I am now talking about the Ministers, and the policy of the Conservative Party. Its front bench, when it comes to mental health, believes in pennies for the mind.

It offers \$8.49 a day for those who are mentally ill; it offers \$35 to \$50 a day for those who are physically ill. Now, the difference, Mr. Chairman, does not lie in fancy surgeries and operating equipment and the other technological tools of the organic trade, not at all. The difference lies in the fact that when you look through The Department of Health, and decide, "Where are we going to discriminate this year, fellows? Who are we going to cut off this Budget appropriation?"

Every time the chips are down, it is mental health that gets the short end of the dollar. This is a pattern that has developed for the last several years, Mr. Chairman, and there is no alteration in that pattern.

I can remember, I guess that it was 1964 and 1965, the average *per diem* rate was \$7.10. Three years later, it is \$8.49, and next year it will be \$9.55. There is not a chronic hospital in the province, although the Minister says, "Compare it with chronic hospitals." I challenge the Minister to stand in his place and give me the *per diem* of a chronic hospital at \$8.49 a day. I challenge him, because there is not one. If my memory serves me correctly, chronic hospitals must surely be at the \$12, or \$14 a day level.

If his director of the mental health division finds a chronic hospital at \$8.49, and I express my chagrin appropriately, then let him read the other chronic hospitals as well—I do not imagine that there are that many in the province of Ontario.

Now, Mr. Chairman, it comes back to the very simple proposition that this government is operating a policy of active, premeditated and entirely undesirable discrimination against the mentally ill. It is a policy which has no redemption, I want to say to the Minister. No matter who annotates the journals which he may one day leave to a privileged mankind, I want to say to you, Mr. Chairman, that there is no way for government to get off the hook on this issue.

The fact that some of our Ontario Hospitals have been lowered, and diminished in population is, I may say in terms of the Opposition and in terms of the public at large, a result of irresistible pressure. It has not been as a result of ideology or philosophy. One can remember the scandals at some of the hospitals in the last three or four years which prompted The Homes for Special Care Act, and all that came from that jurisdiction.

Mr. Chairman, I have one or two other areas that I wanted to pursue, but I would like to gather my thoughts, and there are other members of the House, I am sure, who would like to get in on this vote. I do not want to preoccupy the time of the House.

Mr. Chairman: May I point out to the member that I have no other speakers on my list.

Mr. Lewis: I have now gathered my thoughts, Mr. Chairman, I am ready to proceed.

Interjections by hon. members.

Mr. Lewis: If the Minister wants to be relieved of what he regards as repetition, but what we regard as salient novelty year after year in the House—those of us in the Opposition who are pressing this case—then all he need do is come before the Legislature at some point and read into the estimates *per diem* rates, staffing ratios, and construction programmes which will mean a revolution in mental health. We are travelling backwards faster than it is possible to contain.

Let me ask the Minister out of some interest how he breaks down some of the larger *per diems*; that interests me. For instance, in CPRI and in Thistletown and in the mental retardation centre, how does the Minister break down his \$42.65 figure, his \$38.80 figure, his \$38 figure, his \$48 figure? They are exceedingly high *per diems*; how do they break down? Does the Minister have the material? He must, I am sure.

Hon. Mr. Dymond: In calculating the *per diem* rates, an effort has been made to eliminate all costs not directly related to in-patient care and treatment during the fiscal year, thereby providing a more factual *per diem* rate specifically for in-patient care. Those costs deleted from the overall operating costs include the cost of research, formal education and training programmes, out-patient services, the cost of providing care and treatment to residential patients located within the hospital, and the hospital school system. All source data, including the salary costs, maintenance costs, total patient days, was extracted from the year-end operating statements for the fiscal year ending March 31, 1967.

Mr. Lewis: Mr. Chairman, does the Minister know what percentage of the \$48.65 is for salaries and what percentage is for non-salaries? Are there no break-downs in those figures?

Hon. Mr. Dymond: No, Mr. Chairman, not according to our present budgeting. Again, the hon. member will recall when I made my original submission I stated that this was a project being undertaken in this fiscal year, so that our hospital budgeting would be on all fours with general hospital budgeting.

Mr. Lewis: Mr. Chairman, does the Minister think that figures of \$38.80 a day and \$42.65 a day are viable figures? They are, as I would see them, high figures. The one is some \$15,000 to \$16,000 a year, the other is \$18,000 to \$20,000 a year. Is any of the money surplus, Mr. Chairman, or is all the money used right up to the level of the last penny?



**Hon. Mr. Dymond:** Mr. Chairman, the budget is completely used.

**Mr. Lewis:** May I take a stand that the Minister feels that *per diems* of \$42.65 and \$38.80 are valid *per diems* in the treatment of these children and patients at the Ontario Hospitals?

**Hon. Mr. Dymond:** For these particular facilities, Mr. Chairman, I must admit that in our view they are. Every budget is very thoroughly gone over, not only by ourselves in the first instance, but by the treasury people, the budget scrutineers. So I feel quite certain that it is considered that these figures are realistic and "viable", as the hon. member says. But they are peculiar in particular situations in which we have these very high costs. We have this here and there in every kind of hospital programme where there are programmes going on which cost far more than the average or go a long way out of line with the provincial pattern.

**Mr. Lewis:** Mr. Chairman, I am just pleased to have it on record. I think that it is important that it get on the record of the House that the Minister has said that for these intensive treatment facilities, Thistletown and the children's psychiatric research institute in London, that in this kind of an area, \$38.00 to \$43.00 a day is a perfectly viable figure, and that it takes that much money to treat those particular children under those circumstances. I am glad to have that on the floor of the House. I think it is—

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order. This is all right as long as the hon. member emphasizes those particular cases.

**Mr. Lewis:** Right. I do indeed, Mr. Chairman. There will be other opportunities in this House to get the referral sources, but they are known, Mr. Chairman, to the House generally. The children come from private referrals and from other hospitals and particularly from children's aid societies, and it is good to know that there are intensive treatment centres which operate within the government at these levels of *per diem*.

Mr. Chairman, as I understand it, these levels of *per diem* costs, \$38.80 in the one case, and \$42.65 in the other case, are increased yet further by other costs. If I remember the Minister, properly researched, education and training, out-patient care. Does he have those figures available?

**Hon. Mr. Dymond:** No, Mr. Chairman, these are not broken down. I think this whole

programme throughout our entire system was lumped together in one item which was mentioned, and I cannot recall the figure. I mentioned it in my opening remarks. I would be guessing, Mr. Chairman, but it runs in my mind that the figure is something of the order of \$2.5 million, but I must emphasize that I would be guessing without looking back at what I said earlier in these estimates.

**Mr. Lewis:** Mr. Chairman, let me interrupt for a moment to ask; does the Minister have that list of chronic hospitals, with the *per diem*, that he could read?

**Hon. Mr. Dymond:** No, we have not.

**Mr. Lewis:** You do not have it handy, Mr. Chairman? I wanted to clear it up, because I saw your director of mental health looking for it, and I assume it will come into the record at some point.

Mr. Chairman, as I recall, the Minister earlier this session, when I wanted a more up-to-date figure, indicated that in Thistletown roughly \$20 a day is going towards the training, research and education and so on, and that the same is true for CPRI. That is \$20 a day per child. That would bring the *per diem* rate at Thistletown to \$48.80 a day and the *per diem* rate at the children's psychiatric research institute, in London, to \$62.65 a day.

**Hon. Mr. Dymond:** No, Mr. Chairman. This has absolutely no relationship to patient care at all, and this I emphasized when I answered the hon. member's question earlier. This has been taken away from patient care, because it should not be related to patient care. Why must we relate the training of, for instance, 130 child care workers a year to the small number of patients that are being treated in that hospital? This is an entirely different service, provided to meet the needs of other facilities in the province, facilities that may not be even related to our operation whatsoever, because some of these child care workers go to work for other agencies. Why should we charge this against the patient care? Rather it should be charged over the whole system, and we believe then that it is better to separate it out and keep it in an item by itself, education and research.

**Mr. Lewis:** Well, that may be so, Mr. Chairman. I remind the Minister that the figure of \$20 a day was, in fact, given in this Legislature earlier this same session, so that the methods of accounting have altered in the past month or so. That may be, but it still gives us a basis on which to operate. And

\$58 to \$62 a day averaged out in terms of these particular facilities is high, but as the Minister said, these things are viable and no doubt justified.

Now, Mr. Chairman, I want to take it another point further. Does the Minister recall, or can one of his members of his civil service tell him, how much was originally spent in the capital plant at Thistletown, and in the capital plant at CPRI?

**Hon. Mr. Dymond:** No, Mr. Chairman. These are matters for the Minister of Public Works. He would know. I would not know what the price was.

**Mr. Lewis:** Dare I venture a guess of a few millions, Mr. Chairman? Would that seem a reasonable figure?

**Hon. Mr. Dymond:** Something of the order of one and a half. I cannot remember.

**Mr. Lewis:** Right. Well, I am glad that extrasensory perception worked, Mr. Chairman, and that the Minister of Public Works communicated, albeit from a distant place, with the Minister of Health and reminded him.

**Hon. Mr. Dymond:** I looked in my crystal ball.

**Mr. Lewis:** It was \$1.5 million. It is awe-inspiring, the recall capacity of the Minister on occasion.

**Hon. Mr. Dymond:** Mr. Chairman, may I emphasize that I stated I was guessing?

**Mr. MacDonald:** It is difficult to know when he is guessing.

**Mr. Lewis:** The guessing and recall capacities of the Minister, are correct equally often. Let us say a million and a half—

**Hon. Mr. Dymond:** The guessing capacity of the hon. member is rather outstanding, too.

**Mr. Lewis:** —or \$2 million for the two facilities. Can the Minister indicate how many active treatment beds there are at Thistletown at the moment, and at CPRI at the moment?

**Hon. Mr. Dymond:** At Thistletown, 110, and 115 at CPRI.

**Mr. Lewis:** Right. Does that include the out-patients, the total for Warrendale facilities?

**Hon. Mr. Dymond:** No, Mr. Chairman. The hon. member asked for active treatment beds.

**Mr. Lewis:** Right, 110 and 115. And am I right to think that CPRI is divided between the retarded and the mentally ill?

**Hon. Mr. Dymond:** Yes, there are both programmes, Mr. Chairman.

**Mr. Lewis:** There are both programmes. So one would perhaps, given the benefit of the doubt, find 170 youngsters served, taking the two programmes together. Now I just want to draw this to the attention of the House again, because I think it is important, Mr. Chairman, and a very simple proposition. One hundred and seventy children served in these two primary facilities of The Department of Health, at a capitalization, I am prepared to guess, of \$2 million, much of which has been increased since, and a *per diem* level of \$58 to \$62 a day.

Now, Mr. Chairman, I want to put this to the Minister, in no uncertain terms, we and the party across the way, do not disagree with the proposition of a great deal of money spent on these facilities for the emotionally disturbed and the mentally ill. Not at all. We have a profound difference of opinion about building a new, monolithic environment. We think that is wrong, profoundly wrong, but we have no objection to the moneys that are spent, providing they are spent on excellent treatment resources and the highest possible quality service. And I want to point out to you, Mr. Chairman, that in terms of all the rest of the Ontario Hospital system, we have the most inordinate preferential treatment. What do you have, Mr. Minister, through you, Mr. Chairman? Fifteen thousand people in active treatment in the province of Ontario, in the Ontario Hospital system? And 170 of them at that level *per diem*? So let me put it to you, Mr. Chairman, that not only—or put it to you in a different way—it is not so much that one objects to the level of the *per diem* which the department is spending on treatment of these youngsters, one objects far more to the amount of money the department is not spending on the other 15,000 people in the Ontario Hospital system. That is what one truly objects to and if the Minister wants to draw invidious comparisons, let him direct those comparisons within his own department.

Now I could say something, Mr. Chairman, about the Minister's white paper, but he has spent time on it this afternoon, partly in response to the hon. member for Parkdale



and to others. Let me say, Mr. Chairman, that as the Minister knows, in Ottawa, Port Arthur, in Sudbury, in Windsor, services are so minimal that they should not be valued as services, in terms of the need, and in Toronto, at Lakeshore, and in Kingston, and at Chedoke, in Hamilton, all we have done is to rename existing programmes which were already underway.

Now those are the realities of the white paper. Those are the realities, and they are not terribly palatable realities in terms of the need across the province. And one might say to the Minister again, Mr. Chairman, that we will continue not to rest until there are a sufficient number of beds, however few the Minister may feel that number is, whether it is 850, or 2,000, or 20,000. We will not rest until those beds are realized. And the Minister will have to accept, year after year, estimate after estimate, the kind of attacks from the Opposition which he receives, because of the corrupt, perverse and dishonourable discrimination against those who are mentally ill in the province of Ontario, be they adults, adolescents, or children, and that is basically our point of view, Mr. Chairman.

**Mr. Chairman:** The member for Yorkview.

**Mr. F. Young (Yorkview):** Mr. Chairman, just before the vote passes, I want to call to the attention of the Minister, a report in the *Oakville Daily Journal-Record* recently, in respect to the situation in that part of Ontario.

Last week, the hon. member for High Park, raised a question of the suicide deaths in Halton county and asked about the treatment that could be expected for the mentally deranged there. I bring before the Minister, an article in the paper I mentioned, where there is a report of Crown attorney McWilliams, a private report which he issued and made a copy of that report available to the Attorney General (Mr. Wishart).

Now, in this report, Mr. McWilliams revealed that 12 known suicides were reported in Halton county during 1967, while three other cases investigated were suspected and then the article says this:

Two of the suicides listed in the McWilliams report were committed by patients under care in the Burlington hospital. In each case, the patient had a history of mental illness and depression.

"This shows," the Crown attorney said, "that hospitals without psychiatric units are not prepared to handle patients suffering from mental illness."

And then the article said this:

Mr. McWilliams said that he was very concerned that no hospital in Halton county had a psychiatric unit attached to it, and he said there is urgent need for such facilities in both Oakville and in Burlington. McWilliams said he "fully endorsed" efforts by Oakville psychiatrist Dr. P. W. Rowsell to have hospital officials here include a fully outfitted psychiatric unit in plans for the new hospital addition.

McWilliams said that while there were 12 known suicides in Halton during 1967, there already have been nine so far in 1968, and one of these involving auto suicide.

"The high pressure of urban life in this area makes it imperative that we have a psychiatric unit to treat those who are mentally ill," he said. "And for every one who is being treated today there are ten who are going without treatment at grave risk to themselves and to the community."

In the series of articles published by the *Journal-Record*, Dr. Rowsell said that mental illness has reached alarming proportions in this area.

This is the article which appeared in the local press and I presume that the member for that area is very concerned about it. I would like to ask the Minister if he has been bringing any pressure to bear upon the authorities in this area, that psychiatric units be included in these hospitals, and that this kind of treatment be afforded in view of the urgency as outlined by the Crown attorney and by the psychiatrist at Oakville.

**Mr. G. A. Kerr (Halton West):** On a point of order!

**Mr. Chairman:** On a point of order, the member for Halton West.

**Mr. Kerr:** It is my information, Mr. Chairman, that there is a psychiatric wing in the Joseph Brant hospital in Burlington. I am not sure just how many beds this involves, but my information is that there is at least one full time psychiatrist on duty at all times.

Now I would expect the same would apply to the Oakville hospital because this hospital is relatively new; there was a substantial addition just recently finished there. But, my point is, Mr. Chairman, that there are such facilities at the hospital in Burlington, and that article, therefore, is wrong—although I believe, if you read it carefully, Mr. McWilliams suggests that there is not enough



treatment in this regard or enough facilities available, but there are some.

**Mr. Young:** I might quote two further paragraphs then, Mr. Chairman, in light of what the hon. member has said.

**Mr. Chairman:** Does the member for Yorkview still have a question that he has put to the Minister for answer, or is he going to proceed? Is the question answered?

**Mr. Young:** Just in view of what the hon. member said, I could, perhaps, supplement what I have said before from this article, which says this:

He has set up a make-shift psychiatric unit in the Oakville hospital, using a small section of the hospital on the second floor.

In other words, the article says it is make-shift and they want something better. Also, it says this:

Burlington's hospital has a new \$9 million expansion programme under way but it does not include a psychiatric unit.

**Mr. Kerr:** Not in the expansion. But there are facilities.

**Mr. Young:** Well, the point is that—

**Hon. Mr. Dymond:** Mr. Chairman, the Burlington hospital is presently constructing a formal psychiatric unit and the Oakville hospital has approval to build a psychiatric unit. But this does not mean to say I do not know just exactly what the doctor means when he says that they have a makeshift unit. Both of these hospitals are relatively new hospitals, and any well organized, well operated medical service in a general hospital is capable of looking after psychiatric patients. There is not anything really special about a psychiatric unit. There is more space needed and additional facilities such as occupational and physiotherapy facilities, but I would imagine that the latter had available in both of those hospitals.

Again I repeat that any modern hospital with a good, well organized medical service can provide psychiatric services. Both places have psychiatrists and this, of course, is where the importance lies—in providing the services. However, both hospitals have approval for the establishment of formal psychiatric units; one is presently under construction.

**Mr. Young:** I am glad to hear that, Mr. Chairman. Certainly the Crown attorney, Mr. McWilliams, does not know about this

because he has certainly been making an issue of this in the county and has been insisting that additional plans be outlined to provide this service. So I hope the Minister's answers provide the answer Mr. McWilliams wants and I am sure he will be reassured by this.

The only problem that he has and that all of us have, while the plans may be there, how soon are these units actually going to be in place in these hospitals? How soon is the service going to be rendered so that it is going to be adequate for the county?

**Hon. Mr. Dymond:** Mr. Chairman, this rests with the local board and if its Crown attorney is not interested enough in what is going on in his community to find out about it, I am afraid there is no way I can let him know. We do not advise Crown attorneys when we are building an expansion to the hospital. Burlington was given approval in 1965. Oakville was given approval in 1966. How soon they intend to build, I have no idea. We gave them the approval as quickly as possible after we got their applications.

**Mr. Chairman:** The member for Sudbury East has a question?

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, because the air force base at Falconbridge is slated to close down in the near future, would the Minister undertake negotiations with the federal government to take over this air base and to turn it into a hospital school for retarded children in the nickel basin?

**Hon. Mr. Dymond:** Mr. Chairman, we have already contacted the Minister of National Defence and he has advised us officially there is no intention on the part of the federal government to abandon this facility and put it up for sale. We have already tried.

Votes 804 to 806, inclusive, agreed to.

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, I would like to speak to vote 807. I would like to dwell for a while on medical costs and particularly on the way that the government can cut costs of providing medical service to the people of Ontario. At the same time, I feel that the government can provide leadership in this which may be followed by other provinces in Canada.

**Mr. Chairman:** Might I just interrupt the member for a moment? The next three votes which cover the medical services insurance division, the health insurance registration

board and the Ontario hospital services commission, do overlap to some extent and I wonder if the Minister would like to continue taking these item for item or may the members discuss this in a general broad concept?

**Hon. Mr. Dymond:** Yes, in broad principle, Mr. Chairman, with the one proviso that specific hospital questions might be left to the last—to vote 810. But in general principle—the matter of enrolment, for instance, can be taken all together, but if it comes to claims under the hospital programme and the hospital building programme and the policies of the commission, if the hon. members would be good enough to leave them because I need different staff for that.

**Mr. Chairman:** Yes, is this concurred in by the members? Is this agreeable?

On votes 807, 808 and 809:

**Hon. Mr. Dymond:** Medical services insurance and HIRB, insofar as it is possible.

**Mr. Chairman:** All right. The member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, the increasing effectiveness of medical care has made it more appreciated and desired. During the time when the chances of recovery were about equal, whether one were attended by a physician or not, there was little clamour about the necessity of making medical care available to all. Today we are at the point at which most people not only feel that they should get the best medical care that is available but also that everybody is entitled to the best medical care available whether or not they have the money.

At the same time more and more of our gross national product and our gross provincial product are spent on medical care. The consumer or the individual who is using medical care is becoming more interested in the health field, particularly when he sees that it is his money that is being spent, and at the same time he is starting to feel that this is a field that is a bit too expensive to be left solely to the providers of medical care or to the doctors alone.

The mysticism which formerly surrounded the practice of medicine continues to be dispelled by the mass media. The public is becoming more sophisticated, and knowledgeable. Consequently they are better able to judge not just the extent to which care is available but the calibre of care as well.

Today we have at our disposal a considerable amount of accumulated data electronic processing equipment. If The Department of Health is on its toes it would have at its disposal cost profiles for the cost of medical care between regions, between particular areas, and also between particular positions. We will go into this deeper later on. There should be long-range plans drawn and available to prevent the capricious building of duplicate medical facilities. By this I mean that we should not have cases where two or more hospitals in one centre decide to specialize in, for example, heart surgery. Hospitals dealing in specific fields of medicine should be planned on regional needs and The Department of Health should be responsible for seeing that these plans are carried out. The department should concern itself a lot more in forecasting the future medical manpower needs and also with meeting the current urgent needs.

There should be more efficient organization of the distribution of care and the integration of paramedical and non-technical personnel. It should be noted that lesser trained persons can and should perform some of the tasks that are now carried out by highly skilled professionals. However, the most significant steps that can be made in modernizing medical care and getting more for your dollar is the implementation of the present-day concept of health which is the physical, mental and social well-being of the individual.

This implies a team approach, involving the formation of integrated group practices. This government has made a small approach to this matter by granting money for a research project. This is in connection with the St. Catharines and district community group health centre. It should be noted that the project is being sponsored by the united auto workers union, with other groups in the community being invited to participate in the group's operation. Another group health centre has been in operation at Sault Ste Marie. This project was started by the united steelworkers of America.

Although this type of group centres are relatively new in Canada, they have been operating for many years in the United States. Again I would like to note that most of them were initiated by labour unions who, in their many ways, have contributed more to the health of the people of this continent than any government, with the exception of the CCF government in Saskatchewan.

**Hon. Mr. Dymond:** Oh, balderdash!

**Mr. Makarchuk:** I repeat: With the exception of the CCF government in Saskatchewan, group health plans, Mr. Chairman—

**Hon. Mr. Dymond:** Did Tommy Douglas write that one?

**Mr. Makarchuk:** I wrote this myself, Mr. Chairman.

Group health plans believe that the best interests of the patient are served when the physicians are organized in group practises, when there is an integration of the specialties of medicine. Here physicians with common philosophies, but separate skills, can pool their abilities for the benefit of the patient and work in a co-operative, rather than a competitive, setting. Here the physician and the rest of the growing medical team can be organized so as to be mutually responsible, both to their patients and to each other. I am talking about group practises for the benefit of some of the members opposite.

As an example, the clinic in St. Catharines will have under one roof the services of general practitioners and specialists in internal medicine, surgery, obstetrics, gynaecology, radiology and psychiatry. They will also have nurses, public health nurses, optometrists, X-ray technicians, dieticians, social workers, physiotherapists, laboratory technicians, and other paramedical personnel. The clinic will also provide the necessary equipment as facilities where these people can operate. In the overall, Mr. Chairman, the clinic provides the availability of practically all services under one roof.

**Hon. Mr. Dymond:** Mr. Chairman, with all respect to you, I have nothing in this estimate that supports clinics, or research.

**Mr. Makarchuk:** Well, this is medical insurance and I am getting to the point regarding cutting costs of medical operations and this deals partially with hospitals.

**Mr. Chairman:** Well, I think the member should restrict his remarks to the medical services insurance division programme, the hospital services programme, and the operation of the new health registration board. That is what the votes are about.

**Mr. Makarchuk:** I am dealing with the medical part of it right now, Mr. Chairman.

**Mr. Chairman:** Well, the Minister has suggested that you are not, because there is nothing in the votes for clinics, and so on.

Perhaps the member would restrict his remarks to OMSIP, to the hospital programme, and to the health insurance registration board.

**Mr. Makarchuk:** Mr. Chairman, as I understand, it all comes under salaries, vote 807—office of the executive director. We are discussing the possibilities of ways and means available to the Minister of saving money in applying medical care in the province, and this is what this speech is all about.

**Hon. Mr. Dymond:** Mr. Chairman, I would submit to you, that the hon. member is discussing methods of delivery of medical care and that has nothing to do with OMSIP whatsoever. OMSIP is an insurance carrier which provides insurance to prepay medical costs.

**Mr. Chairman:** Yes, I would say that the member's remarks are not in order under the provisions of this particular vote, or votes. The one is the medical services insurance programme and the other is the hospitals services programme.

**Hon. Mr. Dymond:** I think his remarks are very good and very timely, but I think they would be better placed in a contribution to the Budget debate.

**Mr. Chairman:** Could the member not relate his remarks from his preparations specifically to these items?

**Mr. Makarchuk:** Yes, Mr. Chairman, I will eliminate some of the other portions of my speech and continue with the remainder of it.

Basically, what I am getting at is that experience in group practise has shown—particularly in the United States—that the people who are enrolled under group practises have a much lower utilization rate in terms of hospital beds. Some of the results—that is the results of the studies carried over a five-year period in the United States of the federal employees health programme—are as follows:

In 1961 the hospital utilization rate for non-maternity cases for every 1,000 persons—these are people with ordinary medical coverage—their rate of hospital usage was 672 hospital days a year. For the same year—patients who were enrolled in an ordinary group practice—they only used 407 hospital days, or an average of about 265 fewer days. In 1962, the non-group persons utilized 826 hospital days per thousand; the people enrolled in group plans used 455. In 1963, again the people enrolled in ordinary medical



plans used 865; the people enrolled in group plans only 430.

Now the last year was 1965, the figure for people enrolled in non-group plans was 924, the people enrolled under a group practice plan, 540. It does not take much imagination, Mr. Chairman, to realize the savings that are available when we see that people within a group plan spend about 40 per cent less time in hospitals than people enrolled in other medical plans.

I am sure the Minister will be very happy if he could cut his hospital costs by at least 40 per cent. Despite the fact that millions of people in the United States are enrolled in comprehensive group plans, and the knowledge of the possibility of lower hospital costs is available, this government has done very little towards encouraging the establishment of group practises.

I hope the Minister is aware that in the United States, the government is providing funds to pay up to 90 per cent of the costs of establishing comprehensive group clinics. A similar allocation of funds in Ontario will certainly encourage many more group operations in this province. This will not only decrease medical costs but at the same time provide much better care for the people.

In some localities, group clinics can be operated in conjunction with the local hospitals. They do not have to be initiated by unions. Other community groups have indicated the need for group clinics but at the same time I know of at least a dozen unions which do not have the resources to start a group clinic, but would be able to sustain one if the assistance came from the government.

Considering that hospital beds cost anywhere from \$28 to \$50 per day, I think it is time that the Minister accelerated this particular programme of establishing group practices in Ontario.

**Mr. Chairman:** The member for Sudbury.

**Mr. E. W. Sopha (Sudbury):** I would like to ask the Minister in connection with these votes, where this House is being asked to vote substantial amounts of money for the operation of these independent commissions under his jurisdiction, how he justifies the paradox that what in effect is taxation, is levied by fiat outside this chamber? I refer of course, to use an illustration, to the 69 per cent increase in hospital services premiums levied this year.

**Hon. Mr. Dymond:** Mr. Chairman, this is in the legislative authority given the hospital

services commission by virtue of its Act which was passed by this Legislature in 1957.

**Mr. Sopha:** That is true, that predates many of us, I can say, very refreshingly, from the point of view of my own conscience. Now the Minister gave indication that he does not read everything that came across his desk; perhaps everything that came across his desk also envelops the McRuer commission report that was tabled this year and Mr. McRuer, in that report, says that it is most improper and, in fact, not in accord with democratic principles to levy taxation by way of regulation; and if the statute has that authority, he says it is improper for it to be done in that way.

**Hon. Mr. Dymond:** I think the hon. member, my hon. friend, would really be better equipped to argue this than I would, but I think that one could put up a fairly valid argument to Mr. McRuer on this point, because I hardly think that an insurance premium can be considered a taxation—if that be the case, then the price of a loaf of bread is taxation.

You are paying a premium for which you expect to get a service, or at least you have the guarantee of protection if you should need the service that is provided by that. I would find great difficulty in accepting it as taxation but again, I repeat, that my hon. friend is far better equipped to argue on this basis than I would be.

I cannot, in my own mind, see where this can be looked upon as taxation. In the case of OMSIP, of course, it is a branch, a division of this department and, therefore, all its funds must be legislative just as its actions are subject to scrutiny of this Legislature.

**Mr. Sopha:** Then may I ask—I do not recall that in the case of OMSIP, and I am not here all the time, I am here fairly regularly, I do not recall—am I not correct that the OMSIP premiums went up this year?

**Hon. Mr. Dymond:** Yes, they did.

**Mr. Sopha:** Did this Legislature give its fiat for them to be increased?

**Hon. Mr. Dymond:** This was a government decision and if you turn down the Budget then, of course, you have defeated the government and you have turned down this fiat, or you have rejected the fiat, but this is before the House at the present time, as part of government programme.

**Mr. Sopha:** Not at all. Mr. Chairman, I am not seeking to embarrass the Minister, but the

Provincial Treasurer is also a layman, and he very properly pointed out to us, and indicated though he did not say so, that he had read the McRuer report.

Maybe that is an exaggeration, maybe somebody in his department read the report, but he came in here, and I use this as an analogy: he said that The Race Track Tax Act formerly provided for the levying of that portion of the parimutuel handle by regulation, and quite proudly, in a man capable of exhibitions of pride, but also quite properly he pointed out that he had put a surcease to that practice, and he said, "Now, instead of doing it by regulation, I am coming into the House and I am going to have this Legislature approve this tax." You recall the member for York South got into such a state of confusion he did not know that night whether they were for or against the increase, or sideways, or upside down, or what. You recall that? Now, I ask the Minister, through you, why he does not do the same with OMSIP. If it is a division of his department, it is a better example than OHSC. Mr. Chairman, OHSC is an independent commission, but here we have a Ministerial body and yet he raises the premium by his own fiat rather than come into the Legislature. I would like to hear the justification of that paradox.

**Hon. Mr. Dymond:** Mr. Chairman, in the passage of The Medical Services Insurance Act, and this is something that does not predate the hon. member's entry into this House, because he was very vigorous in his participation in the debate on that Act. This House gave the government authority under that Act to pass regulations setting the premium, and again to go further back in the matter of The Hospital Services Commission Act, the House of that date gave the government right, by regulation on recommendation of the commission, to raise or alter the premium rates. Now this I think is all that fiat we need. It is a government programme, it is not by Ministerial fiat. It is by government fiat and this is part of the government programme and this is why we are presenting our actions to you. If you do not like them, of course, you have the most effective recourse, by defeating the government.

**Mr. Sopha:** Now, in one aspect of that, we are into one that demonstrates a fundamental misunderstanding of the parliamentary process on the part of the Minister. I had hoped he would not display that. It is not simply a question of Leslie Frost's philosophy. That is gone; that is not John Roberts.

**Hon. Mr. Dymond:** If I may be permitted to interrupt the hon. member!

**Mr. Sopha:** Frost used to stand here and say that the great jury of the people had spoken and everything was absolved. Total absolution by the last vote by the jury of the people, but that is not the philosophy of the present first citizen.

**An hon. member:** Oh, indeed it is!

**Mr. Sopha:** And it is not a question of defeating the government, it is a question of Parliament having the opportunity to offer constructive alternatives, and perhaps the Ministry—short of defeat—will see the error of their ways and decide on an alternative course enveloping part or all of what the Opposition says. The reference you make to the passage of that bill is correct. I expressed my displeasure in almost every section of it, so I can hardly be said to have been in a state of compliance. But between that time—two or three years ago, was it?—that bill was passed and substantially amended two years ago; between then and the present time, Mr. McRuer, at a cost of more than \$391,000, has delivered a very compendious report and he says in that report—and I wish I had it with me—says that this procedure of levying taxation by fiat order and council, this passage of regulations is wrong and contrary to the democratic process. Now there were substantial increases in taxation and the analogy of insurance is again stretching accuracy. Neither of these are insuring mechanisms in the way that London Life is. These are governmental mechanisms that provide services and they do not operate on insurance principles.

**Hon. Mr. Dymond:** With respect to my hon. friend—

**Mr. Sopha:** Well you are wrong, I can point out—

**Hon. Mr. Dymond:** The unfortunate thing is irresistible forces met an immovable object, Mr. Chairman. He believes I am wrong, I believe with equal validity that I think that he is wrong.

**Mr. Sopha:** You will not listen to the argument.

**Hon. Mr. Dymond:** Yes, I have listened to his argument, but I still contend that the hon. member is wrong in maintaining that this is taxation, and that the government does not provide services. Herein lies the great error

that so many of us in this House have made. We do not provide hospital services, nor do we provide medical services. We are an insurance carrier, which helps to pay bills for those services provided by outside agencies, by hospitals, some private, some public and by physicians privately practising in the province of Ontario, and we help to pay the cost of these services through an insurance mechanism.

**Mr. Sopha:** You are a very good doctor, but you could also get a certificate as a Philadelphia lawyer if you really believe that. We will give him a QC.

**Hon. J. P. Robarts (Prime Minister):** Mr. Chairman, may I interrupt to move that the committee rise and report progress.

**Mr. Chairman:** Mr. Robarts moves that the committee rise and report progress.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, before you recognize the clock, it was our intention to continue. I believe I said on Friday that during the early part of the evening we would go to the order paper. The Minister of Health will not be back in the House until shortly after 9:00 p.m., so we will deal with some of the less contentious bills on the order paper immediately at 8 o'clock.

It being 6:00 of the clock, p.m., the House took recess.

#### ERRATA

Thursday, May 2, 1968

<i>Page</i>	<i>Column</i>	<i>Line</i>	<i>Correction</i>
2424	2	52	<i>Change to read:</i> over 99 per cent of the particulates and to
2430	1	15	<i>Change to read:</i> societies. He is a diplomate, I think that is













ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, May 6, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 6, 1968

The House resumed at 8:00 o'clock, p.m.

**Clerk of the House:** The 3rd order; second reading, Bill 36, The Conservation Authorities Act, 1968.

## THE CONSERVATION AUTHORITIES ACT, 1968

**Hon. J. R. Simonett** (Minister of Energy and Resources Management) moves second reading of Bill 36, The Conservation Authorities Act, 1968.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, this bill, I presume, is the result of the government study of the report of the select committee on conservation, which met extensively during the last two years, visited every conservation authority in the province, and had an opportunity to compare them with what is presently being done in some nearby jurisdictions.

I have examined the bill, with a great deal of interest on two counts, having been a member of the select committee, and, secondly, people with a rural background are, perhaps, more concerned and interested in this matter than is the average response, although this, Mr. Speaker, is certainly changing. The recreational aspects of our conservation responsibilities are becoming more important, week by week, if not year by year.

This matter is of great concern to the heavy centres of population in our province, where so many of our people of all ages feel considerably hemmed in by the growth of megalopolis and the absence of what most objective judges would consider effective park facilities. I am not here to discuss parks specifically but our approach to formal conservation.

In looking at the bill, I feel that there have been at least three rather serious omissions, which should be in the bill itself and not left specifically to the regulations, which undoubtedly will accompany it in the future. It was our feeling, as members of the committee, that conservation authorities should blanket all areas, particularly of southern Ontario,

and that no small districts would be exempted. Under the statute as we have had it, and as we have it now, if this bill passes, it is still left entirely to the initiative of local groups to organize the territory in the terms of a conservation authority which would then be eligible for the grants and aid that would be set out by regulations.

The basis of the organization is on the river valley geography, with which I do not quarrel at all. But besides these great river valleys, draining the southern part of the province into the Great Lakes system, there are a number of fairly large pie-shaped areas which are exempted from this kind of geography, which do not have the advantage of coming under a conservation authority, nor the responsibility of meeting the municipal share of the funding.

In my view, it should be set out in this bill that all parts of southern Ontario would be included, if necessary, by order in council, so that these usually small remaining areas would be fitted into the conservation districts as they presently exist.

Mr. Speaker, you might be interested to know that the fairly long area running along the north shore of Lake Erie is exempted from inclusion in the conservation authority because of this. As you are aware, sir, I know, the Thames River, which drains that large central section of the province running through the city of London, does not drain the area adjacent to the lake.

It is interesting to look back in history and notice that the first governor of Ontario, while he may have been a visionary in some political aspects, did not have much imagination when it came to naming some points of geographic interest. I see the Minister of Agriculture and Food (Mr. Stewart) is taking some interest in this. As the man who was responsible for some of the naming, some of the geography, and some of the new roads in that area of western Ontario, he felt that he was doing us a favour by picking out this great river, this pure crystal clear river, and calling it the Thames. Then he compounded it by realizing that he had to move the provincial capital away from the Niagara border,



and saying he would move it up to where the two branches of the Thames came together, and he would call that new area, London. You can imagine.

I suppose London is as close to being the capital of Ontario now as it ever has been. This is really a bit of an aside, but something, Mr. Speaker, that I think is of interest. The Thames River itself, and the basin which it drains, leaves a large and important area on the north shore of Lake Erie, as I said, without the benefit of a conservation authority, or without the responsibility to pay for conservation work.

There are several other areas, and I will not take the time of the House by designating them in detail. My point is that this bill should include all areas of southern Ontario in conservation authorities, with a reasonable limit that would delineate the southern parts from the less populated pre-Cambrian areas in northern Ontario, and would extend, as you know, sir, well below the North Bay line.

The second point I would like to bring to your attention, sir, is the serious difficulties that many of the conservation areas experience in trying to finance a general plan for conservation work. It is the rule that after a conservation authority is instituted, the Minister's department will put their experts to work, or hire some outside experts, to go over the general terrain and make recommendations in what can only be called a long range plan for conservation.

They designate certain areas that can be set aside for public recreation, although I get the definite impression that this is not one of their major areas of interest. They will give some indication as to what dams would give proper flood control and what projects should be undertaken for the preservation of the natural resources of that particular area of the province.

Then, of course, it has to be put into effect. We have found, in examining this as a committee, that a good many of these plans have been made and released with much fanfare, but with the implementation aspect sadly lagging after periods of 10 to 15 years. There simply are no funds to proceed with the programmes laid out in the original plans that came with the institution of the conservation authorities.

The grant system, as it has evolved over a number of years, has favoured those areas which have heavy assessment—high assessment and a large population—and yet we know that some of the more severe conserva-

tion problems in our province, are in those areas where the assessment is very low—the population is low. In fact, the areas set out for recreation are going to be used by the people from Toronto and Hamilton and the other centres of population.

In my view, this would be an opportune time for the Minister and the administration to radically change their grant system, in order to favour those areas. So that conservation projects can be undertaken, which will not only stop the loss of topsoil and plant lots of trees and all those commendable things, but provide the funds that will give the conservation parks and recreation areas which are going to be used by citizens from all parts of the province, as well as many visitors from the United States and elsewhere.

In my view there must be implemented, a sliding scale of grants which is more flexible than the one that has been in use here before.

The Premier said, early in the day, that one of the chief characteristics of his government was its flexibility. I believe that this is an area where that flexibility is needed, so that those parts of the province which do not have the resources of assessment can go ahead with many of these projects which, I am afraid, are going to be postponed to the extent that the opportunity will be lost to us, unless we have the kind of funding that is needed at the present time.

The third point I would like to make has to do with representation on conservation authorities.

We are quite aware that the call for one man, one vote—or perhaps, sometimes, in conservation authorities, one dollar of assessment, one vote, or something like that, unit of assessment—cannot be applied inflexibly. Yet there have been many instances—and as I understand this Act, they will be perpetuated—where some urban areas which are by statute, incorporated in conservation authorities which pay a large share of local costs and, of course, represent a very large proportion of the population concerned, do not have adequate representation on the conservation authority.

I think of the authority that is based on the Moira River watershed. It includes the city of Belleville which has levied against it 60 per cent of the costs, and yet they have only 10 per cent of the representation on the authority.

In the Act itself, the Minister has seen fit to provide special dispensation for some areas where the population or municipal organization does not lend itself to an easy programme

of balanced representation. In my own area and the Grand River which, I believe, is the largest conservation authority in Ontario—at least the wealthiest, I would say most humbly—the statute itself specifically groups some of the less-populous municipalities so that they will not outweigh the major municipalities in representation on the river authority. This has been well accepted by the rural municipalities. There was a bit of complaint when the bill came through, and, I have to admit, Mr. Speaker, that on that occasion I was speaking not exactly on the side of the argument that I present now. Still, it was well-accepted and has been for the last two years, I believe.

There have been another two examples. The one from Metropolitan Toronto, whereby in the Act that is before us there is a specific representation associated with the city of Toronto, or with the Metropolitan area. The same is true in the Hamilton conservation authority, where the statute sets out that half the representation must come from the city which is going to be served, as far as population is concerned, and is going to pay the lion's share of the local expense.

I believe that the Minister is making an error in bringing the bill before us without accommodation of this nature, but goes through the conservation authorities, particularly the Moira, where a better balance associated with the levies that are going to be made can, in my view, be achieved.

Much has been said, Mr. Speaker, about the need for more and more public recreation facilities. I believe that the conservation authorities are one of the best organizations to accomplish this, with local participation. We know the responsibility of the Minister of Lands and Forests, and the responsibility of the Minister of Highways, to bring about larger and better recreation facilities.

These conservation authorities, if they were to cover all of the southern part of the province—I believe a different approach would be better for most of northern Ontario—these conservation authorities provide the vehicle whereby local participation with an up-to-date grant structure would be the best way to see that large tracts of useful recreation areas are set aside now, and developed for the use of the people now. It would be far different from the allocation of a great chunk of land north of James Bay and designating it, with fanfare, Polar Bear park—a place that may very well, after the turn of the century, become quite useful to our citizens of that day.

What we need now is the right and the privilege—the right which is uncontested and the privilege which is not available at the present time—of our citizens to make use of our lakeshore, to make use of the undoubted conservation and recreation facilities that are there, if they would only be set aside for public use.

The whole matter of combatting pollution has been ignored, in my view, by the conservation legislation. This is centred more on another sphere of the Minister's responsibility, through the water resources commission, and of course he shares this with the Minister of Health, who governs the policy with regard to air pollution.

I believe, further, that there should be some more centralizing aspects to our war against pollution, and it may very well be that the conservation authorities could play a much larger role in this if they were recognized as such by the Minister and given the funds with which they could accomplish what I think is a great and growing responsibility.

The bill, I find quite unimaginative. Recommendations that I pointed out in the select committee have not been met in the redrawing of the Act that we have before us. I think that the original idea—which I believe was one of the 22 points that brought this party to office back in 1943—and the original bill were very advanced, and really the bill has served a useful purpose. But since that time, we have had two select committees looking into this matter, and while their recommendations have been useful, I believe that the administration has not responded in any imaginative or forceful way to this very important matter.

Mr. Speaker, I have brought to the attention of the Minister, though you sir, three specific objections and the overall impression that this particular branch of government could be upgraded so that it would be the chief vehicle for the provision of public recreation facilities, as well as assuming a far greater role in conserving what we believe to be one of our most valuable natural resources—our countryside—which must be developed for the use of the people. Without an imaginative bill, I am afraid we are failing in this responsibility.

Mr. F. Young (Yorkview): Mr. Speaker, in looking over this bill, I think the leader of the official Opposition has outlined some of the shortcomings and has stressed the kind of thing that we ought to have done. But I do want to lay emphasis on one of the points which he has touched upon and which I have mentioned from time to time in this House.



That is the whole matter of acquiring the ownership of river valley land for the public. In the areas where cities are growing rapidly, and this is particularly true of Metropolitan Toronto and is also true in lesser measure of other cities, the authorities just do not have sufficient financial resources to purchase the land which is available as the cities grow, in order to preserve that land as open space and breathing space for the people of the city.

The Metropolitan Toronto conservation authority, in harmony with other authorities, has looked upon the section of land between the top of the banks—the top of one bank over the top of the next bank—as land which should be logically open space held by the public authority. In years past we have seen time after time where the building industry has moved in and delineated lots part-way down the slope. Then very often the public has acquired some of the land on that slope through 5 per cent or other devices, and found itself in possession of land which is very difficult to maintain and which was difficult to get to. Very often the private authority owned the top of a bank and the bottom of the valley, but the slope had been deeded to the public authority as 5 per cent land, or it had been acquired in some other way.

Mr. Speaker, again I draw to the attention of this House the desperate necessity of our conservation authorities having sufficient financial sinews to pick up the open land—the valley land—as development for seeds. Too often the subdivisions move along faster than the financial ability of the authority to achieve the ownership of the land, and this bill does nothing to provide the finances to do this job. The levies on individual municipalities cannot possibly provide sufficient money to get this ownership into public hands.

So I bring to the attention of this House once more the necessity of achieving this kind of ownership; the necessity of provision within legislation of this kind for the financial resources to our authorities so that they can acquire land, particularly within the urban boundaries. There, if that land is not acquired immediately as subdivisions for grants, then it is likely that that land will go up very rapidly in value, or will be put to other private uses of various kinds, and the public will be effectively shut out in these valley lands. While the bill in general is a very useful piece of legislation, and I think by and large does a useful job following upon the select committee's work, I do think that

this is one fundamental weakness which could be revised and could be amended so that financial undergirding of the authorities takes place, let them acquire public lands where otherwise they might be irretrievably lost to the public for the future.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, coming as I do from the southern part of the province, I am in the area that does not have a conservation authority, much to my regret; I think they should have availed themselves of the opportunity in the past to get into a conservation authority. However, one of the reasons why there is a little hesitancy on the part of the municipalities involved is the fact that the representation on the authority is out of balance. The city of Windsor itself, which would be interested or could be interested, would represent approximately 70 per cent of the population and would contribute approximately 70 per cent of the funds, but would only have four representatives out of what I think would be 26 were a conservation authority set up. The other municipalities, were they to decide on a conservation authority, would so easily outweigh the area when it comes to suggested projects that there may be a hesitancy on the part of the larger municipality to join the authority.

We are in a position where the large populations of the state of Michigan use our facilities practically to their utmost during the summer season. We would like to see more parks set up in the area. We would like to see some type of flood control. But up until the time the grant structure for municipalities partaking in a conservation authority is improved upon, I am afraid that it might be extremely difficult to convince the smaller municipalities in Essex county and the city of Windsor to partake in the authority. We would like to see lands purchased along the banks of the Detroit River and Lake St. Clair and Lake Erie and set aside for future park development. But we cannot do it, because the Act as it is here makes it completely voluntary for the municipalities to come into the conservation authority.

I would respectfully suggest to the Minister that he give some consideration—I do not know how he would do it—to convincing the municipalities in the county of Essex of the value of a conservation authority. I can see its value, many of the forward-thinking people can see the value, but it is hard to convince a municipality to come in when it



is going to have four representatives out of a possible 26 and it has to contribute 70 per cent of the funds, and more than likely the conservation projects would really have no direct bearing on the municipality itself.

**Mr. Speaker:** The member for Halton West.

**Mr. G. A. Kerr (Halton West):** Mr. Speaker, I would like to say a few words on this bill.

I had the privilege of serving on the select committee on conservation authorities with the hon. leader of the Opposition and it is encouraging, Mr. Speaker, when some of the recommendations of a select committee are finally embodied in legislation.

Now, this bill, I believe, has about 10 or 11 recommendations that came from that select committee. The first one is in section 1 regarding administration costs. It means now that administration costs will be treated the same as a capital project for the purpose of provincial grants, and this was one of the recommendations that nearly every committee and authority that appeared before our select committee recommended. I think that this will help alleviate a great deal of the administration costs of these various local authorities.

Reorganization of certain large authorities is recommended in this bill. This was also one of the select committee's recommendations.

Members will now be appointed for a stated period rather than at pleasure. This is an excellent recommendation. There has to be a minimum number of meetings for every authority and the members will all receive copies of the minutes of every meeting. It was rather surprising to us, I think, on the select committee to learn that in many areas the meetings of the whole authority were most infrequent, and that really the authority was run pretty well by its executive.

New provisions extending and simplifying procedure regarding preventing floods have been included in this bill. Expropriation proceedings will now be under The Expropriation Proceedings Act which will assist the authorities and those people who are involved as a result of land acquisition.

There is only one point, I am not sure if it is embodied in this bill. I think on page 19, one of the sections regarding assessment of a benefiting authority; I am hoping that possibly the hon. Minister will deal with this point, that any municipality that benefits or is considered a benefiting area within the

boundaries of the authority will be assessed and that no authority will be exempted from assessment, partially or otherwise. No municipality will be exempted from assessment, particularly when that municipality will be benefiting from the work of the authority.

I think the legislation could have gone a little further. I think, as the hon. member for Yorkview mentioned regarding land acquisition, authorities are having problems acquiring enough conservation lands, particularly in our sprawling urban areas. I think that the select committee recommended that grants for land requisition be increased. This is not included in this bill.

I also think that the conservation authorities should have more power as to planning and zoning its lands so that the lands will be set aside for conservation. In other words, it will not be necessary for a conservation authority to buy the land, but at least it could be zoned in some way so that its use will be commensurate with recreation and conservation.

**Mr. Speaker:** The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Speaker, I would like to speak to this bill.

The conservation authorities of the Niagara peninsula have been very active and, in my opinion, doing a good job. They have very little money to work with. The municipalities make a contribution on a per capita basis, but with what they have, they have done a good job in certain areas.

But in the south portion of the county of Welland, of late, I read in the papers where the town of Fort Erie especially, is not too happy with the small amount of work done in that area. I understand that when you do this on a regional basis, you do it for the people of the whole region. We have many hundreds of thousands of tourists that do come into the area, and you just cannot make accommodations for everybody that visits, especially in the summer months. However, with a little foresight, certain portions of the county that I am acquainted with could become wonderful areas for recreation, fishing, boating and so on.

You have heard me make this speech in this House on many occasions, Mr. Speaker, pertaining to Black Creek, that particular area that I did represent until the last election, they now have an able representative. He can tell their story to you, maybe in

words of a type that I did not use, and maybe get a little more done.

But I would like to speak to you of a new project that has come up since the new canal cuts to the east of the city of Welland. I am talking about the new Welland ship canal. A small tributary or creek running from the Welland River to the west, and I will not be accurate in my directions but I think I can paint a picture to you here that you may understand and do something about.

Lion's Creek, that empties into the Welland River, runs through and to the south of the city of Welland near Port Colborne. With the new canal being built—and the section is now being built under contract—to the east of the city of Welland they are cutting the tributaries, the small streams that lead into Lion's Creek; they are cutting it off with their new canal, and that water will have to spill somewhere.

I say this to the Minister, directly through you, I am sure that he will get the picture before I finish what I have to say. The tributary as it leads down to the new canal will have to spill into the new canal. There is no other place for that water to go. Having built the new canal, then you cut the westerly portion off completely. The only water that will spill into the Lion's Creek, which is quite an active body of water in certain seasons of the year, will be cut off completely and through the summer months, I believe, will run dry.

I would like to tell you that I was very concerned about this, and I took this up with the St. Lawrence seaway authority. I mentioned to them that I do not think anybody has the right to cut the supply of water off from any stream. And there are certain riparian rights in some provinces, and I do hope they apply here in the province of Ontario.

If a portion of water is spilled into the new canal, then provisions ought to be made for the portion to the east to get a similar amount of water to keep that stream moving as it has done on some occasions, especially when the water is there.

I can visualize fishing areas. I can visualize swimming areas similar to what you have at Lake Gibson. I am sure many of you are acquainted with that. The Hydro has built dams, artificial lakes that are serving the people and serving them well for many recreational purposes.

I believe that this can be done very simply by making a provision through the conserva-

tion authorities, if you will; better yet, through the province itself—because you will be dealing with the federal government—to give us the necessary flow of water into Lion's Creek that will keep that body fresh. Whenever the conservation authorities of that particular area, that county, decide they want to build the necessary dam, the necessary pond that would be required to hold this water, the water is there; and then spill it over as it is needed through the summer months.

You will have a recreation area second to none in the province of Ontario, and it is a natural. I realize government bodies do not go about looking for projects such as the one that I speak of, and yet here is a natural where we can render a service, yes, to the children that are coming after us, if not in this day, in the future.

But if the canal is built and the water to the west of that particular canal does spill into that stream and it is cut off to the east, we are going to have—as we have there today in the summer months—very little water flowing through. I believe that this Minister, the province of Ontario, The Department of Lands and Forests through their conservation people—and I can assure you now that I have made my initial speech on this publicly; I have some information that I have acquired from engineers. I have talked to some folks in Ottawa, long long ago—long before there were any elections talked about—because I believe that we ought to take advantage of these privileges that we have today.

I know this Minister; can I get his assurance in this House that some of their people will take a look with me and show me where I am wrong? And if I am barking up the wrong tree, and if this project is not one that can be gone on with, then I will be the first to admit it, and we will turn into other directions.

But I wanted to put this on the record. The possibilities are there; I know they are there. I know much of that particular area which is now no use to anyone could be made into some of the finest parks in the province of Ontario. It is just a natural that flows to the Niagara River, and there may be provisions from that canal to include the Hydro, if you will. Because Hydro apparently will pay to the conservation authority according to this bill, a certain amount of money. It does not state the amount for the use of the water.



There may be waters come from the new canal through Lion's Creek and into the Welland River and through the Sir Adam Beck canal down to Sir Adam Beck No. 1 and No. 2 at Queenston. And so you have a two-fold purpose. Recreation for one, and power for another. This, Mr. Speaker, I wanted to get on record. This can be done; I know it can be done. If I could get the assurance from the Minister that some of his people would look with me, I will not take up the time of this House any longer.

**Mr. Speaker:** May I point out to the member that this debate is on the principle of this bill.

**Mr. Bukator:** I do not know why, Mr. Speaker, and I would like to take exception to what you have to say. I am getting a little fed up with being cut off by the Speaker every time I get on my feet. I thought I was on the principle.

**Mr. Speaker:** If the member would speak to the principle of the bill, he is quite at liberty to have the floor as long as he wishes.

**Mr. Bukator:** Thank you very much, but the fact that you are not giving me that is in the record.

**Mr. Speaker:** The debate is on the principle of the bill; it certainly has nothing to do with individual propositions such as the member has put forward. I think that there is a place in the proceedings of this House for that, and knowing the member's interest in these things, because for many sessions I have listened to the Black Creek speech which has been good and I think was an excellent idea, I was quite prepared to let him place this before the Minister. But this is not the place for him to ask the Minister through the Speaker or otherwise, for consideration of a certain project. This is the principle of the conservation authority bill.

The member now has the floor to speak to the principle of the bill.

**Mr. Bukator:** May I continue with what I had in mind? I think when the Minister has an opportunity to speak he can pretty well answer my question if he is so inclined. I am asking for that privilege in this House, and I do not think it is up to the Speaker of this House or anyone else.

Interjection by an hon. member.

**Mr. Bukator:** Is it? Is that right? Remarkable. Yes, I have been here since 1959,

I ought to know—I ought to know. I do not know what that last remark was supposed to mean, but I have uttered words in this House and the Speaker has jumped immediately to his feet and hollered "order". Maybe if we can get away from that, I think I will get back to my subject.

**Mr. Speaker:** The Speaker will again say order, and if the member wishes either to appeal the Speaker's ruling, or wishes to speak to the principle of the bill, he is quite entitled to.

**Mr. Bukator:** To get back to the question of the bill. Apparently we are on conservation authorities and one can speak from now until doomsday on this particular bill. If that is so, Mr. Speaker, we will continue on the principle.

**Mr. Speaker:** We will go to the principle, we have not yet reached it.

**Mr. Bukator:** Getting back to the Hydro portion of this bill, that is the principle I believe, where dollars are involved. I am wondering whether the principles will apply to this bill. I suppose I should not ask the Minister because I would be called to order again, but I wonder whether the principle of this bill and what the Hydro will be paying to this particular authority. A certain amount of funds if the time comes and I dare not ask the question at this particular time; someone will tell me how much they intend to pay. That is the principle of the bill.

I can assure you that the authorities in some areas have been treating people well. In the southern parts of the province of Ontario, in the Niagara peninsula, the Welland county area, there are certain sections that had been contributing for years. They are talking seriously of discontinuing the portions that they are paying to the authority because they believe they are not getting what they ought to in those areas. The point that I have tried to make—and if I have made that point then I am quite content, the point that I am trying to make is that that particular portion should be considered with projects such as the ones of which I speak.

**Mr. Speaker:** Is there any other member who wishes to speak to the bill? The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you very much, Mr. Speaker. I am speaking as a past member of a conservation authority and



it seems to me that at times the experience was a rather frustrating one for the other members of the authority and myself when we arrived at matters of enforcement and administration.

In the Lakehead area we are just now getting sufficiently advanced in our projects to realize the benefits of what had taken so many years to plan and prepare for. But the problems seem to be that, once certain portions of a project were completed, that we had no means of maintaining what we had already done—grass cutting and so forth. We had no way of keeping people from tossing bottles, or their garbage and tin cans and one thing and another into these beautiful river beds and river bank area. This was the frustration. We had no way, it seems, of patrolling and keeping up what had been accomplished since, as the project was not completed, it had not been turned over to the local municipality.

I would like the assurance of the Minister that through this bill there will be some means put into the hands of these conservation authorities to maintain what has been done and also to enforce the law. I see in the Act that there is a regulation providing for the appointment of officers to enforce any regulation made under this section. That is rather a limited detailing of exactly what officers will be selected and how many will be selected. We do not know from those few words how big a budget an authority will have to carry out enforcement. I am just wondering what the spirit of this particular section of the Act is, and to just what extent authorities will be allowed to appoint people to regulate their laws.

I would like to reiterate what the leader of our party said earlier, when he indicated that a conservation authority should have more power in matters of pollution, conservation of the water, the air and the land. Here again our authority experienced some frustration, especially some of the more ambitious and more forestry-minded members who had surveyed northwestern Ontario at length over the past years. They found that some of the companies up there were reaping the benefits of the forest but were not reforesting, they were not replacing what they had taken away.

This, you will understand, is the type of thing that causes a great deal of concern with the conservation authority. That we cannot just go up to a company and say, "Now look here, we are interested in the matter of

preserving or conserving our forests and you have got to get into a more active programme of reforestation."

The same is true of mining companies which go after what is usually under the land and, in so doing, bring out certain materials from under the land and spread them all over the countryside, destroying the beauty, destroying the area. This, again, is a matter of concern to conservation authorities.

I think that what these authorities have lacked in the past is the ability, or powers, to affect those around them—to enforce certain regulations to maintain what has been beautified, to attract co-operation from private industry, which in some cases is working in juxtaposition to what a conservation authority is.

I have looked over the Act in detail and I am not quite sure that it is strong enough to assure the existing conservation authorities that they will have all of these powers to which I have referred. Thank you.

**Mr. Speaker:** Is there any other member wishing to speak on this bill?

**Mr. T. P. Reid (Rainy River):** Mr. Speaker, just a small point. On page 12, item (N), it reads: "To use lands owned or controlled by the authority for park or other recreational purposes, and to erect or permit to be erected buildings, booths and facilities for such purposes as to make charges for admission thereto and the use thereof."

Does the Minister envisage any plan whereby the places now being charged by The Department of Lands and Forests will be the same, or commensurate with the conservation authorities? Is there to be any upper or lower limit? As it is now, the price charged for entrance to provincial parks puts the parks out of the reach of the average working man. Is there going to be a limit put on these conservation parks? Will you answer that, sir?

**Mr. Speaker:** The Minister will answer in his remarks. Any further remarks? The member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** I beg your indulgence, Mr. Speaker, just for a moment.

I take it, Mr. Speaker, we are dealing with amendments to The Conservation Authorities Act, 1968. I want to say, Mr. Speaker, that the purpose of the Act is stated in the preamble by the Minister that this Act is revised and brought up to date and includes the following major changes, mainly as a result of

the report of the select committee on conservation authorities.

I accept the fact that the Minister might, during the course of the debate on the principle of this bill, elaborate to a great extent as to some improvements in the near future, or that some of the things recommended by the select committee would be brought about in regulations. I have not taken the time to compare the amendments, which are fairly elaborate, with the present Act to come to the conclusion that what he states in the intent is so.

With those exceptions I would say that what he says in this first paragraph is the overstatement of the year. The amendments as set out in the explanatory notes are nothing more than the trivial parts of the recommendation. There is not one of the major recommendations of the select committee entailed in those explanatory notes.

We remember the committee was established in 1965 and sat for all of that year outside the sitting of the session and was reappointed in 1966. I did not have the privilege of sitting on the committee for the first part of its sessions, but I replaced the leader of our party (Mr. MacDonald) on that committee in 1966 and, of course, our report was brought down in 1967.

The public accounts reflect the very strenuous and entailing job that the committee did. It was a costly select committee and, for the term that I sat on it, I felt that the members were highly interested and applied themselves with a great deal of interest to the work of that committee. But the bill before us does not in any way reflect the principles contained in the select committee's report. We have to ask the Minister, why not?

Has the Minister read the report thoroughly? If he has, I hope that he will inform the assembly here just why he has not entailed some of the major recommendations of the report.

The hon. member for Simcoe Centre (Mr. Evans) was the chairman of that committee and I concur with all other members that he did a splendid job in applying himself and directing the committee in their work. But he must feel embarrassed to no end after rising in this House last June and speaking on the committee report. He read with pride the letters he had received from the chairmen of the various conservation authorities across this province, and others who were actively interested in conservation.

I might just take a moment, Mr. Speaker, to reflect back to some of those letters. I quote the hon. member for Simcoe Centre when he rose in his place and said:

Mr. Speaker, I had the opportunity to speak when I tabled the report on March 20. This time I just want to read some letters that I have received which, I think, speak for the way the report has been received and I would like to put them on record at this time.

I think in total there were five or six letters. The first one I think will suffice, because they all follow the same trend. The first one was from the Otonabee region conservation authority, signed by Mrs. John Nornabell, chairman of the authority:

Dear Mr. Evans:

May I, personally, and for the executive of the Otonabee region conservation authority, extend to you and to the members of the select committee on conservation authorities our sincere thanks and our warmest congratulations on the masterful report which resulted from your deliberations. We have spent many hours studying it page by page and are delighted with the general tenor. The overall picture is so constructive and so positive that it has given us a new lease on life. It would seem picayune to quibble about the minor point in it to which we take exception.

Of all the recommendations embodied in this extensive list, the one which we here feel is the most vital and indeed urgent to the continuing, let alone the improving, health of the conservation authorities in Ontario is the one relating to the strength and vision required by the conservation authority grants. There is no doubt that not only new authorities, but even long-established ones, must be given encouragement and the best advice and guidance from head office. This can only come if the branch is adequately staffed and imaginatively led. It is our honest contention that if these conditions prevail all the potential dreamed of by your committee can be achieved.

It was a privilege to meet you and we would count it a great pleasure to have you visit us here again.

Yours truly,

Mrs. John A. Nornabell  
Chairman, Otonabee Region  
Conservation Authority

Then again there was a letter of similar content from the Metropolitan Toronto and



region conservation authority, signed by Edna Gardner. Another from the Prince Edward region, signed by William C. Tatham, chairman. Another from the Sauble River conservation authority, signed by a Mrs. C. Hume, secretary-treasurer of the authority, and another from that very active and important conservation authority of the Niagara peninsula, Mr. Goldring, the secretary-treasurer. Unless I cannot understand common sense, this bill is an affront and an insult to that committee. It can be considered as nothing else.

Mr. Speaker, if we have to document in any way what I have said, one only has to go through the report and himself find that some of the most important recommendations were left out. I had intended to go through it almost section by section to indicate what I am trying to say, but I will make it brief, because I understand there is some kind of an agreement that we co-operate to get the business of the House proceeding in an orderly manner, because of some problems we have had. If we take the one section on tenure of office of municipal representatives—the committee dealt with that at great length to provide a greater degree of democracy in the representation in the authorities. There was no change there whatsoever; it was almost ignored.

Mr. Kerr: Oh yes there was.

Mr. Gisborn: I cannot find it—you will have to explain it to me.

Then, if we deal with the section, "that every conservation authority be required to prepare with the assistance of The Department of Energy and Resources Management and public participation a long range conservation plan." I see nothing in the Act itself or enunciated by the Minister since the report came down that this is going to be the case. This, we consider, is one of the fundamental necessities for a well-planned conservation development in the province. This, as far as I can see, has also been ignored, unless again the Minister can show me where he has some plans to bring this about.

One of the important things we found in our hearings was the lack of co-ordination and the establishment of priorities in the different areas. We found where ambitious authorities were active, they had no funds, and some of the very badly needed developments were not taking place. Then we would find in another area, where they were more wealthy and the municipalities could afford to go on with programmes, they were not

quite as necessary. The committee discussed this at some length and came to the conclusion that there should be something spelled out and enunciated very clearly—that priorities would be placed where they were needed to make the kind of development take place that is necessary across the province.

So as not to make a long presentation on this bill, I will try to make it a little more brief. The whole problem of land acquisition—the methods by which property could be acquired without outright takeover—was another important development that we felt should take place. But, if we go back to the end of the report, Mr. Speaker, and we take the list of recommendations, and we take alone those sections that dealt with the constitution of powers of the conservation authorities—and we find that there are some 33 paragraphs and sections dealing with that—for the life of me I cannot find where there is any reference that would enunciate that they had been given attention. If we deal with the sections on finance—41 sections alone—and if we look at the explanatory sections of the bill, we find just one insignificant reference to financing in it. We have 40 sections on finances in the report of the select committee.

Administrative practices—we have 40 sections, and there were some very slight changes, such as enunciated by the report.

Mr. Speaker, unless the Minister can convince me that there are other ways and means to bring about the recommendations of the select committee's report, I can only reiterate that it is an affront to the committee and the work we have done. It is an insult to the conservation authorities across this province and the Minister has to do some fast and very concise talking to convince me that he has given any consideration at all to the kind of work that was done by the committee.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, having mentally agreed with everything that the leader of the Opposition said in relation to this bill, I merely wish to add that my chief complaint in respect of the principle of the bill, is that the bill lacks any substance of a statement of policy.

I have been heard to say here previously, a couple of years ago—and there may be some who may remember that speech, I will never forget it, because one of the direct results, if I may say so, in a chamber not noted for the quality of modesty, one of the direct results was the institution of a water policy in the valley municipalities adjoining the city of



Sudbury, which is now, I might add, just reaching its full fruition.

But, sir, my complaint in respect of this statute, is that it lacks any definitive statement of the policy of this department in respect of the multi-use commodity, water.

We have in that department three powerful organizations, that use water in a very important aspect of the multi-use dimension of that commodity, which is fundamental to human life. And this Minister is responsible for all three of the organizations. But try as one might—and I am going to point to a part of this bill that gives corroboration and proof of what I say—try as we might, we cannot be satisfied, or feel the comfort that there is any liaison within that department, in respect of the use to which the water of this province is put.

One never feels satisfied that the Hydro Electric Power Commission talks to the water resources commission, or that they in turn talk to the conservation authorities, or indeed, to the person in the department that is the head or the epitome of the multiplicity of conservation authorities throughout this province.

To borrow a very old aphorism, if you look at section 19, paragraph (L), you wonder which comes first, the chicken or the egg, because if an authority has the power, in the words of that section, "to alter the course of any river, canal, brook, stream or water-course, divert or alter," and so on—if they have the power to do that, where does Hydro come in? If they have power to do it, where does the water resources commission come in? Are the latter two subservient to the authority? One rather thinks not.

Hon. Mr. Simonett: Go ahead.

Mr. Sopha: And if the authority sought to "divert, alter, or in any way change" the contours of a stream and that conflicted with some other part of the Minister's department, one rather suspects that those two very powerful, almost omnipotent bodies, would have their own way about it.

Then what is this? Drivel? Drivel that is put into a solemn statute? No. One must come to the conclusion that it is there because there is no definitive policy. There is no conception in that department of liaison, of the multi-uses of water. Everybody goes their own way, and that is illustrated in this bill.

I suspect—and I looked through the bill to try to find out, but it is unenlightening,

you cannot tell from the language—but I suspect that after OWRC had their bite at the apple, that after Hydro had theirs, this is the residue. This is the residuary clause, known to lawyers who handle estate and draft wills. Everything else about water, therefore goes in here, and is fragmentalized and fractionalized and lacks a clear and coherent statement of principle, as the leader of the Opposition said about what shall be the ultimate fate of water in the southern part of this province.

This bill is oriented to the southern part of the province. I do not complain about that. I merely point it out. All the way through it, this has in mind small water-courses—the small watercourses that abound in the part of the province which is called upon to support heavy industry, the industrial base of this province, but has no watershed like the Mississippi.

That was our fate. That was the fate of topography of the southern part of the province. Small watercourses. Many of them. A multiplicity of them. Venous watercourses, v-e-n-o-u-s, like veins. Each of them small, none having the girth or the capacity to carry large amounts of water. And these water-courses are asked both to supply fresh water, and they are asked to carry away the pollutants that industrialization must, as a matter of fact, put in the watercourses.

But there is nothing in the bill to indicate, to give us an inkling of what the future development in regard to industrialization, *vis-à-vis* conservation authorities and recreational uses of beautiful watersheds like the Grand, that my leader speaks of, is going to be. Mr. Speaker, because this is the ash can, it follows, perforce, that it is another extension of government policy that all the heavy industry in this province is going to be located next door to Lake Ontario. That is the underlying policy of this government and those who think about the future economic development of the southern part of this province. And this bill is a residue of that thinking.

This bill, and the lack of a clear statement, lack of the clear definition of liaison in the use of water that I speak of, means that communities like Stratford and Brantford and Galt and indeed, London itself, London in the bush—is not that what Governor Simcoe called it—London in the bush, that their growth is going to be inhibited. And it is intended that their growth be inhibited, because of the lack of a clear policy of the use of the relatively small watercourses.

What is an alternative? I seldom stand in my place here and criticize and point out the shortcomings without pointing to an alternative. I put one before the House a couple of years ago, with respect to this Minister's own department. There he was up in Lake Huron, lifting water out of Georgian Bay, some 200 feet. The member for Muskoka will quickly correct me. He is lifting it 200 feet and then letting the blessed stuff fall back again into Georgian Bay, for the generation of power only. I suggested—and nobody ever said that I was on an acid trip—that when they were lifting that water up in Georgian Bay, that they might think in terms of improvising the Luther marsh as a reservoir, situated as it is close to the headwaters of several of the rivers, your own Grand—the Thames.

**Mr. Nixon:** The source of the Grand.

**Mr. Sopha:** The source of the Grand. Well, it is not far from the headwaters of the Thames, that other one starts from them—the Saugeen. And instead of letting all that water flow back into—indeed, they can let it all flow back into Georgian Bay, if they think in terms of capturing it in a reservoir first and using it for multiple purposes; feeding additional increments of the water down these small watersheds and then, letting the rest of it flow back into Georgian Bay and generate hydro electric power.

But I accuse—I accuse and I have never been demonstrated to be wrong—that in that department under this unimaginative Minister, there is almost nothing in the way of liaison. It makes you laugh if it does not drive you to tears.

To show you the lack of liaison. Three or four weeks ago that dinosaur potentate, the water resources commission is examining into a matter of pollution under the jurisdiction of a conservation authority. Then comes forward The Department of Lands and Forests and says, "Oh, just a moment, if you allow this to go on in this watershed, it stands in danger of adding to the pollution of the major boundary watershed—the eastern part of the province, the Timiskaming-Ottawa system."

**Hon. Mr. Simonett:** That has nothing to do with this.

**Mr. Sopha:** No, nothing to do with this yet. It has nothing to do with this bill, because this bill lacks a definitive statement of policy in respect of water. I have made my point, and I made it a couple of years ago and

I re-emphasize and re-assert it. I am with the member for Scarborough West, only I say to him, by way of encouraging him, if the Minister of Health (Mr. Dymond) says that you repeat around here three or four years, it has been my experience that if you repeat enough times, eventually you get some action. So, out of the spirit of public duty, you have to repeat what you say—

**Mr. J. B. Trotter (Parkdale):** They read our speeches.

**Mr. Sopha:** —until it finally sinks in.

**Mr. S. Lewis (Scarborough West):** When it was a public duty—

**Mr. Sopha:** Certainly, public duty commands many sacrifices—including speaking to Ministers who do not understand the problem.

But I want to hear, when he gets up, whether in all the other uses of water—here it is and I will put it as simply as I can, so I will not be capable of being misunderstood—in all the other uses of water in his department that are essential commodity to sustain human life and of which, fortunately, we have such an abundance in Ontario, fresh and clear and pure and potable water.

I ask, is it the intention, as a matter of principle in this bill, that the conservation authorities, when all other uses are accounted for, then become the garbage heap of the use of water? Are they then obliged, under the terms of this bill—I ask rhetorically but requesting an answer—are they then obliged, after all the uses—industrial and hydro and supply of fresh water—are they obliged, as a matter of recreational use, to make the best that they can in the circumstances? Are they the clean-up squad, when everything else is accounted for?

Furthermore, in respect of the principle, I would like to hear from this Minister. It is about time we heard. We never heard from the member for Muskoka (Mr. Boyer). We never heard from the member for Wellington-Dufferin (Mr. Root); we never heard from him. Certainly we have never heard from this Minister what liaison is, in respect to the use of water in this province. What government policy is, how it is molded together and a rationale—the rational use of water of the water resources comes out of it all. But I never give up hope and, maybe, when this Minister rises he will inform us for the first time.



**Hon. Mr. Simonett:** Well, Mr. Speaker—

**Mr. Speaker:** Order! Order! Is there any further debate before the Minister closes? The Minister!

**Hon. Mr. Simonett:** Perhaps to answer the questions of the member for Sudbury before I speak on the principle of the bill.

After introducing our estimates last year we found the Opposition were not interested enough to ask a question on pollution. I thought at that time that they believed that pollution was under control and in good hands in the province of Ontario—

**Mr. J. Renwick (Riverdale):** Well, you told us it would be finished in 1971.

**Hon. Mr. Simonett:** —because I think if you look back in *Hansard*, when you voted that large sum of money to OWRC, you will find there was not a question asked on that side of the House.

Now, if I might deal with the bill that is before us.

**Mr. Lewis:** That is a full answer?

**Hon. Mr. Simonett:** All right, look back in *Hansard*.

**Mr. Sopha:** Point of order. Your record cannot be allowed to remain in this state of distortion.

**Hon. Mr. Simonett:** It is not distortion.

**Mr. Sopha:** It may be that in respect of the estimates the Minister is misleading the House. That is my point of order. He is not entitled to mislead the House. It may be that in respect of his estimates there was nothing said on pollution, but in the Budget debate—

**Hon. Mr. Simonett:** Well it was.

**Mr. Sopha:** —in the Budget debate a host of members, of both parties, talked for pages and pages, hours and hours, on water pollution in this province.

**Mr. Young:** It was simply smart chairmanship.

**Mr. Speaker:** Order! Order! The Minister.

**Mr. Sopha:** Now try to be more accurate in what you say.

**Hon. Mr. Simonett:** It is accurate.

**Mr. Speaker,** I might say it is a pleasure to introduce a bill such as this in the House when we find all members on all sides of the

House—all but a couple that want to speak on something else—are in favour of the principle of the bill.

I would just like to say, at this time, that we are dealing with The Conservation Authorities Act, we are not dealing with The Ontario Water Resources Act and of course, I do not need to tell some people that there is a difference in the two Acts. We are dealing with this bill as it applies to conservation authorities.

I think if we go back to the formation of conservation authorities in the province of Ontario, and that is not too many years ago, we will find at that time that this was an Act set up to help the municipalities on river basins control floods and their flood waters. It was, at that time, a cost-sharing programme, with 50 per cent made up by the municipalities affected and 50 per cent by the government. This Act operated this way until some few years ago and, of course, the conservation authorities had arrived at the point where flooding was not altogether their main concern—recreation did play a large part. We started, at that time, paying grants on recreational lands and the development of recreational areas.

**Mr. Sopha:** Will you tell us where the recreation fits in the total scheme of things? Where does it fit? What this bill does—where does it fit in the total picture of water?

**Hon. Mr. Simonett:** Mr. Speaker, if I might continue. I am dealing with the principle now and if, when we get to the reading clause by clause, the member would like to challenge any clause at that time, I am sure he will be able to do so.

It has been said here, perhaps—

**Mr. Sopha:** Like Pontius Pilate you do not wait for an answer.

**Mr. Speaker:** Order! Order!

**Hon. Mr. Simonett:** It has been said that, perhaps, we did not go far enough in this bill and I would not deny that. But again, we had a report from a select committee on conservation—and I do want to congratulate that committee. I think they did an excellent job and immediately upon receipt of the report it was studied by our department. Then it was studied by all conservation authorities in the province of Ontario. There were many meetings held before this bill was drafted and this seemed to be a bill that would suit us, as far as the government was concerned, and



would also suit most of the conservation authorities.

So I think when we arrived at that point, we were making most people happy—or at least those people that were interested and are interested in conservation in the province of Ontario.

Now the leader of the Opposition said that perhaps we should have something in this bill that we could force the municipalities in the southern part of the province of Ontario to enter into a conservation authority. We have said, and I agree, that we would like to see all of southern Ontario in conservation authorities, but we do not feel, as a government, that we should make it mandatory that they join if they feel they do not want to come in at the present time. Last year, we formed three new conservation authorities in the province. So far this year there are two new conservation authorities formed, so that is five in two years.

**Mr. Nixon:** What are the names of the two new ones?

**Hon. Mr. Simonett:** Mississippi, and I do not know what they are going to call the other one in the Cobourg area yet. It was just formed the other night, and the Rideau and the Cataraqui were formed during the past few years, as you know.

So we are taking in a large area in the southern part of Ontario in conservation authorities. Of course, as long as you can see interest like this from the municipalities, I do not think that we at any time should force them to join something. I think when they are ready they will come along and be very happy to look after their own area.

**Mr. Nixon:** Meanwhile, they are not paying their way.

**Hon. Mr. Simonett:** Well, I might say this. Since I took over this department—as I said earlier we were paying 50 per cent of all projects and the municipalities within the authority were paying the other 50 per cent. Two years ago I saw fit to ask the government for permission to pay a 75 per cent grant on all flood control or all reservoirs in this province. We have now been doing this for conservation authorities for three years.

I might say that there is nothing in this bill as far as a sliding scale is concerned for the small conservation authorities where the assessment is very low and where they find they have not money enough to take care of some of their larger projects. I would say this, though. I would hope that before January of

next year, I will have persuaded the government to introduce a sliding scale of grants, so that we might help out those areas where they are finding problems. I believe this will not be too difficult to sell, but in the meantime we are trying to work out something that will be acceptable to the government and to the conservation authorities in this province.

**Mr. E. Sargent (Grey-Bruce):** What about the Opposition?

**Hon. Mr. Simonett:** Well, we will discuss that with the Opposition at that time.

The leader of the Opposition also mentioned representation, and, as he said, in some of our larger authorities we have special Acts which set up the representation and they have a larger representation than in some of the smaller conservation areas. He mentioned Moira in particular, and I have talked to the principal in the Moira conservation authority. I think some two years ago this was discussed first with me and then recently by the hon. member (Mr. Potter) who represents that area.

In fact, I live very close to Moira conservation authority and I know a great deal about it. The hon. leader of the Opposition said that the city of Belleville felt perhaps they did not have representation enough when they were paying 60 per cent of all works in that authority. In discussing this with them, I never actually heard that, because, as you know, the Moira conservation authority was formed first to prevent flooding in the lower part of the Moira River which is in the city of Belleville, and most of their remedial works are up in the smaller townships in the north and they have done an excellent job.

I doubt at this time if they are pressing too hard, although perhaps they would like to see more representation right in the city of Belleville. But they are not pressing that point. They are going ahead with their projects and they are very active in that area.

Now in recreation, we will admit that where we are going to have waters and reservoirs, then we must look towards recreation facilities, and this policy is something that has happened in the past four or five years, because at one time it was felt perhaps we should not buy any adjoining property for recreation.

We are now asking the authorities to develop recreational areas. I think there was a question by someone as to admission fees charged to get in these conservation areas. This is controlled by regulations. All conservation authorities must ask permission

before they charge fees to get into their areas and they are approved by government. We would hope where they have large enough areas that they will develop and have picnic areas, tenting areas and cabin areas. Of course we will approve of an admission fee up to the same amount as that charged by Lands and Forests.

**Mr. T. P. Reid:** Which is exactly three times too much.

**Hon. Mr. Simonett:** Well, that is a matter of opinion. However, in some of the smaller areas no admission fee is charged because it is felt it would not be worthwhile to do so.

**Mr. T. P. Reid:** You mean the local residents could not pay it?

**Hon. Mr. Simonett:** For all the tourists, who would get in some of the areas free it would not pay us to pay an attendant to collect fees. There are many conservation and recreation areas in this province where there is no fee collected at all.

Now, on the purchase of land, and I know this has been a bugbear over the years—

**Mr. Sargent:** Nothing left free in the province.

**Hon. Mr. Simonett:** Well, there are some things, the air is still free.

**Mr. T. P. Reid:** Oh, you will get to that.

**Hon. Mr. Simonett:** This is a problem that has caused much trouble over the years, but at the present time we find we are not running into too much difficulty in the purchase of land within an area once the plans are laid and the flood plan is laid down. We had problems in Metro here for years, and although perhaps they are not all cured I have heard very little about them during the past year.

I might just say a word about the new Welland ship canal, and I would say to the hon. member for Niagara Falls—

**Mr. Gisborn:** What part of the bill is that covered by?

**Hon. Mr. Simonett:** I would say this to the hon. member—do you want to speak or shall I continue?

**Mr. Speaker:** Order: I would presume that the interjection by the member has to do with the Speaker's ruling that the project that the member was speaking of was out of order, but I have no objection to the Minister

giving the member some encouragement with respect to that programme.

**Hon. Mr. Simonett:** I think I know what the hon. member for Niagara Falls was getting at because I understand some of his problems and I think he is wondering if it should come under conservation authority or if some other arm of government should be taking care of it. I might just say this to him, that it has not been dealt with under the conservation authority, but under the parks integration board. We have looked at plans of this new area and have also looked at the access lands in this new area; what will happen to the water flow is under study now and whether it is this department that will deal with it or whether it will be The Department of Lands and Forests or some other department set up to take care of this, I do not know, but I can tell you this, that this government is studying this matter.

Now, Mr. Speaker, I have perhaps not covered all the points, but I do not think there is any argument as far as principle is concerned, and if there are more questions I will deal with it as we go through it clause by clause.

**Mr. Sopha:** The Minister did not cover anything I asked. I am still waiting to hear what his policy is.

Motion agreed to; second reading of the bill.

## THE PUBLIC COMMERCIAL VEHICLES ACT

**Hon. I. Haskett** (Minister of Transport) moves second reading of Bill 66, An Act to amend The Public Commercial Vehicles Act.

**Mr. Nixon:** Mr. Speaker, I would like to make some comments on this, both in my capacity as leader of the Opposition and as member for Brant. Mr. Speaker, you will appreciate that, because I have had several representations from my own constituents concerning this matter.

The bill does not follow, naturally, of course, the recommendations made by the investigation conducted by, I believe, Mr. Justice Roach, some years ago. As a matter of fact, it flies directly in the face of those recommendations because the major change involved in the bill—and there are really five specific changes, I believe—deals with the gravel truck operators, their licences and the control of this aspect of the trucking operation.



For some years there has been serious discontent among those people who are endeavouring to give service and make a living through the use of gravel trucks, particularly because the policy of the administration has been to grant the required class F licence to almost any applicant on the payment of a dollar. We find that up to 1,000 would be granted during a year, that many would not be extensively used and while their usefulness would be lost in the passage of time, the government has found it practically impossible to control this part of the trucking industry.

This has worked great hardships on the part of those people in the business and industry of the province who have tried to set themselves up as independent businessmen, raise the funds required for sometimes one gravel truck or a fleet of three or four of them, and in order to meet competition, have had to cut their prices to the extent that there is less than a living in it for themselves.

The problems in this business have become more and more apparent. Because of the inability of the government to regulate it properly and police it, the difficulties have arisen that culminated in the investigations by Mr. Roach, and the recommendations that the government use the funds available through their licensing procedures, which are far in excess of the moneys spent in policing and regulating this industry, so that there would not be the cutthroat competition which has resulted in so many bankruptcies, has resulted in adequate equipment being on the road, and in general has been very serious for this aspect of the trucking business.

The Minister in his wisdom has seen fit to take the other course and, in fact, throw up his hands and open it up wide and say anybody who wants to get into the trucking business as described in this particular section of the bill which, Mr. Speaker, is more expensive than the one principle I am referring to at the present time, that anyone who wants to take part in this business may do so. There has been definite information supplied to me, as the member for Brant, from people in my constituency, that it is going to be practically impossible for a *bona fide* operator to continue unless he has the ironclad contracts and commitments that are associated with only a relatively narrow band of this particular business.

Another part of the problem is that a good many of the people who have immigrated to this country in recent years and who have all the initiative to branch out in business for

themselves, have been suffering from undue pressures brought upon them by gravel pit operators and certain construction companies, which companies felt that they could get licensing rights for almost anyone who came to them and wanted to go into the business of trucking gravel.

Now, the highway transport board has been willing, I understand, to hear objections, but still in a significantly large percentage of the applications to grant the licence, without any thought as to the requirements of the gravel pit, or the geographic area, or the industry, to support this many vehicles in this particular operation.

Well, the Minister surely has received the advice and views of the automotive transport association which has never hung back from approaching the government in these matters. Yet the bill comes in over the objections that the association has raised. In my view, the responsibility that the Minister and the government is taking in this regard is fairly far-reaching since it involves a good many of the small business men in the province who have tried to carve out for themselves a place in the economy by themselves and based on this particular type of business.

I do not want to deal exclusively with this section of the bill, other than to warn the Minister that it would surely be the minimum degree of fairness if this bill were to go to committee and allow those representatives of the trucking association and those people in the business to come forward and put before the members of the Legislature and the Minister and his advisors the well-founded objections that they raise in submissions to us personally as private members of the Legislature.

There is a point here, Mr. Speaker, that has to do with the revenues of the department, and there is a great discrepancy between the income that the Minister derives from the licensing statute which he is now amending, and the responsibilities that are put on him in policing these statutes.

I remember just a few weeks ago the Provincial Treasurer trying to justify increases in the gasoline tax by associating its revenue with the work done on highways, and saying that it would not be possible to apply the same sort of taxation to airplane fuel because we do not provide them with facilities. In other words, there has to be some semblance of equity in the taxing arrangements. With The Department of Transport no equity is obvious, and the Smith committee draws this very forcibly to the government's attention



by laying out the fact that they raise \$9 million in licence fees and, in fact, only spend \$2.5 million to enforce the Acts under its jurisdiction.

So there does seem to be a discrepancy here, an unfair approach, that might very well be remedied, not by this particular section, of course, but in the general approach that the Minister should be taking to changes in his department.

There are really two alternatives open to the Minister. One is to follow the recommendations made by Mr. Roach when he said that there should be the same requirements for the granting of additional PCV's in this part of the business, coupled with policing of the requirements as they now are. The Minister has rejected those and simply opened it up wide, so that competition, which in normal circumstances is much to be desired, but which in this particular instance will wreak a very severe hardship on a good many people who have made considerable investment just in the last few months actually associated with this business.

There is one other point that I wanted to mention when the bill was before us in principle, what seems to be the erratic behaviour of the department itself in dealing with this specific part of its responsibility. Mr. Speaker, you may be aware of the fact that a good many of the truckers who presently use class F licences, have been called in, at some inconvenience and no doubt expense, to have their position reviewed by the highway transport board, and this has been done just in recent months.

It seems very strange that this would have been carried out with all of the dislocations that it involves just at the very time that the Minister is contemplating this rather far-reaching change in this aspect of the trucking business, without giving any notice to the truckers involved, and really putting them to the expense to consolidate their position which in fact is undermined by this legislation which comes in a few days later.

It seems strange that the highway transport board and the other parts of the Minister's responsibility would not have been more closely related in making these changes in the control of this part of the business.

There are one or two other matters in detail that can be raised in committee, Mr. Speaker, but the whole realm of freight forwarding is another area which is changed by the provisions of the statute. This is something that has given the trucking business a great

deal of difficulty in recent years as new methods of circumventing the intention of the statutes have come into play.

The unfair competition that has resulted may well be remedied by at least some of these changes, and I have not got as much complaint with those as with the changes pertaining to the truckers who are using highway construction materials, at least are transporting highway construction materials. There seems to be an area here where the best interests of the truckers themselves are not being served.

Those people who are involved in highway construction will benefit by the changes in the statute, and it may very well be that it has been the pressures exerted on the Minister by his colleagues in The Department of Highways who, of course, is concerned with keeping construction costs down, that have led to the changes that are before us tonight.

But we have got to concern ourselves with the small business men who really have demonstrated a great deal of initiative on their own, and who have tried to overcome by giving good service, tremendous competition; unnaturally severe because it has been aggravated by the legislation that has pertained in this area in years gone by, coupled with the fact that the policing of the legislation and the regulations have been so inadequate.

In my view, the Minister's response to this has been inadequate. He has assured me, by nodding across the floor of the House, that this will go to committee and that those people directly concerned will have an opportunity to place their views, and these should be interesting hearings. I hope the Minister is prepared to accept changes in the legislation when the committee is having its hearings.

**Mr. Young:** Mr. Speaker, again I am not desirous at all of repeating what has already been said in connection with this bill, but I think all of us are a bit concerned by the amount of reaction there has been to it on the part of those people who are now engaged in the industry concerned, and I think they have come up with some pretty good arguments to support their case.

In years gone by, we had what we called free enterprise in the whole trucking industry across the board, and any trucker could go any place he wanted in the province, do what he liked, haul what he liked, and it simply meant that the people who could bid the lowest, likely got the business, and the lowest

bidder very often was the person who paid the lowest wages, had the equipment which was oldest and perhaps less efficient in a sense.

Finally we came to the place where, because we wanted to set some standards, standards relating to safety, to wage rates, to efficient working, we had to impose, and the industry by this time was ready for it, legislation, certain regulations which said that in order to transport goods in the province, the person who was doing it, the transporter, must have certain qualifications, certain equipment.

He must meet certain standards, and then certain territories were delineated, and, of course, a hearing must be held before changes could be made, new truckers brought in, or changes in territories, and all that sort of thing.

Now, in this field, after order has been brought out of chaos, and perhaps many people have forgotten that chaos of former years, the proposal is that we restore the old free enterprise concept in this field. If this happens, we will tend to go back to that cut-throat free enterprise concept, where whoever can get in there—get a contract, do a job—will have the advantage.

So the man who pays low wages, who works his help long hours, who is willing to let his equipment deteriorate until he can get the last little dollar out of it before it falls to pieces, these people will have certain advantages over the trucker who wants to keep a good wage rate, good standards and proper hours for his employees, and that sort of thing.

And so, Mr. Speaker, it seems to us that this is a retrograde step. This is a step which will take away all the protection which has been won by the industry over the years, with the sanction of government. Again we throw the whole thing wide open to the person who wants to come in for a short term, buy himself an old truck, work for a short period of time and discard the equipment, perhaps after he has depressed standards, depressed wages, and done immeasurable damage while he, himself, had made a quick buck in the whole process.

We stand in opposition to the general principle enunciated here and we think that more study should be given to this bill before the government brings it back to the House.

Now I understand from the way the Minister nodded his head, that it will go to committee. There the people concerned will have

a chance to express their point of view and to, I hope, make the government understand the kind of situation into which they are getting, if they allow this bill to go forward. I urge that this step be taken, that full representation be allowed, and that before the bill comes back from that committee, certain fundamental changes be made to hold the standards which we have built up over the years in this kind of industry.

Not that those standards are adequate yet. I think there are many things in the total industry which ought to be changed, and on which perhaps we will have something to say later on. Again, this bill is not adequate and certainly we do not feel that it meets the requirements of the present day in this field.

**Mr. Speaker:** The member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Speaker, my comments will not be lengthy, because the whole principle of the bill, or the five principles, have been covered most ably by my leader. I would simply like to point out to the Minister that no piece of legislation in the nine years that I have been in this House, has given me as many communications as has this. I have received 80 different letters from all parts of Ontario, but mainly at the early stages, from the Ottawa area.

During the last two weeks, I have received communications from both the Essex county area and the city of London. The communication received today from the Pettepeace Cartage Limited of Leamington, probably sums up the feelings of the trucking industry most ably. I am quoting from a letter received from the Pettepeace Cartage Limited. I will quote only a few paragraphs:

We wish to state that as a holder of Ontario PCV authority, number D-2691, authorizing us to haul road construction material, we are very much concerned with the adverse effects that section 4 of this bill will have on the trucking industry if passed without deletion.

To mention but one of the several adverse conditions that would result if the fact that without having to prove public necessity before the Ontario transport board, which has been the procedure to date, the influx of inexperienced, inadequately financed operators of substandard equipment, optimistically and innocently entering this field without reservation, would create further chaos to an already



an economic depressed dump truck section of the transport industry.

The other letters expressed concern, but not as ably as did this letter. I am very pleased to note that the Minister has mentioned that this would be sent to a committee so that those involved in the trucking industry would be able to express their feelings concerning, especially, section 4 of the bill.

Now section 7 does have the principle of inspection and a certificate of mechanical fitness. When the bill comes in for clause by clause study I will have some comments to make on it at that time.

I am pleased to see some type of inspection coming in for the trucking industry because had dump trucks been inspected on a regular basis, we would not have had the tragedy in Essex county that we had some three years ago when eight children's lives were snuffed out as a result of the dump truck colliding with a school bus. And I know that the Minister is sending this back to the committee, and when it is in committee stage there will be further comments.

**Mr. A. B. R. Lawrence** (Carleton East): Mr. Speaker, there were a couple of things that bothered me in the discussion that has been carried on. The first one is, I was not quite clear when the leader of the Opposition sat down whether or not he and his party were supporting section 4 as it appears in the bill in principle. I wonder if I could get an answer to that and then proceed with my second question?

**Mr. Nixon:** Go ahead.

**Mr. A. B. R. Lawrence:** I would like to know, as a member of the House, out of your remarks whether—

**Mr. Nixon:** Surely, Mr. Speaker, that becomes apparent when the vote is taken, but in case the hon. member is concerned and wanted to know how he should shape his approach, I would say we will not vote against second reading of the bill.

**Mr. A. B. R. Lawrence:** The Liberals will not vote against the second reading of the bill?

**Mr. Nixon:** That is correct.

**Mr. B. Newman:** Because it is going to committee.

**Mr. A. B. R. Lawrence:** Now the second question is, Mr. Speaker, I am not quite satisfied with the acceptance of noddings of

the head of the Minister that this thing will be referred to committee. I would ask the Minister to place on record himself, directly, an undertaking as to whether or not he will refer this to the committee on transport and highways.

**Mr. Nixon:** Will you wait until he gets a chance to speak?

**Mr. Speaker:** Yes, I think the Minister will clarify this point when he replies.

Are there any other members—the member for Renfrew South.

**Mr. P. J. Yakabuski** (Renfrew South): Mr. Speaker, I am at a loss to understand who is really responsible for putting this legislation into the form of a bill and on the order paper really, because I am completely against—

**Mr. Nixon:** We have got a revolution, here.

**Mr. Yakabuski:** —I am completely against clause 4 of this bill.

Interjections by hon. members.

**Mr. Yakabuski:** It is nice to hear from you guys over there once in a while. You have been pretty quiet.

**Mr. Sargent:** Welcome back.

**Mr. Yakabuski:** Mr. Speaker, I am very concerned about clause 4 of Bill 66, because I think I have some knowledge of the trucking business. Not that I have been in it myself, but I have been associated with many people who have. I am just afraid that if this bill and clause 4 is put into legislation we are going to be responsible for creating a chaotic situation in the trucking industry.

Now I do not think we have to go back to the depression days to find out—those of us who have memory enough and were around at the time when trucks became a modern way of conveying goods across the highways of this province back in 1930, '32, '34, '35—we know what happened. Someone went out and bought a truck, away back about '34 or '35 and he seemed to be doing fairly well. The first thing, his neighbour or somebody else thought he had a good score, so they, too, went out and bought a vehicle. Then in turn their neighbour. And so by about 1936, '37, '38 in this province, we just had an awful lot of people in the trucking business collapse.

Now I think that the PCV class F has done a lot to keep the trucking industry clean in the province of Ontario. And right now a class F, PCV licence is denied to no one, if he



can prove that his vehicle or the vehicle that he proposes to buy and operate in his area, can be a service to that area. I think that we should leave well enough alone. I would be very very disappointed, and I feel very, very badly for those who are in the trucking industry to have this thing thrown wide open. We all know that Metropolitan Toronto here regulates the number of taxis, or taxi licences issued. They do this for a very good purpose. At least they are keeping the industry healthy and clean, and I would hope that my government here would be responsible and do everything in its power to maintain and see that the trucking industry is kept healthy and clean in the province of Ontario.

I have talked to many of these people in this business over the past few weeks, and I would be a hypocrite—I would be someone like—gosh, they do not all sit in the Opposition benches do they?—but anyway, someone that talks out of both sides of their mouths at one time. I do not intend to be one of these people, and I would say, Mr. Speaker—

Mr. Sargent: It is your front bench over there.

Mr. Yakabuski: Mr. Speaker, I would not want to see the people affected by section 4 of this bill thrown into a chaotic situation. If it be in order, Mr. Speaker, I would move that section 4—it is not in order, I guess.

Anyway, certainly, Mr. Speaker, I am registering my feelings and I am registering them in a very emphatic manner. Should this clause come to a vote, I would have to say that I would have to vote against it. This would be done solely in the interest of those people in the trucking business. I do not think that we want these people in the business—want a monopoly, but they just want enough protection to keep the business clean and healthy. Thank you.

Mr. Speaker: Are there any other members wishing to speak to this motion before the Minister? The member for Niagara Falls.

Mr. Bukator: Yes, Mr. Speaker, I have quite a complete file here objecting to Bill 66. I will read a portion of one letter that I have before me, and I think every hon. member of this House received this. It was a telegram that was forwarded to the hon. Prime Minister (Mr. Roberts), on March 18. I think that the telegram puts it much more clearly than I could and I am going to read it into the record:

AT AN EMERGENCY MEETING HELD THIS AFTERNOON, OF THE DIRECTORS OF THE DUMP TRUCK OWNERS DIVISION OF OUR ASSOCIATION, IT WAS REPORTED THAT THE GOVERNMENT IS CONSIDERING AMENDING LEGISLATION TO REMOVE CERTAIN DUMP TRUCK OPERATIONS FROM COMPLIANCE WITH THE PUBLIC NECESSITY AND CONVEYANCE PROVISIONS OF THE PCV ACT. SUCH ACTION WILL DEFEAT CURRENT EFFORTS BY YOUR GOVERNMENT AND OUR INDUSTRY TO OBTAIN MORE EFFICIENT AND ORDERLY DUMP TRUCK OPERATIONS IN THE PROVINCE. IT WOULD INVITE RESURGENCE OF THE SERIOUS CONDITIONS INVESTIGATED BY THE ROACH ROYAL COMMISSION. IF OUR INFORMATION IS CORRECT, OUR DUMP TRUCK DIRECTORS WOULD APPRECIATE AN IMMEDIATE AUDIENCE WITH YOUR GOOD SELF, AND THE CABINET MEMBERS CONCERNED.

That was, as I said, forwarded to the hon. Prime Minister, and there was a reply to this group on March 20.

I have here a telegram regarding the possible amendment to the legislation pertaining to dump trucks.

THIS IS, OF COURSE, A MATTER FALLING UNDER THE PURVIEW OF THE MINISTER OF TRANSPORT AND, IN VIEW OF MY OWN HEAVY SCHEDULE THESE DAYS WHEN THE LEGISLATURE IS SITTING, I HAVE ASKED THE MINISTER OF TRANSPORT, THE HON. IRWIN HASKETT, TO DISCUSS THIS MATTER WITH YOU. YOU WILL DOUBTLESS HEAR FROM MR. HASKETT SHORTLY.

I APPRECIATE THE AUTOMOTIVE TRANSPORT ASSOCIATION'S INTEREST AND CONCERN IN SUCH MATTERS, AND I AM SURE THAT THE MINISTER OF TRANSPORT WILL WELCOME THE OPPORTUNITY FOR DISCUSSION OF THESE MATTERS THAT YOU RAISED.

The following wire was sent to the hon. Irwin Haskett, Minister of Transport, on April 2, by J. O. Goodman:

VITALLY CONCERNED WITH BILL 66, RESPECTFULLY REQUEST THE SAME BE REFERRED TO COMMITTEE SO THAT WE MAY HAVE AN OPPORTUNITY OF MAKING REPRESENTATION.

My point is, Mr. Speaker, that this group ought to have an opportunity to appear before the committee and give you their story, since it affects them in their industry.

Mr. Speaker: The member for Halton.

Mr. Kerr: Mr. Speaker, just a word. I missed a great deal of discussion on this particular bill, and particularly one section. I would like to ask one or two questions implying some support for the bill. For example, how many employees and contractors, jobbers, insurance agents, even politicians, have to

prove public necessity and convenience in order to earn a living? Another question that I would ask is, does the man who owns the truck—who drives the truck, is he the same person who is licensed under public commercial vehicle class F? Who really benefits from the licence?

I hope, Mr. Speaker, that this bill will go to committee so that there will be a thorough discussion on each clause and particularly clause 4 that seems to be causing so much controversy.

**Mr. Singer:** On the basis of that question, why have any PCV licences at all?

**Mr. Speaker:** Do any other members wish to speak to the bill? The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I wish to say a word or two about this bill. I have had a number of people contacting me in relation to it, expressing their concern. Frankly, I really do not know why the bill is being brought in at this time. The dump truck industry, as I understand it, is not in a healthy state at the moment. I understand that the mortality rate is something in the neighbourhood of 15 or 20 per cent, as compared with 2 or 3 per cent in the other phases of the trucking industry. It would seem to me that this is a fairly good indicator that the dump truck industry is not in particularly good shape.

It would seem to me that, instead of opening the thing right up, we should be trying to assist these people to make a living and to earn their own way in life because they do have an investment. They do have something to offer in the way of service and it seems to me that this Act is not helping them at all. I think it is doing the reverse.

Frankly, I just cannot explain why the department is coming in with this bill other than because of outside pressure, perhaps—pressure from The Department of Highways, for instance, or from big contractors. I really do not know. I am guessing, but those are two places that the pressure could be coming from and I am surmising that perhaps it is.

In my opinion, this bill will create exactly the same type of situation that made necessary the setting up of the Roach report, I believe it was 1956. I think the same situation will be created if we remove the proof of public necessity and convenience as far as the certificate of physical fitness is concerned. I think that that should apply to all trucks.

I do not see why we should limit that particular item in any way.

In conclusion, Mr. Speaker, I just simply say that I am at a loss to explain the bill. I do not think it will do anything for the industry. The Roach report advocated tightening up rather than throwing the whole thing open. In this bill, we are doing exactly the opposite to what the Roach report recommended.

So, I would say, that this bill should go to committee and at that time an opportunity should be given for the industry to come in and put its case and be heard before that particular body.

**Mr. Speaker:** Is there any further debate before the Minister speaks?

**Hon. Mr. Haskett:** Mr. Speaker, in a bill of this kind, with a number of relatively unrelated sections, it is hard to identify any one principle or any outstanding principle. I might then deal with the two matters, I think, from the bill that have been raised here tonight, both initially by the leader of the Opposition and I will begin with his last mentioned point and clear it; namely, that relating to freight forwarders.

Freight forwarding is a type of operation that has developed in recent years. Here an operator will collect the shipments of a number of consignors and then arrange with a carrier the transporting of those goods or that material to a distant port. There the forwarders will divide the load and deliver to the consignees. This has been, in effect, the operation of a for-hire carrying business without the trucking equipment.

But the freight forwarder was not having to meet the same requirements to the public that the for-hire carrier was, and the licensing of the freight forwarder then is for the purpose of putting him into substantially the same position with regard to insurance of the cargoes and such, as the for-hire carrier. I think this will meet with general approval, not only of the industry, but of members of the House, and that it will establish a measure of order in that segment of the highway transportation business.

With regard to the matter of the segment of the industry we call the dump truck portion. It does not comprehend the entire dump truck section either in class F, for as you know, the for-hire carriers are divided into various classifications with an alphabetic nomenclature, and the F carriers include a number of different groups, the largest of



which I suppose, is the so-called dump truck section that deals largely in the transporting or hauling of sand and gravel and aggregates of that kind, servicing the building and maintenance of roads.

The licensing of for-hire carriers generally depends on the applicant going to the highway transport board and proving public necessity and convenience, and on the basis of a certificate when that is done, issued by the board, the department will licence the operation for the particular class and in particular areas or over certain routes defined. Now, this is a very good basis and it maintains a kind of order in the great trucking industry that means so much to the economy of this province.

But, the necessity of convenience-proving has a role in the industry as a whole that it does not have in connection with dump truck operations. For instance, a carrier of ordinary goods can come forward and show that he has a certain number of shippers or customers in one area who want their goods carried along certain routes to a destination or a number of destinations and also in reverse. These are regular customers, they are continuous and the routes are defined.

This is not usual with respect to the operation of dump trucks in a great many instances. Here the dump truck operator or class F chap with a dump truck operation who wants to work for a certain contractor building a certain piece of road, with the support of that contractor, can come forward to the board and prove public necessity and convenience for the use of his truck and he is in business. He has had to prove public necessity and convenience, an expression that may not be as well defined as it might be, but it serves a very practical basis on which to operate and to issue licences.

In the case of the dump truck operator just mentioned, the situation is quite different. He gets his public necessity and convenience certificate, he gets the licence and works for the contractor and he hauls gravel all summer, for a year, for a year and a half on a certain stretch of road because the public necessity and convenience, in his case, was proven with respect to just that location and that customer only. Then the job runs out, the contract is completed and there is the small fellow without a job—his is not big business.

We are not giving way to pressures from big business or The Department of Highways or any such influences at all. It is the

condition of the operator of the dump truck that concerns us and there are hundreds of them as members know; and his business is finished. He is now out of business, the contract is finished. Perhaps there is a piece of road building going on in the next township, but he cannot work for the contractor on that job without coming forward to the highway transport board on yet another occasion and bringing along his customers and his evidence of public necessity and convenience and again proving his point and again getting a licence.

Now, those who have broad grandfather clauses in their licences, those who have what we call open "F's", they are in a very preferred position. They have very valuable licences. They may extend their operations all over the province. They are big and wealthy corporations. But, the little fellow, with one or two or three or four trucks is in a very different position. His business has ended and his day of operation is done when the contract, on which he was working, was completed. Again, he has to come forward to the board, and it puts him to the expense and to the uncertainty of business. Is he going to get another licence or is he not?

It was in recognition of that position, that we were moved to do what we are proposing to do with that portion of the bill that relates to the dump truck operation. We are not going to throw the thing wide open. We are not going to create turmoil again in an industry if we can control it. We think we have the industry in a good condition today. We think the trucking industry in this province is a good industry, and we take some sense of responsibility for it and some pride in the kind of operation we have.

But while we contemplate relieving the dump truck operator of the need to prove public necessity and convenience to get a licence to work on the next job, we intend keeping a close hand on the operation. We are not just taking away the requirement of his going to the board, we are requiring that he come forward with proof of insurance and every year when he licences, that he brings forward a certificate of mechanical fitness.

**Mr. Gaunt:** They all should do that.

**Hon. Mr. Haskett:** Maybe that is right. I do not deny that. But this is what we are doing with this part of the industry that we are moving out of or proposing to relieve of the need of proving public necessity and convenience for those hauling sand and gravel



and earth, crushed or uncrushed rock and stone, slag or rubble or salt calcium chloride, a mixture of sand and salt and asphalt mixes, directly to highway construction or maintenance sites or to stock piles for further use on highway construction or maintenance sites.

That is not the whole F class at all, but those engaged in the hauling of those particular materials, and we are proposing to move them out of the need to repeatedly prove public necessity and convenience for each and every job or contract on which they work. That is the purpose of the bill.

We are not changing the principle of public necessity and convenience, we are bringing an exception into it because we think the very practical policy of public necessity and convenience does not apply in these cases.

I think the only other point the members will expect to hear me say right now is that in response to the request—

**Mr. B. Newman:** Why do you include salt?

**Hon. Mr. Haskett:** Because it is used so extensively in servicing highways. It is in connection with the maintenance of highways. On that point only, if you will read that portion of section 4 (b), salt, calcium chloride, a mixture of sand and salt and asphalt mix is directly to highway or maintenance site, or to stock piles for further use on highway construction and maintenance sites. Exclusive to that use. It is in connection with highway operations.

**Mr. B. Newman:** Is it maintenance sites only or maintenance?

**Hon. Mr. Haskett:** For further use on highway construction or maintenance sites.

**An hon. member:** Both.

**Hon. Mr. Haskett:** And so I—

**Mr. B. Newman:** But this also includes bringing salt from the mines.

**An hon. member:** No.

**Mr. Speaker:** Order!

**Hon. Mr. Haskett:** So I say, Mr. Speaker, we are not so much introducing a new principle as we are modifying the principle by exempting this one section of the trucking industry from the need to prove public necessity and convenience because the very nature of the operation does not appear to harmonize with the need to prove public necessity and convenience.

I think the bill will meet general approval, both with the trucking industry and with hon. members, and I look forward to sending it to the standing committee on highways and transport when members and other interested parties can have their say and we can justify what we are doing in the best interests of the industry.

**Mr. Young:** Could I ask the hon. Minister a question, Mr. Speaker?

**Mr. Speaker:** This is not the appropriate time once the debate has been closed.

The motion is for second reading of Bill 66. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 62nd order; House in committee of supply; Mr. A. E. Reuter in the chair.

#### ESTIMATES, DEPARTMENT OF HEALTH (Continued)

On votes 807, 808 and 809:

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, before the adjournment for the dinner hour you will recall that the Minister of Health (Mr. Dymond) and myself were discussing the matter of the increase of OMSIP and OHSC premiums. The Minister seemed, in the old Frost tradition, to want to make a speech along with me. I say to him, through you, sir, most courteously, that what he did say—if I apprehended it correctly—pointed to, I say with respect as lawyers say, a fatal misunderstanding of the process that we are going through here.

This House is being asked to vote in respect of vote 807, some \$40 million and a further \$8 million in 808, and the handsome sum of \$78 million in 809, so it may be an appropriate place, in view of the magnitude of the amounts, to make a grievance.

I say to him that this has nothing to do with insurance at all. His analogy of the insurance principle is completely inadequate to describe the service that government performs here. Having used that word, I say to you that it aptly describes what government is doing. There was a social need felt, which could not be met from the private and classical areas and government stepped in to fill the breach.

It is interesting to note that in each case, the stimulus came from the federal authority in this Confederation, and in the one case an agreement with the province was managed. That is ten years ago, I believe I am correct, and up till now no agreement has been reached with the provincial government in respect of the other area of medical care. But I say again, in order to re-emphasize the bases from which I approach it, that it has nothing to do with insurance at all, notwithstanding that in one of our services, the word insurance is used.

Insurance in the classical and economic sense is based upon actuarial principles and the amount levied to cover the risk. That is to say, the individual pays into a common fund an amount sufficient to bear the cost of society collectively in countering and absorbing the risk to the individual. And in the private sector, that allows for a profit to the entrepreneurs who administer the system.

Having used the word profit, then I reach the nub of the whole thing. Government has nothing to do with profit and the provision of these services, beyond which there are few in our society that are more important, has no relevance whatsoever to the acquisition of any profit on the part of the government.

So having said those things, I hope that the Minister will revise his thinking in this regard and not seek to further muddy the issue by resort to specious arguments based upon the insurance principle.

Now how does government do it? It does it, in respect of hospital services commission by infusions of capital from three areas, the public and the two senior levels of government. And what we are dealing with here is the contribution of this level of government, in the sum of \$78 million.

Now it is very appropriate, and I do not think the Minister of Financial and Commercial Affairs (Mr. Rowntree) would be offended in the sophisticated view he takes of the estimates; I would not expect him to quarrel with the proposition that in being asked to vote \$78 million that it is at all irrelevant or out of order to refer to the increase of premiums to the individual subscriber. That is a matter of grievance and complaint. They went up 69 per cent in one year and I began my remarks by asking the Minister to explain the paradox of why he did not ask this Legislature to authorize what was, in fact, a very dramatic and burdensome increase in taxation.

I said to him, you will recall, that especially in the light of the observations of Mr. McRuer in the three volume report that he handed down—which was created at considerable cost to the people of this province—we want to derive some profit from the McRuer report, having spent something approaching \$400,000 from its genesis until its final crystallization in the three volumes.

During the supper hour, I buttressed myself by refreshing my memory in respect of the observations Mr. McRuer makes. I am going to read them into the record, and the Minister's position is just indefensible. I pointed out the analogy of the honesty of the Provincial Treasurer. When he discovered taxation by regulation in The Race Tracks Tax Act, he hastened to correct it.

Now the title of the portion of Mr. McRuer's report which deals with this very subject, is "taxation" and he has this to say—and I will try to read it: it is not very long, Mr. Chairman. I will try to read it right through without interrupting the reading. He says this:

The general rule is that the Legislature is presumed not to confer power to impose taxes or other levies or charges on a subordinate legislative body even by general language such as is contained in The Emergency Measures Act. By the bill of rights of 1689 it is provided that no money may be levied to the use of the Crown without the consent of Parliament. The Legislature is presumed not to intend to override the later statute by the use of general words. The power to impose levies or effect existing levies, may be expressly conferred. In some cases, the power to impose taxation by legislation is delegated by delegating the power to define the subject matter of the taxation scheme, as in The Gasoline Tax Act.

Then if I may paraphrase, he goes on to refer to taxation by regulation, and he says this:

The effect is that the Lieutenant-Governor in council may enlarge the definition of the matter of tax, so as to impose taxes where they have not been imposed directly by the legislation. Where taxes or levies are authorized, the amount should be fixed in the statute. General provisions for exemption or relief by regulation are undesirable, and permit arbitrary discrimination.

Now therein the last two sentences are the burthen of Mr. McRuer's recommendations in respect of taxing. And can the Minister



really, I ask rhetorically, could he really sensibly argue that it would not be as effective if the amount of the levy from the public were included in The Ontario Hospital Services Commission Act? All he needed to do in order to increase the levy was to come in here and amend the appropriate section.

He did not do that. That was decided in the confines of the executive council chamber at the end of the hall, and approved by the Treasury board. And in the result, it is nothing else but taxation outside of this Legislature. We, the Legislature, were thereby deprived of making our observations known to the government in respect of this increase in the levy.

That is the word Mr. McRuer uses—the levies. I would not expect the Minister of Health to get up, or his friend the Attorney General (Mr. Wishart) if he were here, to get up and say that the premiums paid to the hospital services commission for the provision of that care is not a levy. That is precisely what it is. It raised that portion of the cost of hospital care which the government, as a matter of policy, deems meet the public participant shall pay for the cost.

If the government acknowledges the validity of Mr. McRuer's report, then the government, I would think, is obliged in charges such as these in all areas. The Minister of Lands and Forests (Mr. Brunelle), who is not here, was guilty of the same thing. He raised the fees for camping in provincial parks by regulation, just as the Minister of Health did in respect.

What I object to, I the member for Sudbury representing 80,000 people who suffer the 69 per cent increase in their premium, what I object to on their behalf is that the government has in effect, created another legislation to determine these matters, and that legislature is located up on Yonge Street, on the fifth or sixth floor of a very handsome office building provided to them by the people of Ontario, and that is the hospital services commission. They are a more powerful and influential legislature in this regard, in respect of this subject matter of taxation, than we are, and they have never been to the ballot box.

They have never gotten the ratification of the people. We did, but we are perforce rendered silent about this increase in taxation because the Minister of Health and his colleagues in the Treasury benches are content that the hospital services commission shall have the power that no democratic government in the British tradition ever intended.

If Mr. McRuer aptly pointed out that they should have, if important levies are to be increased for this sector of the public responsibility, then the converse proposition is that they must come here to seek the ratification, and not determine it in the confines of the very elaborately furnished board room in that very handsome office building situated on that important street in the city of Toronto.

Yes, it is shocking. Let me interpolate while I can get away with it. It is shocking how the middle civil service get the accoutrements that they get in their offices compared to the stark savagery that we have to put up with downstairs. Even a civil servant on modest income has more elaborate trappings than an Oriental potentate of 500 years ago. Oh yes, come down and look at the "rabbit warren."

But that is another subject. I say this is wrong, this 69 per cent increase in taxation that the people of Ontario had to bear. It was an instance of the regressive Budget of the Provincial Treasurer.

Impose the additional taxation on the poor, and let the rich escape, this was the theme of this Budget. Well I want to turn to another aspect—

**Mr. A. B. R. Lawrence** (Carleton East): Mr. Speaker, may I make an observation to the member for Sudbury before he leaves this point?

**Mr. Sopha:** Not really.

**Mr. A. B. R. Lawrence:** I was interested in the constitutional point raised as to the distinction between an insurance premium and a tax on the other hand, and I was trying in my own mind to search clarification of those questions as to whether or not the member distinguishes between this insurance and unemployment insurance and social insurance? You will find the same argument to unemployment insurance, and social insurance—

**Mr. Sopha:** In respect of the fees.

**Mr. A. B. R. Lawrence:** In respect of the fact of the changes of the premium, and the changes in the payments may be unconstitutional as taxation, as distinct from insurance?

**Mr. Sopha:** Yes, I would apply the same argument. I would hope, for example, to deal with that briefly. I do not know The Unemployment Insurance Act, but I would hope that the levy of participation from the public sector would be in the statute. That is all that Mr. McRuer says, that it should be in the statute and changed by the Legislature.



I change to another aspect. This scheme, I refer to the hospital services commission which I happen to know from experience. The administration of that is chaos, just chaos. They have lost track. That puts it kindly, that is an understatement. They have lost track of many hundreds of people who are participants, and if you want to trade a state of equanimity for one of intense frustration, then start dealing with the complaint of a constituent who has got lost in the rat's nest of OMSIP. The mind boggles when one encounters the red tape that is tied up in the form letters that are sent out.

To give one illustration. The person makes the application, sends in the premium, gets a card which says: Your application has been received, you will be hearing from us a week from some Tuesday, hold tight, you are covered. Then the person goes into hospital or to a doctor to get an ingrown toenail lanced and makes an application for the benefit and gets a letter back that says: We never heard of you before.

In passing, I draw the distinction between the head of that titanic organization down there on Harbour Street—the workmen's compensation board—and these two organizations. You write to the chairman of that one and, you will get a reply from the chairman.

**Mr. M. Shulman (High Park):** You will not get any justice though.

**Mr. Sopha:** You will get a reply. You write to the chairman of either of these and they look at it. It says "member of the legislative assembly," and it goes down the pinball machine to a ninth grade clerk somewhere who eventually says that the chairman in a passing moment at lunch or a coffee break asked me to reply to your letter about three months later.

I do not know what we create sometimes in this Parkinsonian empire building of civil service that we have in this province, but I will continue to believe, as a minority of one in this province, that a member of the Legislature is rather an important personage in the political life of the province. I will continue to believe that, notwithstanding opinions that may be held behind these walls elsewhere.

I am going to pass over that with this comment, that if they ever decide to go into the federal scheme and take seven million people under the present system they employ, oh boy, it will be pandemonium—if they ever try to cover the whole seven million under that present system.

All right. I want to deal with OHSC which has been in existence for a decade now. The point I want to make—it seems to me that the time has come. I hesitate to use the word Royal commission; with trepidation I veer away from any mention of The Public Inquiries Act. I assure you, Mr. Chairman, that when I suggest an investigation I am not thinking of a full blown Royal commission.

I, as one Canadian, tire of the national sport of appointing Royal commissions. We have had enough. I wish they would not appoint any more, but I am suggesting some modest form of inquiry—perhaps the hiring of a management-consultant firm, a group of people versed in accountancy who have an idea of sophisticated business principles, who would bring the quality of objectivity and independence of thought to a study of the operation of the Ontario hospital services commission.

Beyond that, I am not suggesting, let me assure you, an inquisition of the commission. I have no reason to believe that it does not function efficiently.

In the contact I have had with it, Mr. Chairman, I found it to be of a very high order in the business principles it adopts. But beyond the commission I am suggesting a study of the service that the commission is purchasing from hospitals.

Now, being one wary of general statements and eschewing them—

Interjection by an hon. member.

**Mr. Sopha:** I said to my friend from Nickel Belt the other night—I quoted the name of our dear friend in Sudbury, Hrinivich—and you should look and see how that came out.

**Mr. G. Demers (Nickel Belt):** I corrected it for you.

**Mr. Sopha:** Oh, did you?

**Mr. Demers:** I'll spell it again for you now.

**Mr. Sopha:** Hrinivich—how do you spell it?

**Hon. A. Grossman (Minister of Reform Institutions):** You lost a vote there.

**Mr. Demers:** "H", as in "horse", r-i-n-i-v-i-c-h.

**Mr. Sopha:** Thank you very much. All right. I said that I should be speaking on the general statements and I want to bring some evidence to bear. I intended to remark on this aspect which must be approached very

carefully, even tenderly, and one must measure his words very carefully.

I intended to say something about this but I am very grateful that in driving down in the car today, I heard a news report where two very estimable doctors referred to the very problem; one in Manitoba, an official, I believe, of the college of physicians and surgeons in Manitoba.

I am not entirely sure about that, but the statement he made was immediately commented upon by the head of the Royal college of physicians and surgeons in Alberta, a Dr. Worrall. The problem is this: As a legislator, a politician, an observer, I say to the Minister of Health that I have long been of the belief that we make a misuse of our hospitals in keeping in them for long periods of time at great expense, people who are in the last stages of terminal illness.

Now I will tell you in a moment what the two doctors in the west had to say about that today, but I hasten to go on to say that my own observation tells me—and this has been confirmed to me by doctors, members of the medical profession, who were intimately connected with the problem—that the idea that a terminal patient should die at home has almost gone out of style in our culture.

When the patient reaches the terminal stage of the illness there is a great haste and a great desire on the part of the family to get that patient into the hospital where the patient is allowed to terminate his or her life. Sometimes, of course, these unfortunate people linger on for many weeks and many months and objectively speaking, and being as fair and decent about the feelings of the next of kin as one wants to be in the circumstances; objectively speaking, the Minister of Health well knows, that the long terminal illness piles up a very onerous cost to the public of this province.

The person suffering the stroke, cardiovascular, or cerebral accident—I know of one case, can think of one case, where the person has been in the hospital for eight months. The charges, what are they—\$35, \$40 a day?

In many cases the person could be cared for at home adequately and properly and comfortably. I speak of one—I may be permitted a personal reference—I have a personal connection here that when my father was in his 84th year, and the doctor informed him that he would not get well, a decision was made to bring him home and allow him to die at home among his family where, in a good many cases, the loved parent ought to expire.

I do not want to offend anyone or generate any antagonisms. It was interesting to hear today that the two learned doctors in the west—I wish I could remember the man in Manitoba, who made a bald statement that the medical fraternity ought to lay it down as a matter of policy, said he, the doctor should have the right to withhold treatment of the patient who is in a hopeless state, that he should have the right to withhold treatment.

Apparently this is a very esteemed man in Manitoba—no doubt it will be in the *Globe and Mail* tonight, his name and the substance of his statement. But when the case is hopeless, he said that they should have the right to withhold further treatment. And the man, Worrall, the head of the Royal college of physicians in Alberta, immediately summoned the press and he said that the medical profession has always had the right, and they do it—and ethically, he said.

They have always withheld treatment subject to rendering the patient comfortable; ethically they have no obligation to give further treatment. I do not venture into that realm; I merely cite that by way of assistance to my argument. That is the medical profession's business and I am not getting into any argument that may involve theology, even code of ethics, the cultural values of our civilization. I merely cite it to show the path along which the medical fraternity—at least the significant portion of it—appears to be thinking.

But to come back to the other area. I would like to know as a layman, being asked to vote \$78 million, whether some objective inquiry would not reveal that there is a substantial misuse of our hospitals in caring for the chronically ill, the terminal patient in the advanced stages of his or her illness.

Mr. Chairman, you know from your own experience that those who have contact with traumatic injuries, in many cases taken from the scene of the accident, there is no bed for them in many of the hospitals in this province; they have to be left in a corridor, if they can be admitted at all. They are treated in the early stages, the serious stages of the traumatic experience—often with very serious injuries—in less than ideal circumstances because the hospital is very much like the inn at Bethlehem; no room for their admission.

I believe I have heard my friend, the member for Parkdale (Mr. Trotter), who has a very intensive knowledge of this subject. It



seems to me I have heard him in yesteryear talk about other areas where there may be misuse of money or at least improvident use of it—that is a better way to put it—improvident use in the failure to initiate common services among hospitals.

Coming from a community where there are three hospitals, I cannot, for the life of me, understand as a lawyer why there ought to be duplication of services in all three hospitals. Why they cannot have many of them in common—for example, the pathological departments, the pathological laboratories, perhaps the X-ray department. Who knows but that one physiotherapy unit might not be adequate on a very specialized basis for treatment of patients from all three hospitals? But one sees a duplication and indeed one is conscious—I do not exaggerate—one is conscious of rivalries between hospitals, even jealousies, which give rise to petty intrigues.

They may be very valid in their genesis, but they do not contribute to rational use of resources. Believe you me, Mr. Chairman, I look with some amazement at that figure of \$35 a day. I cannot, for the life of me, conceive that, be it in a hospital with all the elaborate equipment, that it can be more expensive than the most palatial room at the leading hotels in the country. But there it is and there has been a tremendous increase. I speak as one who has, for many years, seen hospital bills related to trauma and I have seen the *per diem* rate over those years, go up tremendously.

When I am engaged against my will, indentured into service by statute—that is what I am, indentured into service by statute, by command of the Legislature, I become a servant of the Ontario hospital services commission, and have no choice in the matter. And I see some of the charges that we are asked to collect. It is becoming very common that they be in the thousands of dollars, very common—\$6,000, \$7,000, \$8,000, \$9,000, the bill for an extraordinary traumatic injury. Mr. Chairman, I say in as genuine a manner as I can say and with all the sincerity my voice can command, I think there is a good deal of waste in the expenditure of public money in this regard.

The Minister of Health before the dinner hour wanted to generate the old mythology, he wanted—the word is not “generate”, the word is “perpetuate”—he wanted to perpetuate the old mythology about how hospitals are operated. He got up on his high horse and he said, “We do not operate hospitals, we do not provide this care.”

Anybody that is at all close to the situation knows that, in spite of the protestations of the Minister of Health, there is not a hospital in this province that can make a move five millimetres away from a policy without getting the approval of the hospital services commission. And that is so in regard to the capital expenditures, and in regard to the differential that they charge between the rate approved by OHSC and the rate they charge the patient.

**Mr. V. M. Singer (Downsview):** Or moving their offices from one place to another.

**Mr. Sopha:** Yes, the member for Downsview says “or moving their offices from one place to another.”

I have had the advantage, or the disadvantage, of being shown by doctors, letters from the commission, on behalf of the commission, by the bureaucracy of the commission, as authors. They go into the hospital wards and they poke their nose in and ask about use, ask if the use was rational, if the length of use of the hospital bed was reasonably related to the nature of the disease.

Let me give you an illustration. Apparently the length of time—I hope I am correct—apparently the length of time for confinement in the—what do you call it? Having a baby?

**Hon. Mr. Grossman:** Nine months.

**Mr. Sopha:** The confinement—the length of time for the confinement is five days.

**Mr. Shulman:** Obstetrics.

**Mr. Sopha:** Obstetrics, thank you. It is five days and, if a woman is in there over five days, the hospital commission will write a letter to the doctor and ask for an explanation of why it extended over that which is considered reasonable. And I have been shown letters by doctors that they have received from this commission.

The Minister of Health says this every year, he accuses my friend, the member for Scarborough West (Mr. Lewis), of repetition. As we have known him over the years, he is capable of the repetitive vice, he got bit more than once by the bug that infects with repetition. We have heard him repeat and repeat this old myth that the hospital services commission does not govern hospitals. I say we know as a matter of common knowledge that every aspect of the life of a hospital is governed by this commission.

**Mr. Chairman,** I would like to know—I would really like to know—in fact, I am pre-



pared to challenge the Minister of Health. I am not asking him any questions. If he wants to make his speech, he can make it, but I have to be responsible to the people who pay the increase of 69 per cent, and when I state these grievances I have discharged my responsibility. I would really like to know, in an objective way, are the public of Ontario getting value for their money in the expenditure of this gross amount of public funds?

No one over here—not one of my colleagues and, I am sure, no one in the NDP would, in any way, suggest that the people of Ontario when admitted to our hospitals should have anything less than the finest care that can reasonably be provided to them. But maybe it is possible, that that care, that standard of care can be provided at much less cost and at great saving by a rational use of the resources.

So, if everything is all right in that power centre, that focus of legislative power, in the very elaborate offices and handsome building, on one of Toronto's better streets, on the fifth floor. If they have nothing to hide and they are satisfied that everything is in complete order, then they should not object to some form of management firm coming in and having a look at the operation and having a look at the operation of the hospitals, from the point of view of expenditure.

Let me say again, I am not advocating a top to bottom inquisition of the commission itself, nor am I suggesting that the private hospitals in this province be subjected to a scrutinizing inquiry of their method of operation. I am suggesting that the whole matter, the general picture, be looked at to see if there are not some areas where very dramatic saving could be accomplished and I have mentioned one. And, no doubt, having mentioned that one there will be people who will distort and misinterpret my words and think of me as having made a cruel suggestion, when it is anything but that.

I merely say again, that several members of the medical profession have indicated to me, their view that there is a misuse of the hospitals by the treatment of terminal cases over lengthy periods of time.

I do not want to be misunderstood, but I am pointing to the expense and I am pointing to the alternative that in many cases the terminal patient can be better cared for in a private home, in the milieu of love and affection that devoted children can accord to that patient. I am glad to see, and let the record so declare, that my hon. friend from

Quinte (Mr. Potter) nodded his head in agreement.

**Mr. Shulman:** He nodded because he was sleepy from your long speech.

**Mr. Sopha:** I hope there may be others in the House who will rise to the defence of my proposition and point out other areas where we might effect savings.

I think I am correct in saying that when I first came in the House, we voted something like \$25 million to make up the deficiency. Then it became \$50 million a few years later and now it has passed the \$75 million mark. Well, you know, in an age of conspicuous consumption, and that praise of enterprise the age in which we live we have got far too much. Far more than any group of people should have.

We want to consume it conspicuously, and maybe we want to make our hospitals a cultural configuration, that hospitals have to be a place adorned with somewhat of lavishness. The only plea I am making is to say that perhaps that is wrong. I will be on safer ground in the estimates of The Department of Education when I point my analogy to the same thing.

We have so involved ourselves in that area and now we have it as a matter of axiom and fundamental right and it is a wonder it was not in McRuer's report, that every child in the province has to go to school on a school bus, and then you have to build a gymnasium to give them some exercise. Well, that is true.

The other day—my children are changing schools—I called up the administrator to ask which school they would be going to. The first thing he said to me was that I will be glad to know there will be a bus service next year. I said you have got the wrong guy to start talking about a bus service. My kids will walk.

**An hon. member:** Want to bet?

**Mr. Sopha:** Well, that is the proposition that I make.

The last thing I say is that the public of Ontario is certainly entitled to know whether these moneys are expended according to good business principles within the atmosphere of the human values, and I emphasize those—the human values in the area of the jurisdiction of this commission.

**Hon. M. B. Dymond (Minister of Health):** Mr. Chairman, there is little point in answering some of the things that my hon. friend

said because he subscribes to one philosophy. I subscribe to the opposite philosophy as I said before the dinner hour. He is certain he is right, I am equally certain that I am right in my view. I am not going to get into another discussion about the difference between tax and premium.

I submit to you, sir, and I have looked back in the Acts, in all three of them, reference is made to premiums or subscription rates. We will leave that there because I bow to the hon. member's superior knowledge of the law.

I would say this, that I know of no place where Mr. Justice McKuer made reference to the charging of premium rates as not coming within the power of government. It is quite unrealistic to say that they should be built into the statutes, unless it is proposed that this House sits at least ten months of the year continuously.

Conditions can change which would demand a change in the statutes which might demand a change in the premium structure and therefore, I submit to you, sir, it is quite necessary that government be given this right in regulations. This is the will of this Legislature as witness the legislation under which we operate.

Now, the hon. member has said a great deal about the misuse or wasteful use of hospitals and he has spoken of his doctor friends telling him that there are people in hospital who should not be. I wonder if the hon. member ever asked his doctor friends why they are there? The only person who can admit a patient to hospital is a doctor, and the person who has the responsibility to discharge him is a doctor. If the patient remains in hospital over a certain stated number of days, the doctor in charge of that patient's care must sign a long stay report to justify the patient remaining longer.

There is no sense of any hon. member coming into this House and blaming government or OHSC or anybody else for the wasteful misuse or overuse of a hospital bed, particularly if this complaint stems from the medical profession. This is their responsibility and theirs alone, and if the medical profession does not want to assume this responsibility then I, as Minister, will be forced to recommend to the government that we assume it. We will dictate how long patients shall stay in hospital and this will be a sorry day in the history of the practice of medicine in Ontario if this time ever comes about.

But, if there is not more discretion used, I say to you, sir, then I will seriously consider

the establishment of medical tribunals who will look over these long stay cases and determine if there is justification for them.

I do know that many families object to the terminal patient coming home and I think with some justification. Some of these patients are difficult to handle, despite the fact that probably they are there to pass out their last remaining days. Those days are often long, and they often seem longer than they actually are according to the calendar.

But what I am more interested in is that communities, again taking the responsibility that rests in the community, have not availed themselves of the opportunity to establish home care programmes where a certain amount of quasi-professional help can be made available to them under the terms of The Hospital Care Insurance Act. Here is an excellent possibility of saving money, of cutting down on the utilization of high cost facilities. I do not believe the hon. member's home city has made application to establish such a programme yet. But several programmes are in operation and we have proof from experience.

**Mr. Sopha:** If your good friend, Dr. Doherty thinks about it, he will apply.

**Hon. Mr. Dymond:** He is likely the one who will stimulate the community to do it.

**Mr. Sopha:** Well, you are talking to him all the time. Why do you not ask him?

**Hon. Mr. Dymond:** I think it is a very excellent community in which a home care programme could be established. This is one of the better ways to cut down the high cost of hospital care.

**An hon. member:** It has been offered to the north, has it? Has it been offered to the north?

**Hon. Mr. Dymond:** Any community who proposes a programme. None that has yet proposed one has been turned down, and we encourage communities. I do not know if we have particularly encouraged Sudbury, but I can assure you there would be no discouragement.

The hon. member mentioned the vying with each other. This did go on for quite a long time.

The establishment of hospital council—and in this regard your own home city has been one of the outstanding cases in point where a hospital council, comprising of well-known



and very public spirited citizens, has done a tremendously big job in helping to abolish this sense of envy or competitiveness, I like to call it, between hospitals.

Specialized services now are divided over all three hospitals and no two have the same specialized service. In General, for instance, we have the rehabilitation service, in Memorial, cardiovascular unit, and in St. Joseph's, renal dialysis unit. Not one of these is needed in more than one hospital in an area like this, and yet in order that there be encouragement for physicians and something to stimulate interest, one of the sophisticated specialties has been allocated to each one of them.

My hon. friend spoke about the wasteful use, as I stated, and then it seemed to me that he was—I would not like to say ridiculing, but it did seem very close to ridiculing OHSC—because I think he cited a case where some staff member of OHSC, and if I quote him rightly, poked his nose into the ward to see if a stay were justified. I do not know of this having happened.

**Mr. Sopha:** I have seen the letters they write to doctors.

**Hon. Mr. Dymond:** Figuratively speaking, it might be said; if the hon. member were speaking figuratively, then I would agree with him. Of course we write to doctors.

**Mr. Sopha:** No, Mr. Chairman, on a point of order. I said I have seen a letter where a woman was in hospital giving birth to a baby, for longer than the apparently acceptable period of five days. Now I am given to understand they are supposed to be there five days, then they are up and out.

**Mr. J. H. White (London South):** That is a different matter.

**Mr. Sopha:** And the woman was there—well this is no laughing matter.

**Mr. White:** You are referring to a different matter.

**Mr. Sopha:** She was there, let us say, eight or nine days. OHSC wrote the doctor and said, "how do you justify the longer than normal use of that hospital bed?"

**Hon. Mr. Dymond:** Mr. Chairman, I ask you in all fairness, how do you control the operation if we do not? I can see nothing wrong in that. I can see no reason why a doctor should become offended at telling why his patient had to stay.

**Mr. Sopha:** I want them to do more. I was not complaining.

**Hon. Mr. Dymond:** This is what comes of the establishment of the profiles of practice. We, over the years, have built up a certain amount of experience that tells us how long the average, normal case should stay in hospital for any disease. I am quite sure they could tell me what the provincial average is for almost any disease with which our people are afflicted.

I misunderstood the hon. member, because I thought he was somewhat critical of OHSC for doing it, but this is the only way, or one of the surest ways, rather, that we can keep it under control by constantly watching every possible move.

I would mention to the hon. member, he cites \$35 a day. I would not be a bit surprised if the Sudbury hospital *per diem* rate is that or more. But I would like to remind the hon. member that 75 per cent of this is in wages and salaries which are uncontrollable. This does not leave a very high rate for the costly equipment that must be bought and the drugs, dressings, supplies, food, everything else that must be provided in a general hospital, an active treatment general hospital.

Other ways in which we are seeking to control the cost were read into my opening remarks. Central laundries, central purchasing. The negotiated price for drugs; a host of various ideas are constantly being considered in the hope that out of some of them, or all of them put together, we can find ways and means of at least reaching a plateau where these costs do not continue to escalate as rapidly as they have been doing.

These are just some of the things that we are seeking to do and again I have to point out that I believe they will help us achieve some success.

The matter of a management study of our operation has already been done. We had Price Waterhouse do a management study and we have already implemented the recommendations in this. Perhaps the time is coming when we should be having another one. I think it is about five years since the first and last study by Price Waterhouse; probably it is time to have another look at it.

In addition to that, there is a programme coming into operation where, to begin with, all hospitals of 200 beds or fewer will be subjected to a fairly critical analysis of their professional practices and their administrative practices to make sure that they, too, are



operating economically, as efficiently and as effectively as possible. It is an on-going programme. It cannot be hit and miss. It must be continued all the time because only by this constant vigilance can we hope to keep the costs anywhere within control

**Mr. Chairman:** The member for High Park.

**Mr. R. F. Nixon** (Leader of the Opposition): Let us listen to the hon. Minister of Financial and Commercial Affairs, he was about to stand.

**Hon. J. L. Rowntree** (Minister of Financial and Commercial Affairs): Yes, I have something that I think some of you would regard as important.

Hon. Mr. Rowntree moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Rowntree:** Mr. Speaker, tomorrow we will continue with the estimates of this department.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to

The House adjourned at 11:15 of the clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, May 7, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 7, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today in our galleries, we again have a large gathering of students, whom we are most pleased to see. In the east gallery there are students from Fairmount senior public school, Toronto; in the west gallery from Upper Canada college, Toronto, South River public school, South River, and St. Michael's school, London North. Later this afternoon in the east gallery St. Jules separate school, Windsor, will have students here; and later still the 64th company girl guides from Windsor will be here. I am sure we welcome those who are here and those who will be coming later.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question before the orders of the day to the Minister of Energy and Resources Management.

Has there been a revision of the date on which the first phase of the Pickering nuclear power station is to come on line?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, formerly it was expected that the first two units of Pickering nuclear generating station would be completed for service in November, 1970, and November, 1971. Due to the construction workers' strike and delays in equipment delivery the dates are now scheduled to be September 1, 1971 and March 1, 1972.

**Mr. Nixon:** Mr. Speaker, I wonder if I can ask a supplementary question pertaining to the responsibility that Hydro has, to meet a minimum commitment across the province? Perhaps the Minister who answers for Hydro in this House could tell us if this further delay means that there is going to be increasing difficulty in meeting next winter's minimum requirement for electrical power?

**Hon. Mr. Simonett:** The answer is no.

**Mr. Nixon:** Hydro does not need the plant then, as far as next year is concerned?

**Hon. Mr. Simonett:** I am informed that they will have enough energy for this winter.

**Mr. Nixon:** What does he mean, enough?

**Mr. Speaker:** The member for Windsor West.

**An hon. member:** They did not need the Pickering plant?

**Hon. Mr. Simonett:** If we do not grow and the Liberal Party gets in, they will not need it.

**Mr. Nixon:** Mr. Speaker, if anything stops growth it will be the government's Hydro policy.

**Mr. Speaker:** The Minister to be questioned by the member for Windsor West is not in yet, sorry.

The member for Grey-Bruce.

**Mr. E. Sargent** (Grey-Bruce): Mr. Speaker, a question to the Minister of Lands and Forests.

Will the Minister advise the progress of the \$200 million plan to buy up the Great Lakes shoreline? How much has been purchased to date, at what cost, and what is the current programme?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member for Grey-Bruce, I am not aware of any \$200 million programme to purchase the Great Lakes shoreline.

**Mr. Sargent:** Could the Minister advise what his current programme is then, in buying up—

**Hon. Mr. Brunelle:** I am pleased to inform the hon. member that in this fiscal year of 1968-1969, we in The Department of Lands and Forests will be purchasing and taking options on about \$10 million worth of land.

**Mr. Nixon:** The Great Lakes shoreline?



**Hon. Mr. Brunelle:** For this year; on lands to be purchased for The Department of Lands and Forests.

**Mr. Nixon:** Oh well, the Minister turned it his way in the first question.

Interjections by hon. members.

**Mr. Sargent:** A question to the Minister of Health.

In light of the report of the select committee in 1963 recommending that a system of centralized drug purchasing be set up in all Ontario Hospitals, will the Minister advise if this is now being done, and if not, why not?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, we have been doing this in the Ontario Hospital system for many years now.

**Mr. Sargent:** In all the hospitals?

**Hon. Mr. Dymond:** All the Ontario Hospitals, Mr. Speaker.

**Mr. Sargent:** Then why, in the estimates last year, did the Minister say the government was not doing it?

**Hon. Mr. Dymond:** No, I did not.

**Mr. Sargent:** I am talking of general hospitals.

**Hon. Mr. Dymond:** This is in the process of negotiation for this year. It was announced in the Speech from the Throne.

**Mr. Sargent:** Will the Minister answer a question, then?

It has been estimated that he would save possibly \$1 million a year by this centralized purchasing. Then the delay is costing us \$1 million a year?

**Hon. Mr. Dymond:** Mr. Speaker, I guess the hon. member can put it that way, but we have been saving over \$1 million a year now for quite a long time in the Ontario Hospital system alone. We anticipate that the savings will exceed \$1 million per year. It is just that this new programme has been devised and we are seeking to develop it now.

**Mr. Sargent:** But the Minister does control the hospitals through OHSC, does he not?

**Hon. Mr. Dymond:** I would rather not answer that question. Mr. Speaker.

**Mr. Sargent:** Thank you. A question to the Attorney General.

Would the Attorney General consider the possibility of installing a system of levying fines in this province on the ability to pay?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, when the court comes to consider the matter of sentence for the accused person who has been convicted, I think what it should take into account is the nature of the offence, the circumstances surrounding it, and the effect of the criminal act upon society. I do not think that one of the considerations should be the ability of the accused to pay—the financial status or standing of a convicted person. To do that, I believe, would be to make one law for the rich and one for the poor and I do not think you could administer justice in that way.

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I have a question to the Minister of Highways.

Could the Minister advise the House when the contract for Highway 543 will be tendered and when work will commence?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, this contract is to be awarded late this summer and it is anticipated it will commence immediately thereafter.

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I have a question for the Minister of Trade and Development (Mr. Randall). He is not in the House, so I will have to hold that.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, I have a question of the hon. Premier of Ontario.

Are the Premier and executive council aware of the difficulties to municipalities of arranging financing for OWRC projects under existing financial policies? In the near future will the Premier and Cabinet review existing finance policies, including the use of the OWRC development fund and policies relating to finance during the interim period of OWRC projects, in order that the province's resources may be better utilized to afford lower initial rates to consumers?

**Hon. J. P. Robarts (Prime Minister):** Mr. Speaker, I can answer the first part of this question by saying yes, we are very much aware of the difficulties of the municipalities, not only in this particular area of financing, but in others. I would point out that since

the OWRC was formed, I believe it was, in 1956, in those days the OWRC undertook to enter into agreements with the municipalities in which OWRC financed the projects. Then the municipalities paid them back and took title to the plans after they were paid for. That was altered in 1964 when OWRC undertook at that time to build and finance water projects on behalf of the larger municipalities. The ownership was retained by the province through OWRC, and then the services were sold to the consumers on a user basis. This was further altered in 1965 when these provisions were extended from the provision of water to the provision of sewage facilities. In 1967, this method of financing was extended to smaller municipalities.

I simply sketch this brief history to indicate that the OWRC and the government are well aware of the difficulties that face our municipalities in providing these very expensive sewage control and sewage disposal facilities, as well as the necessity, of course, of providing fresh water. We have two provisions for oversizing which the province pays for. If a project is made bigger than is needed at the present time, in anticipation of future use, we do not ask the present users to carry that additional cost of oversizing. This is carried by the government, and then it is included in the cost as the system develops. I mention these things simply to indicate that we are very aware of the burden on the municipalities, and the matter is under constant review.

**Mr. Paterson:** Would the Prime Minister permit a supplementary question? If despite representation that I make on behalf of a specific project in my own riding to the Minister of Energy and Resources Management, this is not again satisfactory, would the Prime Minister and Cabinet consider the particular situation, and the noxious terms which have been presented to my municipalities?

**Hon. Mr. Robarts:** Mr. Speaker, we have to devise policies of providing assistance and aid to the municipalities that are applicable to all municipalities. There are occasions of special circumstances. I do not know the circumstances of the particular municipality that is having trouble in the member's riding.

I can assure you that there are few municipalities who really want to do this work at all. One of the real problems in dealing with pollution over the years is that it is a very expensive matter. Most of it goes underground, and is not necessarily visible, and there is a reluctance on the part of many

municipalities to invest the very large sums that are necessary if we are to control pollution in the province.

If the member has a particular problem, I am sure that the Minister will deal with you on it, but we are not in the habit of making special arrangements with provincial funds to deal with individual municipalities because if we were to do this, it would destroy any effective provincial policy.

**Mr. Speaker:** The member for Oxford.

**Mr. G. W. Innes (Oxford):** I have a question for the Minister of Highways. Why were highway contracts 68-03, 68-567 awarded to companies outside the province? And were Ontario companies given the opportunity to do this work?

**Hon. Mr. Gomme:** Mr. Speaker, the answer to number 1 is that they were the low bidders; and number 2, yes.

**Mr. Innes:** A supplementary question? One is quite substantial, to the extent of \$4,450,000. Was there any effort made by the department to give the work to the province of Ontario?

**Hon. Mr. Gomme:** Mr. Speaker, I did not hear the question. Would the member repeat it?

**Mr. Innes:** One contract was in the neighbourhood of \$4,450,000. Was any effort made by the department to insure that bids from all parties in the province got preference?

**Hon. Mr. Gomme:** Mr. Speaker, the only inference that I can take from the question is that the member does not agree with us awarding them to the low bidder.

Interjections by hon. members.

**Mr. Trotter:** The Minister did not answer the question.

**Hon. Mr. Gomme:** I gave the answer.

**Mr. Speaker:** Order, order!

**Mr. Innes:** Mr. Speaker, I have another question for the Minister of Highways. What steps are being taken by the department to speed up completion of the stretch of Highway 401 between Long Beach and the Thousand Islands bridge, commonly known as "death alley"?

**Hon. Mr. Gomme:** Mr. Speaker, we do not know that highway under that name. I would refer the member to my statement of March

26, when I introduced my estimates, whereby I said that on the Macdonald-Cartier freeway, the last two contracts had been awarded for paving of 15 miles between Highway 137, and Long Beach west of Brockville. This work is scheduled for completion in 1968, and I may say that the work is ahead of schedule.

**Mr. Innes:** Could I ask the Minister an additional question?

**Mr. Speaker:** A supplementary question?

**Mr. Innes:** A supplementary question. Does he agree with the statement in the Brockville *Beacon-Times* of April 4—this was after the statement was made that the infamous “death alley” stretch of Highway 401 between Long Beach and Thousand Islands bridge—that this relates specifically to that stretch that he does not know is commonly known as “death alley?” Does he agree with this editorial?

**Mr. Speaker:** The member for Scarborough Centre has one question. There is one Minister here.

**Mrs. M. Renwick** (Scarborough Centre): Mr. Speaker, a question of the Minister of Social and Family Services. In view of the cold weather in early spring, will the Minister change regulation 7 under The Family Benefits Act for all regions to make fuel allowances available to persons in receipt of FBA beyond March 31, the present cut-off date to confirm at least with the city of Toronto public by-law which makes it mandatory for landlords to provide heating for their tenants until June 1 if necessary?

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, as the hon. member, and indeed all members of the House and anyone who lives in and heats a home is familiar, fuel requirements build up from the fall to a point in midwinter and then taper off towards the early—and sometimes late—spring. Our fuel allowance is designed to take care of the full season's requirements but we issue the cheques in southern Ontario in equal amounts over the period of seven months, and in northern Ontario over a period of nine months. We look after the requirements administratively by the issuance of equal cheques over a certain period of time.

Just as an example, our monthly cheques cover the food allowance for the whole month, so our fuel requirements are looked after by fixed amounts over the period of several months.

**Mr. Speaker:** Before we proceed to the 50th order I would like to remind the members of the little discussion tomorrow at 1 p.m. in committee room 1 with respect to House rules and traditions with the clerk of the assembly. I would hope that a good many of us could be there, and I am sure it will be very useful to us. That is at 1:00 o'clock tomorrow in committee room 1.

**Mr. E. W. Sopha** (Sudbury): Will the member for Grey-Bruce be a visiting lecturer?

**Mr. Sargent:** If they will change some of the rules I will be there.

**Mr. Speaker:** The member for Sudbury has a good point and if it were not that I could not be there myself tomorrow I would try to arrange that end with him.

Orders of the day.

**Clerk of the House:** The 50th order; House in committee of supply; Mr. A. E. Reuter in the chair.

#### ESTIMATES, DEPARTMENT OF HEALTH (Continued)

On votes 807, 808 and 809:

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Chairman?

**Mr. Chairman:** The member for High Park.

**Mr. M. Shulman** (High Park): Mr. Chairman, I have receipt today of a letter from Dr. Michael Dreyfus, a doctor in Ottawa, in connection with OMSIP, and he has a valid complaint, I believe, which I would like to draw to the Minister's attention.

Dear Dr. Shulman:

Knowing your interest for the many defects in Ontario legislation I would like to bring to your attention that at Ottawa some 50 per cent of the welfare cases are French and most of them are unilingual but they only receive forms from OMSIP which they must fill in re their eligibility for care in English. Would it be possible to have bilingual forms made available?”

**Hon. M. B. Dymond** (Minister of Health): Mr. Chairman, bilingual forms have been made available in those areas that are peculiarly bilingual ever since OMSIP started.

**Mr. Shulman:** Obviously there is some misunderstanding. This doctor is in Ottawa—I



know in Toronto the forms are not bilingual—in Ottawa are the forms that are sent out bilingual, Mr. Chairman?

**Hon. Mr. Dymond:** Mr. Chairman, does the hon. member mean to infer that the doctor's word in Ottawa is more valuable than that of the practice of the department?

**Mr. Shulman:** What I mean to infer is that the doctor is on the spot and has written complaining. If he is in error, I would be glad to be so informed, Mr. Chairman. I will contact him now.

**Hon. Mr. Dymond:** He is in error, Mr. Chairman.

**Mr. Shulman:** Thank you, Mr. Chairman. Now to come to a more serious matter, Mr. Chairman.

**Hon. Mr. Dymond:** That one is not very serious, eh?

**Mr. Shulman:** A more serious matter, Mr. Chairman. We have some 59 per cent increase in the cost of OMSIP this year and it is obviously going to continue—

**Hon. Mr. Dymond:** Mr. Chairman, I think on a point of order to put the member correct we have not had a 59 per cent increase in the price of OMSIP. OMSIP went up 90 cents in single premium and \$1.80 in the family premium; 18 per cent, sir.

**Mr. Shulman:** On the same point of order, Mr. Chairman, this was a figure that was quoted by the member for Sudbury (Mr. Sopha) yesterday on a number of occasions and the Minister did not see fit to correct it at that time, or was quite content to accept it.

**Hon. Mr. Dymond:** The member for Sudbury was referring to OHSC premiums.

**Mr. Shulman:** I apologize, Mr. Chairman. What is the increase in OMSIP this year?

**Hon. Mr. Dymond:** 18 per cent, Mr. Chairman.

**Mr. Shulman:** Very well, we have an 18 per cent increase in OMSIP this year—I accept your correction. One of the reasons for the great increase in cost is that a service that was formerly provided free is now being charged for and that service is the care of indigents in hospitals.

It was the practice for many, many years for patients in public wards, or patients in out-patient departments, to be cared for

by the hospital staff under supervision of specialists in the field. It was always considered a great privilege to work in the out-patient department of any of the hospitals.

This situation has now changed whereby people coming into emergency and people coming into the out-patient department, because they are covered by OMSIP, are now having bills sent to the Ontario government for services which up until a very short time ago were considered to be a normal part of the medical profession's duties.

Now this matter was touched on earlier by the member for Parkdale (Mr. Trotter) and I would like to pursue it a little further because there is a very simple way in which this particular problem can be cared for and in which we can have an immediate reduction of a very substantial amount of these costs from OMSIP. It is by passing an amendment that no patient who is not an in-patient in a hospital should have services in that hospital charged to OMSIP.

This would immediately take care of all of the cases coming to emergency and all cases coming to OPD. I would like to ask if the Minister would consider making such an amendment to the rules of OMSIP which would clear up this present abuse which has been detailed so sensibly by the member for Parkdale.

**Hon. Mr. Dymond:** No, Mr. Chairman, we have no intention of recommending to the government that we change this rule. This matter was very thoroughly discussed over the past two or three years when we were discussing medical services insurance.

I take it that the hon. member would like to divide our people into two classes of citizens—those who are medically indigent and those who can afford to pay for their care. This was the purpose of introducing OMSIP, Mr. Chairman, as you will recall, so that everyone would have available to them medical services insurance regardless of age, state of health, or financial status.

The hon. member for Parkdale, I think, was touching upon a different thing about which there is some misunderstanding. Indeed for some little time I laboured under some misunderstanding of it myself.

To 21 hospitals in the province there is given by OHSC a special allowance of \$2.50 a day or \$2.25 a day—I forget which—per out-patient, but this is not in any way to be construed as part of the cost of medical services. None of this goes to the physician.

This goes to pay for additional services that are provided through the out-patient department of those teaching hospitals, or university affiliated hospitals; it is not in any way part of the cost of OMSIP and we have no record of there being any abuse in this direction whatsoever.

For instance, one of the things that is provided out of this grant in these special and particular departments is drug service. Out-patients are given their drugs through the hospital pharmacy, usually at no cost; sometimes at a very, very small and very nominal cost. But this is only one of the things—dressings and other things—which are not ordinarily paid for under the insurance programme but in these hospitals are provided for under this special allowance.

**Mr. Shulman:** I am glad the Minister brought that point up because he is once again in error. If a patient goes to a doctor's office and has a dressing put on—let us say for a burn—the doctor collects his fee from OMSIP. Surely no doctor I know would ever charge extra for the dressing, yet here if he goes to the hospital, the hospital will collect the OMSIP fee, or the doctor at the hospital will collect the OMSIP fee. Then you are paying this extra sum of money for dressings so obviously the member for Parkdale was correct and the Minister was wrong in that there is an extra cost.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member is persuaded that he is correct and I see little point in me trying to tell him what actually does happen.

**Mr. Shulman:** You have already told me. Mr. Chairman, the Minister has been kind enough already to inform me and I was hoping he could understand what he himself has just explained. The extra cost is there whether he wishes to admit it or not.

There is a question I would like to ask the hon. Minister. He explained to me earlier in this debate that he had some 20,000 employees. I would like to point out to the House these 20,000 employees as a group are healthier than the average Ontario citizen because they represent the working population and their families.

We would have an immediate decrease in the overall cost of OMSIP if these 20,000 employees were covered by OMSIP. I ask, for goodness sake, why are his employees covered by the London Life Insurance Company and not by OMSIP?

**An hon. member:** Ask the member for London South (Mr. White).

**Hon. Mr. Dymond:** Mr. Chairman, this does not come within the scope of my estimates.

**Mr. Shulman:** Mr. Chairman, I suggest that OMSIP is within the scope of this particular Minister's estimates.

**Hon. Mr. Dymond:** The member is not talking about OMSIP at all; he is talking about insurance coverage for the civil service. This comes under The Department of the Treasury.

**Mr. Shulman:** Mr. Chairman, I am talking about the cost of OMSIP, which is too high because the healthy groups have been excluded. For goodness sake, surely the Minister should be willing to discuss that.

**Hon. Mr. Dymond:** Mr. Chairman, if the hon. member would keep his ears more open and his mouth a little bit more closed, he would recognize that I announced in this House that there is availability of group coverage under OMSIP for any group. Nothing would please me more than to sell group insurance to the Ontario government and as soon as they are in the market for a contract, I will be right there trying to persuade them that they should buy from OMSIP.

**Mr. Shulman:** May I ask the Minister if he has been in touch with the Ontario government to see if they are willing to take coverage from OMSIP? Am I to get an answer to that question, Mr. Chairman?

**Mr. Chairman:** I do not think the question is relevant to the particular vote.

**Mr. Shulman:** When PSI was set up some years ago—and there are certain similarities between PSI and OMSIP, and for the benefit of the Minister, who is probably unaware of it, PSI is run by the medical profession for the benefit of the medical profession and for the benefit of the public, may I say—all general practitioners in the province who wished to participate in PSI were asked to sign an agreement that if they wished to have the benefits of PSI they should be agreeable to and they must agree to accept the 90 per cent as full payment and they were not allowed to charge the extra 10 per cent. Has the Minister any explanation why OMSIP has not taken this simple step?

**Hon. Mr. Dymond:** Mr. Chairman, this has all been debated in this House many times. We are simply going over ground that is



already covered; it is delineated clearly and unmistakably in previous issues of *Hansard*. We tried to persuade the medical profession to enter into a contractual agreement with us; they refused, and we devised another method.

**Mr. Shulman:** I must point out to the Minister that he did go to the leaders of the medical profession and that he was unable to work out such an arrangement and they did advise the doctors in Ontario not to deal directly with OMSIP. But in case the Minister has not noticed it, most of the doctors in this province have disobeyed because they did not really believe that the advice given by their "leaders"—if I may put the word in quotation marks—was the correct advice. Most doctors are dealing directly with OMSIP for the simple reason it is a very effective way of collecting their bills, far simpler than sending bills out to the hundreds of patients they see. Inasmuch as most doctors in Ontario are dealing directly with OMSIP just as they are dealing directly with PSI, is there any reason why the government cannot put the same plan into effect, which would get rid of this 10 per cent charge which is a great nuisance to many people in this province?

**Hon. Mr. Dymond:** Since the hon. member is so well informed, if he would study his statistics again he will find that we have achieved, without the contractual agreement, the same objective as PSI. I am quite certain that more than 12 per cent of the practising physicians in Ontario do not bill PSI directly and have not entered into a contractual arrangement with them, and we have achieved this without the need of the formality of a contractual arrangement.

**Mr. Shulman:** The Minister is missing the point, Mr. Chairman, once again. The point is that many people in this province have the added burden of receiving a bill for the extra 10 per cent if they are so unfortunate as to have OMSIP rather than PSI. If they had PSI they could not receive this added bill because the doctors, when they joined PSI, had to sign an agreement—and this was at the time PSI was paying 90 per cent—that they would not make any extra charge over the PSI payment. If the Minister would just come into this 20th century, take the ideas that were brought forward by PSI 20 years ago, and bring in the very same rule, the hundreds or perhaps the thousands of people who have this extra burden put upon them would not have this extra burden. For goodness sake, Mr. Chairman, the Minister should wake up.

**Mr. Chairman:** I must say that I have difficulty in following exactly what the member—

**Mr. Shulman:** I will say it again, Mr. Chairman, I will make it very—

**Mr. A. Carruthers (Durham):** Do not bother.

**Mr. Shulman:** Thank you. If the Chairman is not interested, let me explain. The two most common methods of paying medical bills in this province are through one of the two insurance plans; one is OMSIP, which is run by The Department of Health, the other is—

**Hon. Mr. Dymond:** Is this a seminar on OMSIP and PSI or—

**Mr. Shulman:** I am answering the Chairman's question.

**Mr. Chairman:** As nearly as I can determine the member is trying to point out that the doctors pay 90 per cent, that—

**Mr. Shulman:** No, no.

**Mr. Chairman:**—that the OMSIP programme pays 90 per cent of the prescribed fees whereas under PSI there is no such 90 per cent.

**Mr. Shulman:** No, I am sorry, Mr. Chairman, if I did not make myself clear; let me say it again.

**Mr. Chairman:** Try again.

**Mr. Shulman:** When PSI was brought into effect 20 years ago they agreed to pay 90 per cent of the standard rate to the doctors. In order for the doctors to get the benefit of receiving this fee from PSI they had to sign an agreement with PSI that they would not make any extra charges to the patients. This is the agreement I am asking the Minister of Health to request in connection with OMSIP, because as it now stands with OMSIP, if you go to a doctor and present your OMSIP card, OMSIP pays 90 per cent of the fee, and the doctor is at perfect liberty to charge the extra 10 per cent by sending a bill to the patient, and many of them do. Under the PSI agreement this is not possible. This extra 10 per cent is a burden to many people, it is certainly a tremendous nuisance to everyone involved, and it could be avoided if the Minister would just follow the scheme brought in by PSI some quarter of a century ago.



**Mr. Chairman:** And is the member asking a question of the Minister?

**Mr. Shulman:** Yes, I did ask a question and he has already answered the question. He said he would not move into this century.

**Mr. Chairman:** All right, the question has been answered.

**Hon. Mr. Dymond:** The hon. member is completely misleading the House by stating that I answered a question in a way I did not. I stated that we did try to get the Ontario medical association to enter into a contractual arrangement and they adamantly refused. They have continued to refuse.

**Mr. Shulman:** Mr. Chairman, I am sorry to press this point, but obviously the Minister does not understand. This has nothing to do with the Ontario medical association; PSI never had anything to do with the Ontario medical association.

**Hon. Mr. Dymond:** Mr. Chairman, he is again misleading the House; PSI is an emanation of the Ontario medical association. PSI was begun before the hon. member was practising medicine. I was in on the early days of the formation of the organization, know a good deal about it, and I also can remember the very strenuous efforts put forward by many members of the Ontario medical association at that time to enter into a contractual arrangement with their own organization.

**Mr. Shulman:** Let me once again explain. I shall bring my individual agreement down and read it to the Minister so he will understand. PSI is an arrangement made between PSI and individual physicians. I do not happen to be a member of the Ontario medical association, yet I, as well as the many other thousands in this province who wished to, joined by signing an individual agreement. OMSIP could do exactly the same thing if the Minister was willing to do so.

**Mr. Chairman:** I think the Minister has indicated his position; I think there has been sufficient debate on it. The Minister has replied—

**Mr. Shulman:** We understand the Minister very well.

**Mr. Chairman:** All right. Does the member for High Park have another question?

**Mr. Shulman:** Not at the moment.

**Mr. Chairman:** All right, the member for Quinte.

**Mr. R. T. Potter (Quinte):** Mr. Chairman, I find that I am in the position today that I must agree with what the hon. Minister said yesterday and also with what the hon. member for Sudbury had to say. There is no question that the responsibility for the admission of patients to hospital and maintaining their care in hospital is that of the practising physician. But I must agree with the hon. member for Sudbury when he says that there are patients in hospital occupying active treatment beds who could be cared for in less expensive beds of the chronically ill nature.

I know the Minister is quite aware of this and his department is in fact working on this problem and seeing that the necessary chronically ill beds are being made available. This situation exists in, I would imagine, most of the ridings in this province. Certainly in my own riding there is quite a need for chronically ill beds. We have, in our active treatment hospital, patients who require treatment that they cannot get at home or in nursing homes but they do not require the specialized type of treatment that they get in active treatment hospitals. It is because of this reason that a new hospital is being built in Belleville today and it is the Minister's plan that the beds in the older institution, which was built in 1939 and 1945, will be turned over for use as chronically ill beds.

I must commend the hon. member for Sudbury for the attitude that was taken by himself and his family in the care of his own father. I am afraid, though, that there are very few people in this province and in this country who today are agreeable to accepting the obligations that they have to look after the elderly. They find it much more convenient and much easier on everyone if they confine them to an institution for the last days of their life.

I disagree with his suggestion that our resources may be pooled, and I think he mentions specifically physiotherapy and so on. I particularly feel that this department is one that should be expanded much more than it is today. I said before in this House, and I will repeat myself today, that I believe that we should have a rehabilitation wing attached to every active treatment hospital in the province. I believe that everyone who has been ill, regardless of whether he has had a stroke, a heart attack or fractured hip, requires rehabilitation. I believe that if the programme is developed so that we may have rehabilita-

tion wings in these hospitals, the cost would be probably half of what it costs to build an active treatment bed and the maintenance would not be nearly so great.

On April 23, I think it was, the hon. member for Beaches-Woodbine (Mr. Brown) accused the members of the medical profession of being frightened to speak up because of any action that might be taken by the medical profession. At that time, I took exception to his statement.

He also went after the medical profession because of the lack of leadership that they are giving in this day to improve medical facilities. I agree with him, to a certain extent, but I should point out to him that the Ontario medical association has, on several occasions, sponsored rehabilitation conferences and has attempted to interest the local communities in rehabilitation programmes. I believe, if we refer to the OMA brief presented to the select committee on aging, we would find that they did, in fact, encourage co-ordination of rehabilitation activities across the province.

We should be aware that all members of the profession and all members of the Minister's department are always seeking ways and means of improving medical care for the people of this province, to ensure that they get the best care possible in the most economical way.

You may well ask why I speak so vehemently against medicare, if I feel this way about it. I agree, as many others do, that the medical insurance plan that was introduced by the federal government is certainly not the way to improve medical care. It offers very, very little to the people of this province which they do not have available to them today.

**Mr. E. Sargent (Grey-Bruce):** You will not say that next year.

**Mr. Potter:** Yes, I will. Yesterday, the member for Brantford (Mr. Makarchuk) suggested that group practice was probably the most efficient and economical way of administering to the sick in this province.

I assume, Mr. Chairman, that he suggested that this should be included under a government-sponsored programme, whether it be paid for through OMSIP or any other type of programme that we would like to name. Frankly, if this is the type of programme that we think we should have in the province—I would like to point out that I am not speaking for the medical profession, I have no

authority to speak for them any more than any other member of this House—but I have reached the stage where I feel that if you cannot lick them, you should join them. If we have a government that decides that we should have a complete socialized medical programme, then let us have it.

I would suggest that the medical profession then could consider joining the AF of L, CIO or whatever you want to call it. We would close our offices, and the department should come into every area and establish a health centre. When Mrs. Brown wants a doctor she will phone the local centre and she will get the doctor on duty.

The medical profession then, for the first time, should be treated and considered the same as any other human being. They should be put on a 40 hour week.

**Mr. E. W. Martel (Sudbury East):** Based on ability!

**Mr. Potter:** I think they should be granted every other benefit that labour is granted.

**Mr. Sargent:** Same pay?

**An hon. member:** Why not?

**Mr. Potter:** I think they should be paid time and a half for overtime. I think they should be paid double time for Sundays and holidays—

**Mr. J. R. Breithaupt (Kitchener):** If they are, they will have to work Wednesday afternoons.

**Mr. W. Ferrier (Cochrane South):** Do you advocate the same thing for clergy?

**An hon. member:** No, they just get one day a week.

**Mr. Potter:** If we work this out, we find that on an hourly basis at 40 hours a week, by the end of the year they have 2,080 hours to be paid for. If we take into—

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, may I ask a question?

Did you happen to see the television programme where they had a little skit about investigating a doctor who showed certain weird attributes, and they asked: When did you first notice something strange about the doctor and the answer was: When we discovered he made a house call on a Sunday?

**Mr. Potter:** I am surprised that the hon. member for Sudbury has time to watch television because I am sure most of the members of this House do not.

If we can expect the profession to be paid on the basis of time and a half for overtime and double time for Sundays and holidays, then by the end of the year we are going to find that they actually have an hourly rate to be paid between 4,000 and 4,500 hours per year.

All we have to do is decide how much we are going to pay them per hour. The hon. member for Sudbury may well tell us that lawyers are worth \$600 per hour. Then, we have the member for Beaches-Woodbine, who I understand, charges to train his own personnel at the rate of \$15 an hour. I think when we have well qualified medical personnel that we may well ask for a basic salary of \$10 per hour.

If you work this out you find that the profession, besides having all the benefits that labour is now enjoying—

**Mr. Sargent:** That is more than a labourer gets.

**Mr. Potter:** —that labour is now enjoying, they are going to have more than twice the income they have today. There is no non-sense about it at all.

There is no reason to say they do not need to work these hours. I do not know of any medical man that would like to work these hours if he could get away from them. If the time ever arises that we have enough doctors that each can work a 40 hour week, then, Mr. Chairman, I would like to point out on a 40 hour week at this rate of pay, they will be making the same income they make today, in addition to all the fringe benefits that labour enjoys.

There is only one other group that I know of that are stupid enough to work the hours that the medical profession do, for the money they get, and these are the members of this Legislature.

**An hon. member:** We love you.

**Mr. Chairman:** I think we should get right back to the votes 807, 808 and 809, concerning medical services, and I might say that I do have a list of speakers.

The next member is not present, so the member for Sandwich-Riverside is next.

**Mr. Burr:** Mr. Chairman, in Essex county and in Windsor, we have the Windsor medical services embracing somewhere in the neighbourhood of a quarter million people, so OMSIP probably has a relatively small participation. I wonder if the Minister has the

figures for Windsor and Essex county so that we could have a clear picture of the OMSIP membership there?

**Hon. Mr. Dymond:** I am sorry, Mr. Chairman, I was talking to my staff, I did not catch the hon. member's question. Would you mind repeating it please?

**Mr. Burr:** Could you give us a picture of the participation in OMSIP in Windsor or Essex county or both?

**Hon. Mr. Dymond:** Our experience there, Mr. Chairman, is about 50 per cent below the average. I cannot give a more definite figure than this.

But, as the hon. member has said, Windsor and Essex county has for many years been very well covered by Windsor medical services, one of the oldest service programmes in existence in Ontario. I think just about every industry in that area is insured under this, and naturally a great majority of the people would be covered. Of course, those to whom OMSIP is particularly attractive, those who cannot get insurance anywhere else, those who are uninsurable, and those who have not the money to pay for it, naturally come to OMSIP.

**Mr. Burr:** Mr. Chairman, I want to make a few remarks on medicare. The comment I would like to make is about one of the experiences in Great Britain where the doctors found an unlooked for benefit. It had been feared before the institution of the national health plan that general practitioners would be deluged with calls in the middle of the night when medical care was made available to all.

Surprisingly enough, they found that the reverse was true. Night calls fell off. The reason was this. In the bad old days when people were financially afraid to go to a physician, aches and pains that occurred in the late afternoon or early evening were suppressed and ignored in the hope that the trouble would clear up. But when the doctor's office was available to patients, without any fear of financial harm, then they found that the people went in the early evening to the office and it was not necessary, as often had happened before, to summon aid during the middle of the night. They got their aid in the early evening and the doctor got his rest throughout the night.

This was something that was entirely unlooked for and as I said before it was one of the benefits that the doctors really appre-



ciated when it came about. The doctors, in other words, found after many generations and many centuries that most of the common people had the good common sense to seek out medical advice in good time, being freed from the financial restrictions.

And the ridiculous fear of some Ontario doctors that they will lose some freedom or other when a government plan comes into effect has probably been laid to rest by now, so I shall not discuss it. The chief change for the average physician is this; he no longer has to worry about the unpaid bills; the government guarantees the payment of every patient.

In Saskatchewan the experience has been that since medicare was introduced there have been more doctors, not fewer; more income for the doctors, not less; and no interference in the doctor-patient relationships.

There are three groups, Mr. Chairman, opposing and lobbying against medicare plans in Ontario: (a) the Ontario medical association, for reasons that are hard to understand; (b) the insurance companies, for reasons that are very easy to understand; and the third group (c) those who demand that paramedical services be included at the beginning, otherwise they may be excluded for many years to come. These paramedical services include those of dentists, chiropractors, osteopaths, and some others.

A genuine comprehensive health plan would, of course, include all the drugs that were needed for the successful treatment of a patient. At present, countless numbers of people receive medical advice; they receive prescriptions from their physicians. They go to a pharmacist, they hear the price of the recommended drug, they leave, they go home, and without the knowledge of their physician, they are forced to ignore his expert advice. A government that is genuinely concerned about the health of the people would be thinking up ways to implement medicare instead of thinking up weak excuses for postponing it; there is a great deal that could be said further, Mr. Chairman, but out of respect for the members' time I shall desist.

Mr. J. H. Spence (Kent): Mr. Chairman, I would like to ask the Minister a couple of questions in regard to our Ontario medical insurance plan. Could the Minister inform me how many citizens of our province qualify under those who do not have to pay income tax; how many of our citizens of the province

do not need to pay premiums on account of that reason?

Hon. Mr. Dymond: Mr. Chairman, I gave this figure in my opening remarks—I will have to get it back again.

Mr. Spence: I am sorry.

Hon. Mr. Dymond: It is in *Hansard*, Mr. Chairman.

Mr. Spence: I will find it.

Hon. Mr. Dymond: Full premium assistance—536,000.

Mr. Spence: Mr. Chairman, with the increase in premiums—

Hon. Mr. Dymond: That is only the zero-taxable income. Then the social assistance recipients and their eligible dependents who are also totally subsidized—373,000.

Mr. Spence: Mr. Chairman, with the increase in premiums of OMSIP, how much do you expect the Provincial Treasurer (Mr. MacNaughton) will have to subsidize OMSIP this coming year?

Hon. Mr. Dymond: The cost is up \$10.5 million from last year; it was \$37 million—no, pardon me—it is \$37 million this year, the subsidy.

Mr. Spence: So the increase in premiums won't barely cover it—is that right? Will it cover it, the increase in premiums that will have to be paid from the first of July?

Hon. Mr. Dymond: Mr. Chairman, the increased premiums for those who pay have nothing to do with this, of course.

Mr. Spence: That is right.

Hon. Mr. Dymond: They carry the cost of their own insurance. There is no subsidy for those who have to pay the full premium, but the \$37 million that the province provides is to subsidize those who have to be provided for in whole, or in part.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I would like to bring to the attention of the hon. members of the House the group of students in the east gallery—34 students from the St. Jules secondary school in the city of Windsor. I know each and every member in this House would like to extend a real warm welcome to them.

Mr. Chairman, if I may bring to the attention of the Minister—the fact that hospital

premiums are on a three-monthly basis means people on fixed incomes are finding it extremely difficult to pay the premium as a result of the 59 per cent increase. Is any consideration being given by the department to the payment of hospital premiums on a monthly basis rather than quarterly?

**Hon. Mr. Dymond:** Mr. Chairman, we have thought of this many times; it could increase the administrative cost a very great deal and we do not believe it would achieve anything. This three months in advance has provided a very wonderful cushion on many occasions.

Although at times it may be difficult for some subscribers to meet their premium, we think that it is more tragic, or tragic more often, for those who are taken ill and cannot afford to meet any cost, and suddenly find themselves faced with potentially high hospital costs. For them to find that their hospital insurance is paid up and therefore their hospital bills are paid because of that is, I think, a great advantage. The additional administrative costs inherent in monthly premiums rather than quarterly, would not justify going to the new system.

**Mr. B. Newman:** May I suggest to the Minister then, that he consider those on fixed incomes, or marginal incomes? Possibly their first premium should be for a three-month period, then after that, bill them monthly, so that they would still always be paid three months in advance.

**Mr. Chairman,** you readily understand that an individual getting a hospital premium account in the \$50 bracket, and receiving a cheque for \$150 or \$175 for the month, find themselves in a very embarrassing position, attempting to make payment and make ends meet.

May I, on a second point then, suggest to the Minister, or ask the Minister if he has given consideration in the Ontario hospital premiums to put them on the same basis as are OMSIP premiums, on a subsidized basis, so that those on fixed incomes, or who pay no income tax whatsoever, would not pay any premium? Those who would have an income over another set category would pay only partial premiums and then the balance would pay the full premium?

**Hon. Mr. Dymond:** This was very carefully considered, Mr. Chairman, and we recognize that it would cost the province something in excess of \$33 million if we were to do it. OHSC differs from OMSIP in a sense, because under OHSC, everyone is subsidized.

Everyone has subsidy through the federal government contribution and through the provincial government contribution.

In medical services insurance, of course, only those who qualify under the ground rules which we, as a province laid down, are subsidized. The others pay the total cost, without benefit of partial subsidy that goes to everyone under OHSC. We thought, too, of the two-premium structure, because representations were made to us that we should develop the three-premium structure for OHSC, as we have done for OMSIP. This was considered very carefully and we sought advice on it and came to the conclusion that it should be left, at least for the time being.

About the proposal the hon. member makes that when the person, particularly the person on fixed income, joins OHSC he should pay three months and then monthly, I cannot tell the hon. member if this specifically has been considered in this context, but I can assure him that it will be, because we too are looking for ways to make this more easy for the subscriber.

We feel it will be a very great tragedy if people have to drop their insurance because a few days in hospital, unfortunately, soon dissipate an amount of money more than is required for a year's coverage by way of premium.

**Mr. B. Newman:** I am most pleased to hear the Minister's comments. May I ask the Minister if Ontario Hospitals have ever considered the similar type of premium arrangement as have OMSIP, that is the premium for the single individual, for the married, and then for the family?

**Hon. Mr. Dymond:** This is what I just commented on, Mr. Chairman, that we did consider this very carefully and asked advice on it. We gave much consideration to it, but we determined to leave it as it was for the present time.

**Mr. B. Newman:** Mr. Chairman, I will bring to the attention of the Minister a communication from the federal superannuates national association, Windsor and area branch, that passed a resolution at a meeting held on March 14, 1968, requesting—and I am quoting the resolution:

That the regulations governing the Ontario hospital insurance be amended to include three categories for the purposes of establishing premiums payable in a similar manner to that being used in OMSIP.



In other words, under Ontario hospital insurance there be an intermediate rate established for a man and wife without dependants. You can understand, Mr. Chairman, that the retiree, the individual on a fixed income, is either alone or there are only the two of them, and setting up of a third rate certainly would give them a financial advantage and allow them to use their limited funds for purposes other than paying premiums to either OMSIP or OHSC.

**Hon. Mr. Dymond:** Again I repeat, sir, that we did consider this, and it is rather more than coincidental that every province using a premium system for the hospital care insurance have adopted the two-premium structure. I know of no provincial programme that has a three-premium structure for hospital insurance, yet those that have gone into a medical service insurance programme, with the exception of the province of Saskatchewan, have all adopted a three-premium structure for medical services insurance.

There is a technical explanation for that, but it eludes me at the present time.

**Mr. B. Newman:** Because you have it in OMSIP is no reason why you should not be able to establish a similar rate structure under OHSC. It would simply mean that the individual in the third category, the family category, may have to pay more, whereas the individual on the family plan—I should not say family plan—where the individual with a husband and wife, would pay a smaller premium.

**An hon. member:** Carried.

**Mr. Chairman:** The member for Parkdale.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Chairman, sorry, did I hear carried?

**Some hon. members:** No, no.

**Hon. Mr. Dymond:** I tried it, but it did not work.

**Mr. J. B. Trotter (Parkdale):** We are just waiting our turn on the list, I understand, Mr. Chairman.

I want to dwell on this matter of the cost of OMSIP and OHSC. I have spoken on this before, and I hope to get a bit more of a reply from the Minister than we have had to date, because I am not satisfied what efforts are being made in order to institute some sort of control.

The member for Sudbury last night made a very good speech in regard to the cost, and

in reply the Minister suggested he might even institute a review board. I do not think that was a promise, but it was a suggestion that he might do something. But I do not think a suggestion that something might be done is enough. I think we should get from the Minister a promise that some action will be taken.

I have two or three questions to ask the Minister, Mr. Chairman, but to start off with, I would like to ask this. What action is the Minister going to take in regard to the doctors' associations that are now widely instituted in general hospitals in Ontario? It literally means that government is spending, instead of \$2.25 per out-patient, we are spending \$6.75 per out-patient. That \$2.25 is from OHSC and a further \$4.50 from OMSIP.

I would like to ask the Minister, Mr. Chairman, what action if any the government is going to take?

**Hon. Mr. Dymond:** Mr. Chairman, I just dealt with this less than half an hour ago, and it is on the record. I dealt with it at some length and I dealt with it specifically.

**Mr. Trotter:** Well, I certainly do not think much of the way you are dealing with it. Again, when I brought up a specific instance a few days ago, in dealing with the system of blood tests that is now being used, I think it is called automated SMA-12 analysis. That was a system where at one time a blood test would cost \$45, it can now be done automatically at 50 cents, and yet the cost is some place between \$5 and \$12.

Has anything been done about that, or do they plan to do anything?

**Hon. Mr. Dymond:** We were rather alarmed at this. It appeared to be a very definite and researched statement from the hon. member, Mr. Chairman, and we did look into it. None of us can agree with the statement. We dealt with this specifically at the Ottawa Civic hospital.

**Mr. Trotter:** I mentioned that one.

**Hon. Mr. Dymond:** Yes, the one the hon. member mentioned and where the figures came from, where the pathologist got the figures is quite beyond us. Even the pathologists there do not know where the figures came from. So, whether it was the pathologist of the particular hospital, or somebody just talking at random about it, we cannot understand.



When this was started in the Ottawa Civic hospital, this was \$12 for a run. Then OMSIP negotiated with them and the figure most recently agreed upon is \$6 per run, and this includes room. It is down to \$5, now, and this includes from three to 12 tests.

Now, where did the 50 cent figure come from? The only suggestion that we can get from the people at Ottawa Civic is that someone was talking about the cost of the reagents, and even that cannot always be fixed because certain reagents may cost so little that the price for the specific run may not be capable of being computed, where other times, the reagents may be quite costly.

There is no doubt about it that we are watching the increasing use of automated processes in medical practice, whether it is in techniques, or in hospitalization, because we recognize that there are potential savings. I touched upon these things, too, in my introductory remarks. I touched upon the things that we are producing.

First of all I want to make clear to you, Mr. Chairman, that The Department of Health really does not have the responsibility for this directly. The hospital services commission has been charged with this responsibility through legislation passed in the House, and it is their responsibility. But speaking for them, I can tell you that they are continuously watching costs, and seeking ways and means to control them still further.

I mentioned certain of the things that they were doing, such as seeking to centralize processes, centralizing laundries, centralizing purchasing, centralizing power plants. Wherever centralization can be introduced, it is being encouraged, and it is even being directed. The overlapping or competitiveness which the hon. member for Sudbury spoke about the other day is being discouraged very vigorously. This is being taken up, or has been taken up in many instances, and is being taken up in others by local councils.

Public-spirited citizens in the area, concerned about what is going on, have banded together and formed themselves into hospital councils. They look over all of the hospital needs and the services that they provide within their area. No hospital is given approval for expansion or addition or the introduction of new or different services until it has been considered by the local council, and until they in turn have recommended to the hospital services commission that this is a worthwhile venture.

There is a need for constantly watching these things, and constantly seeking to adopt new methods and new techniques so that they can keep the costs within control. I can assure you, sir, that the commission is doing this, and has constantly got this before it and is doing all it possibly can.

**Mr. Trotter:** I think that whether or not the Minister is directly responsible, he is saying that it is the responsibility of OHSC. Mr. Chairman, we have to face up to the fact that the responsibility really lies with the Minister, because it is this government that is having to foot the bill, either through taxes or through people paying by way of premiums. My own opinion is that not nearly close enough control is kept on costs. There are very few businesses or operations of any kind that have the increases of costs that OHSC has had in the last year, or even in the last five years.

The Minister may have checked into the specific case of this blood test at the Ottawa Civic hospital, but I want to assure the hon. Minister of one thing, that in the case of insurance, whether it is public or private enterprise, in the field of health insurance both the insurance authorities are aware that in many instances they have been getting rooked on the cost of health insurance, particularly since the use of public plans has come into effect.

There has certainly been a very unfair treatment taken of the general public and of the government. For example, since my remarks in the House that other day about increased costs of medical insurance, I have had one man point out to me that he had a certain medical treatment, and he received a bill from his doctor for \$30. The doctor did not realize that he was covered by PSI. He informed his doctor that he was covered by PSI, and the doctor automatically sent a bill in for \$40 to PSI.

Again, this might not directly concern this government, but similar things are happening under our own schemes. It only means a tremendous drain on the public purse. The Minister tells me that in the first hour he answered the questions in regard to these doctor's associations. I will tell you this, that it is simply no answer whatsoever, and I can only repeat what I said in the beginning of these estimates, that health costs in this province are out of control, and the Minister is very wanton in his lack of taking the necessary action. He simply lacks the political courage, and these particular estimates are

going to amount to a tremendous drain on the public purse.

Mr. Chairman, I would like to speak on this other matter of the shortage of beds for chronic care. The hon. member for Quinte mentioned this, and I might say to the hon. member for Quinte, through you Mr. Chairman, that many of us have been urging this government to increase the number of beds for convalescent care and for chronic care in the obvious hope and understanding that we could reduce the costs of the long stay in general hospitals. This is something that should have been obvious for years; it seems to be obvious to everybody but the Minister. He may pay lip service to the theory that we must have more chronic beds and more convalescent beds if we are going to reduce the costs of general hospitals, but certainly little has been done in relation to the problem that we are faced with, and it is an obvious way to cut costs.

Here is a specific instance, Mr. Chairman. I would like to ask the Minister's opinion to see if there is any truth in this. Mr. Ken McTaggart, who writes a lot of health articles for the *Toronto Telegram*, wrote an article on April 26, and he brought up once again the example of Mount Sinai hospital. Mount Sinai hospital—about six years ago, or maybe it was nine years ago—offered to sell the hospital to OHSC or to Metropolitan Toronto, in order that Mount Sinai hospital could be turned into a chronic hospital or a convalescent hospital. The theory was that where we have a great complex of hospitals, which we have near College and University Avenue, the hospitals should specialize in a type of work they are doing. I am just quoting from that article by Mr. McTaggart, and he says, this:

In fact, emergencies at present contribute to bed shortages. Emergency department doctors, because of universal hospital insurance, tend to admit more emergency patients for hospital observation than in the past. Meanwhile, the plan for a form of custodial care, submitted nine years ago by Mount Sinai hospital, has been on the sideline. Mount Sinai board found that the cost of a new 600-bed hospital would not exceed that of remodelling its present 337-bed hospital. Mount Sinai's board then made this proposal: It would turn over for \$1, its present University Avenue location to Metro or the OHSC, which would then become a 500-bed—its laboratory and other space being not needed—residential custodial care hospital. At a

fraction of current daily Metro hospital costs, patients could be removed from active treatment beds and given final care in early convalescence.

I was wondering Mr. Chairman, if the Minister, through OHSC, has any intention of taking advantage of this offer and why it has not been acted upon long ago.

**Hon. Mr. Dymond:** Mr. Chairman, I think the hon. member either has misread Ken McTaggart, or Ken McTaggart got the wrong dates. It is not nine years ago, it is more like nine months ago. Indeed, I think it is just about a year ago that I joined a large company of people down on the front lawn of Mount Sinai hospital. Quite a number of us were armed with spades and I thought we were going to dig out the foundation for the new building. That was for an addition to the hospital. Shortly after that there was a change of thinking on the part of the board and they came forward with a new proposal which was approved in principle. That proposal calls for the building of an entirely new hospital for the property; indeed I was able to secure permission for the hospital to go forward with the expropriation of a piece of property on University Avenue which they will need for the site for the new hospital.

As soon as the new hospital is built, the existing hospital will be taken over for this new and rather exciting concept—not altogether convalescent or chronic care, but a combination facility or a complex facility embodying out-patient care, convalescent, rehabilitation and a type of hostel. This is to come. It has been approved, as I state, in principle, but it takes time for the board to build its new hospital. It is presently involved in the teaching programme of the University of Toronto, and as the hon. member mentioned himself earlier—although I suggest to you, sir, he mentioned it in a completely wrong context—the University of Toronto is reviewing its association with the downtown hospitals and determining its need for the beds that are available, or additional beds that may become available.

In 1967 we had 1,085 convalescent care beds, and 7,356 chronic care beds. In 1968 this figure will go up to 7,409.

The acceptance of communities for the establishment, or for their involvement in the establishment of chronic care facilities, has been discouraging. They do not want to get into this area, not nearly as readily as they do to get into the provision of active treatment beds. But the shortage is not as great



as the hon. member appears to believe, Mr. Chairman.

Here we have the wrong utilization of many beds. Many patients, according to the information I receive, are in chronic care facilities who could be equally well, or probably in some cases, better accommodated in a domiciliary setting. Here again, the social bed is sometimes hard to get because we are largely dependent on private industry for this.

But more and more municipalities are taking advantage of the provisions under The Homes for the Aged Act or establishing rest homes, which are a type of domiciliary nursing facility. As they grow in number I feel quite sure that the present demand on chronic care facilities will be reduced.

**Mr. Trotter:** Mr. Chairman, if the Minister thinks we exaggerate the shortage of convalescent beds and argues that it is just a matter of revamping and probably reorganizing the hospital bed situation in Ontario, whether those beds be for general hospital care, convalescent or chronic, surely the responsibility, Mr. Chairman, is with the Minister to reorganize or to revamp the bed situation.

What I am complaining about and what many hundreds of people are complaining about is the increasing cost where there seems to be no control. The only possible place there is any control is first, as far as the bed situation is concerned with OHSC to whom the Minister is responsible, and secondly, of course, with the co-operation of the doctors.

It is important to have their co-operation because they are one of the main sources of controlling costs. But to just say the bed shortage is not nearly as bad as I think, all I can answer, Mr. Chairman, is that I hear so many complaints of people who cannot get into a hospital, particularly in the Toronto area, with which I am familiar, and they cannot get hospital bed care whether it be a general hospital, chronic or convalescent, or a nursing home, and I say a nursing home if it is a type that is under OHSC.

If they have money surely they can buy their way into a good nursing home. But the majority of people cannot afford the prices of the high class private nursing home. So inevitably the pressure is put upon the public purse and put on those hospitals that are covered by our schemes. Again, Mr. Chairman, it comes to a basic disorganization at the top and this is where the blame lies.

We can talk all we like about the need for chronic and convalescent hospitals, but unless we reorganize what we have, or build more, this situation is going to continue to get worse and worse, particularly in large centres like Toronto or Hamilton, or Ottawa, and particularly in Toronto where you have 1,000 new people coming into Metropolitan Toronto every week, not just from new births, but from immigrants that come into this city.

Indeed, it adds to the wealth of the city and adds to the wealth of the province, but certainly we cannot ask the average person to carry this cost in the form of regressive taxation that we have here, with the increase of premiums during the sitting of this House.

So I must say in conclusion, Mr. Chairman, that the Minister's answers to control of medical costs, the control of hospital costs, are utterly inadequate. His head is in the sand. He just refuses to act, to take the necessary action.

We are going to come back into this House next year, Mr. Chairman, and we are going to listen to the Provincial Treasurer tell us how the costs have gone up, and one way or another these costs are going to have to be subsidized, or again they are going to get into the prohibitive premium costs that we are already faced with at this time. It is a sad situation that our health care in this province is turning into the disorganized and costly state that it is in today.

**Mr. Chairman:** The member for Nipissing.

**Mr. R. S. Smith (Nipissing):** Mr. Chairman, earlier in the year during the Throne Speech, the government indicated that they would take steps to decrease the cost of drugs both to the general hospitals and to the public. Since that time the Minister has stated that they are continuing their negotiations to accomplish this. I find it hard to understand why they have to negotiate with the drug companies in order to call tenders as they do now under Ontario Hospital purchases. Why could you not go ahead with the general hospital purchases in the same method and the same plan you use for Ontario Hospital purchases? Perhaps at the same time the Minister could indicate just what his objectives are in these negotiations, and to what extent they have gone so far.

**Hon. Mr. Dymond:** The negotiations are still going forward, Mr. Chairman, and I know that this is not the time to discuss them because we have not reached the place where I am prepared to say what we have done yet. When you are in negotiation you wait until



the time becomes right to discuss what you have accomplished.

Now, why do we not call for tenders? We could do that, but we think we can achieve a more general reduction in all prices by negotiating the price of all drugs that are used. If we call for tenders then I am afraid we are going to face a great outcry, because it will be construed that we are seeking to establish a provincial formulary.

While this may be, and this is considered by some a good idea, by a great many others it is not, and I believe that I can understand this latter attitude. I want to be free if I am going to prescribe a drug, I want to be free to choose the drug which in my judgment is the drug that will do the most good.

Now, if we call for tenders for every named drug or every generic drug that is available, you, out of your experience, would know the mess we would be in. It would be hopelessly chaotic.

Then again, if we called for tenders I think very largely, we would have to set up an elaborate and somewhat expensive warehousing system. This we do not want to do. We want the industry to take responsibility for this and when the prices are negotiated they will be delivered as and when required. This, the industry has indicated, they are willing to discuss with us.

Not only are we concerned that the hospitals get the best possible prices, we are concerned that the lowest possible prices be available to every individual who has a prescription, or who has to have drugs on prescription. To that end, we believe that if we can negotiate prices on all drugs likely to be used, or the drugs of all manufacturers who are willing to go into the programme, then we have to do it on this basis.

Of course, there is an even more important feature about which we might tend to lose sight of, particularly when the emphasis appears to be all on costs. That is the matter of quality. There is no use us leading the people to believe they have got cheap drugs if the drugs are no good. You, yourself, I am quite sure, are aware that many low-cost drugs have come on the market, but they are absolutely no good at all. They go in at one end and come out at the other, and they have not done any good at all.

Now, this is not unusual, indeed this is one of the great difficulties with certain drugs and—

Interjection by an hon. member.

**Hon. Mr. Dymond:** I could retort. I will not, it might be unparliamentary.

But we are very much concerned about quality and we believe that in this system the quality can be controlled because one of the prime conditions is that no drug for which we will negotiate or seek to negotiate a price, or all drugs rather—I had better put it in a positive way—all drugs for which we seek to negotiate a price must have been approved by the food and drug director before we will consider them at all.

The therapeutics committee which has been set and which is working on the—at least the first list at the present time—have insisted upon this and with this we are in complete accord with them—that quality must be a prime consideration and must never be sacrificed even for a lower price.

**Mr. R. S. Smith:** Mr. Chairman, the Minister is aware that most of the drug companies today have a four price policy; one for the government bids and one for general hospitals; one for the retail pharmacy and another for some of the doctors who feel they have to supplement their meagre income by selling drugs. But I think he is indicating today that the government is using its buying powers—

**Mr. P. J. Yakabuski (Renfrew South):** You should know all about the racket in drugs.

**Mr. R. S. Smith:** Are you indicating that the government is going to use its buying power to negotiate a one-price policy at all levels?

**Hon. Mr. Dymond:** This is what we are thinking of at the present time. Mr. Chairman, I would ask that the hon. member not cross-examine too meticulously because I would point out we are in negotiation and I do not want to disturb a sensitive balance at this stage of the game. I do not want to reveal the aces that I might have up my sleeve because I am quite sure the industry are not going to show me any of the aces that they have got. I hope that I have got a full house.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, the Minister said a few moments ago that the University of Toronto was reassessing its position with regard to the teaching hospitals in this area and what their responsibilities in the future would be. I think it was during the past year that Sunnybrook was transferred from the federal

jurisdiction to the University of Toronto for the sum of \$1 and at that time it was announced, I believe by the Minister or someone in the department, it could have been someone in the university, that Sunnybrook was going to be changed to one of the major teaching hospitals in Ontario, comparable to or even ahead of, the Toronto General hospital.

There has been nothing further said about this and really, from everything I can gather, Sunnybrook is very much in limbo. It is surely waiting for a policy decision at the very highest level. I would think the Minister or the Premier of Ontario (Mr. Robarts) should decide how the funds for teaching hospitals are going to be suitably allocated. Unless we have a general plan that is going to advance the establishment and development of teaching hospitals in a reasonable way, there is a serious danger that funds will be wasted.

I wonder if the Minister could comment on the future of Sunnybrook and how he intends to most effectively and most efficiently use the funds that are available—and I would think that must be spent—with some decision left with the Minister of University Affairs (Mr. Davis), in this connection.

**Hon. Mr. Dymond:** Yes, Mr. Chairman, Sunnybrook belongs to the University of Toronto. It was turned over by The Department of Veterans' Affairs to the University of Toronto to be the university hospital.

Now since that time, some alterations have gone forward. I believe we asked you to approve and you did approve last year, a sum in excess of \$0.5 million, for the early alterations that had to be undertaken right away. Since that time, the university authorities have been making plans and I think they have been doing some rather extensive research and study—studies in respect of the feasibility of converting this to a teaching hospital.

The matter of the cost of maintaining or constructing university or university-affiliated hospitals, come within the purview, in the first instance, of the senior co-ordinating committee. This committee represents The Department of Health, The Department of University Affairs and the hospital services commission. This committee was set up to recommend expenditures that would be approved to draw upon the health resources fund, the federal health resources fund.

A proposal is put before the senior co-ordinating committee; they consider the plan

and make the recommendations on the basis of their information. If the facility is primarily university-oriented, then The Department of University Affairs takes responsibility, of course. It may not draw largely or all together on the health resources fund, on the other hand it might. If the facility is mainly hospital, then The Department of Health and the hospital services commission come to the conclusion.

On the basis of that, when we are satisfied that the facility applied for is needed, that it has been well planned, an estimate of the cost is arrived at and we seek approval of the federal government for a subscription or financial support—a grant—from the health resources fund.

We know that the health resources fund is not going to be nearly adequate but at least we are making good use of it so long as it lasts in the hope that it will be expanded when it is nearly all utilized. We are rather disappointed to hear this year that there is to be definite limitation put upon the expenditures under the federal share of the fund because we are already committed fairly substantially and we did commit ourselves on the basis of information given us by the former Minister of National Health and Defence.

She told us that while the amount of money was \$500 million for whole of Canada, and while it was to be spread over a 15-year period, that did not necessarily mean it would be divided into 15 equal parts. She assured us that when the money was needed for an approved project it would be available. During this year we expect to draw from this fund something of the order of \$29 million that will be matched by provincial funds.

**Mr. Nixon:** What is Ontario's share for the 15-year period?

**Hon. Mr. Dymond:** The \$25 million, off the top, went to a special Atlantic provinces fund, then all but—did we decide \$50 million in the end?—about \$170 million all together. They took \$25 million off for the Atlantic fund, then I think it was \$75 million that was to be set aside for national projects. May I cite, for instance, the school of hygiene here in Toronto or in Ontario; I think there are two schools of hygiene in the whole of Canada. So, the whole of Canada depends on those two for the training of their staff.

Therefore, they would be considered projects of national concern or national interest. The moneys for them would come out of this \$75 million. The rest was divided on a per



capita basis, and Ontario's share would be something of the order of \$170 million.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Chairman, there are a couple of points on this vote that I would like to bring up. Along with the member for Parkdale, I have been critical of the Minister over the years on many occasions but in the long run I think he is doing a great job—Cabinet job—but I do have a local problem, Mr. Chairman—

Interjections by hon. members.

**Mr. Sargent:** When I have a problem—there was a story about a doctor who had a patient who died and when the doctor was filling out the death report, where it says "cause of death" the doctor signed his own name. I hope the Minister will not be the cause of death of a hospital up our way.

But we have in the town of Chesley one of the finest small hospitals in Ontario; I think I sent the Minister a letter some while back that was pretty well to the point. This hospital has, I think, 22 beds and three doctors servicing 7,000 people and the Ontario hospital services commission have been threatening to close it over the years.

Every group in this area, service clubs, the chamber of commerce, the council—I have scores of letters urging me to approach the Minister for support in keeping this hospital open. We want to keep it the driving, dynamic force for help that it is, servicing this area.

A letter I received yesterday from a Dr. Divett I think brings into focus the problem facing us here and the inconsistency—it shows up the Ontario hospital services commission in its approach to hospital needs in our area. He says:

I am writing you to ask you to consider the following facts so that somebody could look more closely into the activities of the hospital planning division of the OHSC. Recently Chesley had a visit from Dr. Baldwin, who we think is an assistant to Dr. Lumsden—

Whom I know very well.

—of the OHSC. Besides repeating almost word for word the reasons why Chesley cannot expand their hospital facilities and have a new hospital, he also advised us of the new grand plan devised for this area. I must say that I am beginning to doubt

that these gentlemen could plan a one-course meal, but here are the facts:

This is from a doctor in our area, Chesley. He says:

You know it is not long since Walkerton and Durham completed their new hospital and Hanover is now in the process of planning a new 100-bed hospital after obtaining a go-ahead from the OHSC. Now it appears that the new plans which were made will be called off, cancelling the proposed new hospital in Hanover. In place of this, it is suggested that a new 200- or 300-bed unit be built between Hanover and Walkerton, which would be central to this area. Needless to say, when it was mentioned that if anything Chesley was the most central point, the answer was that Durham would find this too far. It will be too far to drive.

He goes on and finally says:

But it would still be 35 miles from Tara, not mentioning the rural areas that we serve.

And the Mennonites come into play here because they have their horse-drawn buggies. So we are serving 7,000 people and the place where you want to build it is 35 miles from our centre of Chesley.

When it was mentioned that Hanover had already bought land for the new hospital, the answer in effect was, "That is too bad."

I will not go into the planners' achievements too deeply but I will just mention their tri-county hospital in the middle of nowhere at Newbury. This hospital is struggling for 65 per cent occupancy and is yet to see a newborn in its maternity wing after three years. But why look for a profit in hospital operations when we can have a big central unit according to planners' ideals?

I will not mention the Palmerston hospital because I cannot stop laughing when I think of the achievement in planning here.

So it is becoming increasingly obvious that these gents are like little boys in a toy shop, and experiencing the same problems—which toy to pick up. Taxpayers' money is no object and the motto seems to be, "Keep them guessing." Let us be honest, we the taxpayers do pay a lot of money towards hospitals. So far these men have managed to build a lot of resentment and confusion in this area because of this



constant ebb and flow of new plans and ideas.

Please, Mr. Sargent, ask the Minister what is in their minds.

That pretty well sums up the lack of liaison between the different factions involved here. I just make this plea, Mr. Chairman, that somebody get together and let these people keep their hospital, because they need it badly and it serves that area. It is a real need in the Chesley area.

**Hon. Mr. Dymond:** Mr. Chairman, I had some knowledge of the Chesley problem a year or two ago. I thought it was all resolved but this new information to me and I can only undertake to tell the hon. member that I will discuss the whole matter again with the commission to find out where it stands currently. I am afraid, not expecting that it would come forward, I am not in a position to discuss it because I do not know just where it stands now.

**Mr. Ferrier:** Mr. Chairman, I have had 84 letters from people in my riding requesting that OMSIP be extended to cover chiropractors' services. I know that this has been debated fully in the private members' hour here early in the session and all three parties were in essential agreement that it should be covered. The hon. member for Durham suggested that it was a matter of priority and it could not be covered at this point. But I feel that there is a great deal of movement in this direction amongst the people of the province, if the experience I have had with my constituents is any indication, and I would hope that the hon. Minister and his department would give consideration to moving as quickly as possible in including chiropractors' services in the OMSIP plan. I wonder if he could give us any indication as to when this might be possible?

**Hon. Mr. Dymond:** Mr. Chairman, I have answered this question, I think on at least three occasions since this session began. I am sorry I cannot give the hon. member any indication as to when this state will come.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, I want to deal with this matter. The Minister said that he—

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, may I say with great respect, sir, that I just do not think this is a matter coming within the purview of my estimates. This may well be a proper subject for

the Budget debate, sir, but there is nothing in my estimates to cover chiropractic services or any further addition to the OMSIP programme than the ophthalmiatric services already announced.

**Mr. Gaunt:** Mr. Chairman, I was going to deal with the British Columbia plan, which is a comparable plan to the Ontario OMSIP. Surely that is relevant. British Columbia does include—

**Hon. Mr. Dymond:** I submit, sir, it is not relevant because there is nothing in my estimates to provide a dollar for these services. Therefore, I cannot see where there is any relevancy whatsoever. The programme has been determined by the government, we are putting it before this House for approval or rejection and there is nothing in the government's programme under these estimates for chiropractic services.

**Mr. Gaunt:** Mr. Chairman, that is just precisely the point; there is nothing in the programme and we are saying that there should be something in the programme.

**Hon. Mr. Dymond:** I am trying to point out that the government has decided it cannot afford to put anything in, and unfortunately the government has to originate money-spending bills or money-raising bills, and the government has advised me that there is no money for this programme.

**Mr. Chairman:** I would think, as the Minister has said, there is no area for any full or complete discussion of the merits of including any other paramedical service under these votes. It would seem to me at the same time that if any member wanted to direct brief questions to the Minister for answer it should not be completely out of order. I mean, if they ask the question, "Is it to be included?" I should think that the Minister could give a brief reply "no" or some such thing like that. But there is no area for complete discussion of chiropractors.

**Mr. Gaunt:** All right, Mr. Chairman, I will certainly abide by your ruling. I want to discuss for a moment another item, and this certainly is in order because it has to deal with the card which was sent by OMSIP, or at least it is a form which is given to the doctors by OMSIP to send in their claims. I notice on the back of this form something that is very interesting; it says "explanatory code for disallowance" and it has some 40 items on there dealing with the reasons why a claim cannot be paid. There is one—it is number 15

as a matter of fact—and it says, “Services not rendered by a legally qualified medical practitioner.” Apparently that makes reference to chiropractors, but it does not spell it out. I am wondering why it does not spell it out.

I notice in another place where it says, “These dental services are not covered by OMSIP,” it makes reference to a number of other things that are not covered by OMSIP. Yet an item obviously dealing with chiropractors says, “Services not rendered by a legally qualified medical practitioner.” Would it not be much simpler to say, “Services of chiropractor not covered.” Why is that type of thing put in?

**Hon. Mr. Dymond:** Mr. Chairman, there are other disciplines providing services which are considered health services, and yet they are not legally qualified medical practitioners as defined in the Act.

All dental services are not covered, only a stated 24 items, I believe, and these are spelled out in the regulations. Until July 1, optometric services are not covered; drug services are not covered; nor are osteopathic, chiropody, naturopathy, and a host of them; why would we spell out chiropractors? They are not the only other parahealth group in the field. Physiotherapy is not covered; occupational therapy; speech therapy; none of these are covered—a whole host of parahealth services.

This is, again I repeat, a second step in the development of the evolution of the government's health programme. It was essentially to cover physicians' services. Because of certain difficulties which arose, particularly in relation to the training of graduates in dentistry, we were persuaded that we ought to add a certain number of oral surgical procedures. This was done, and every one of them was spelled out and the conditions under which they would be considered as benefits. They had to be performed in the hospital. Now, other services are simply all lumped together under this item that the hon. member has mentioned.

**Mr. Gaunt:** Mr. Chairman, I hope that there is no discrimination involved here, and I certainly accept the hon. Minister's explanation.

I want to deal with another matter for a moment. It concerns a problem which I have discussed with the chairman of OHSC. I have discussed it with the Minister, and it has to do with the respiratory-inhalation hospital on Walmer Road. I happen to have

a constituent who had come down to this hospital; was treated there for some few months and apparently received a great deal of good from that particular form of treatment.

He had gone to all of the leading specialists in that field and without success. They told him, almost I think without exception, that his case was beyond them and he would just have to live with it. In desperation, he came down to this hospital and received a great deal of benefit from it. I believe that the department feels that this treatment is of a questionable nature. I understand, in talking with a number of officials, that a control study has been set up to determine the value of this treatment from a medical standpoint.

I am wondering how this study is coming along. I realize that if, in fact, OHSC covered this hospital, they would be actually endorsing the product and the treatment that is being used there, and I can see difficulties there if, in fact, this does not have a medical base from which to work, and this is rather obvious I feel. But, in view of what happened insofar as my constituent was concerned, I feel there must be cause to take a real serious look at this type of treatment.

Apparently the product used is a creosote-base product. The patients inhale this product and for some reason or other it seems to have a beneficial effect on the respiratory system.

I wonder if the Minister could tell me how the control study is coming along, and if, in fact, there has been any new evidence uncovered in relation to it which might support the commission, if in fact they do at some future date decide to cover this hospital for OHSC purposes?

**Hon. Mr. Dymond:** The study is still going forward, Mr. Chairman. I think a little of the background of the respirant hospital on Walmer Road needs to be repeated here in the House, although it has been brought to the attention of the hon. members on previous occasions.

An application was made about two and a half years ago for permission or licence to establish a private hospital to carry on a research study in this project. One of the conditions of granting of the licence was that it would not be supported in any way out of public funds. The financing was arranged by those who sought the licence.

When the two-year period came and the product was still not generally medically

accepted, then the benefactor of the project withdrew his support, as I understand it, and the facility was abandoned. However, as part of the research study, we ourselves, through one of our hospital schools, set up a small experimental study. It is still going forward. I have not seen any scientific papers yet published to outline the results of this, and until the product becomes medically accepted, then, of course, the hospital services commission cannot do anything about it.

If and when it becomes medically accepted, then it should go in the mainstream of medicine.

We have heard a great deal this afternoon about uncontrolled or uncontrollable costs. I submit to you, that if we were to approve of the establishment of a variety of specialty hospitals such as this would have been, then costs really would begin to escalate even more rapidly than they are now. Any treatment of this nature or an allied or comparable nature, belongs in the mainstream of medicine.

I have pointed out to the promoters of this respirant treatment, I have spoken to the medical advisory committee of the corporation, and have pointed out to them that if any one of them gets their hospitals to approve of the use of this product, there is no question about whether it is paid for or not.

If it is accepted by the medical profession as a useful treatment, then this is all that is necessary. Neither the hospital services commission nor The Department of Health, determines when a product is acceptable or otherwise. This is done after approval by the food and drug directorate which has considered this product for many years. When its value and its usefulness has been proven to the satisfaction of the medical profession who will use or prescribe it, then there is no question of it being covered under the hospital services insurance programme.

**Mr. Gaunt:** As a matter of clarification, Mr. Chairman, may I ask my friend if, in fact, the medical team which is dealing in this control study with this particular product, endorses it, will that mean that it has the acceptance of the medical profession?

**Hon. Mr. Dymond:** Not necessarily. That does not necessarily follow. There have been many therapeutic tools produced over the ages that have not been widely used. One can think of many that have been found very valuable in the hands of a few people, those who are particularly interested and have done a great deal of work on them. They have

found them particularly interesting and yet they have never been widely accepted.

All that those who are involved in the research project can do is set out their findings and give their views. Whether the medical profession at large determines to use it or not, must be left with them. It cannot be ordered or directed that it be used.

**Mr. Gaunt:** I am just wondering, Mr. Chairman, if, in fact, this product does not get the endorsement of the medical profession, but people who have been treated at some point in time and who feel they cannot afford to pay their own way in a hospital want to carry on with the treatment, what happens then? Can they, in fact, take this product and use it in their own home, or is there some limitation here as well?

**Hon. Mr. Dymond:** This is one of the questions for which we seek an answer. Do the patients need the lengthy hospital admission that appears to have been the rule up to the present time? There are those who have looked at this product and have had some knowledge of its use who say this is not necessary, that the patient can be treated at home, or in some other setting.

Whether this is so or not remains to be seen, and I hope is one of these questions that will be answered out of the research study going on at the present time. This is at present, I would emphasize, sir, very much a research project.

**Mr. Gaunt:** There is just one other matter with which I want to deal, and that concerns OMSIP. As many in the department, and certainly the Minister know, I have had quite a lot of problems with OMSIP during this past year. I do not know whether I am the exception rather than the rule in this regard, but I do know of several other members who have had much the same type of difficulty which I have encountered.

It seems to me that there is a lesson here. I know that OHSC is a very efficient operation. I can pick up the telephone and call someone down in OHSC, this morning, for instance, at 10 o'clock, and I can have the answer to my problem in less than two hours, in many cases. OMSIP is much better now since the new organization HIRB was formed, when 300 people from OMSIP and 300 from OHSC joined together to form a body which will presumably aid in the enrolment and dealing with problems, and matters of this nature. But it seems to me that had OMSIP gone to OHSC and said, "Look, you must have had the problem that we are having



now; what do we do about it?" then the difficulties which have arisen would not have been nearly so acute.

I had a number of problems which I took up with OMSIP, in relation to people who were being charged and they had no taxable income. In some cases, the doctors' bills were being returned and there was no explanation. Those difficulties, surely, could have been worked out much quicker had the OMSIP not become so bogged down with the system's approach.

It seems to me that OHSC must have had this problem in the initial stages but they resolved it, obviously, because they are a very efficient operation. It seems good sense to me, at any rate, that OMSIP, the people in the higher echelons of the organization, should have said, "look we are having a problem, we are getting bogged down, we cannot cope with this, we must devise a more effective and efficient system." I am wondering if, in fact, this was ever done; if there were any consultations with the OHSC people insofar as the OMSIP officials were concerned.

**Hon. Mr. Dymond:** The remarks the hon. member has made are very interesting and I have to say with some degree of sympathy that he was unfortunately, or fortunately, an exception rather than the rule. All of us have had problems, but it seems to me over the past winter, my hon. friend has had more than his share of problems. I would have to add in absolute fairness, that he has looked after them meticulously and probably this is why his people do turn to him. I think this is all to his credit, although they must have been on occasion annoying to him and very definitely frustrating.

As to the two programmes—I must admit that at times I have thought in exactly similar terms as my hon. friend. OHSC have got long experience. It must have been the same kind of an idea. But then I go back in years, because I launched OHSC as well as OMSIP. The groundwork was laid, but I launched the programme a couple of weeks after I became Minister, and I remember the hopeless attitude that I developed during the first two years of OHSC. The problems that we had then were just as great—indeed they were greater because of the much greater numbers who were involved.

But the problem now is still different. With OHSC, we are dealing with some 200 hospitals, 225 hospitals. So at the most, if they got one claim a month from each hospital, it is 225 claims. OMSIP, in April, dealt with

535,000 claims. Now this in itself is a staggering difference.

We have just gone over this again in one of our routine revisions and reviews of the operation to see what improvements we are making. We are able to make improvements and we find that the number of enquiries, and these include enquiries for information as well as complaints, are fewer than 1 per cent. For instance, since HIRB was developed, which is the interphase between the public and government, for enrolment purposes in both programmes, they may receive an average of 2,500 enquiries a week on behalf of OMSIP; but they receive an average of 5,000 enquiries per week in respect of OHSC. I have to say that I have looked at this again and asked them if they got their figures transposed.

One other thing that I think we have to bear in mind—and somebody spoke about it, I believe it was the hon. member for High Park—is the great efficiency of PSI. I went through the early days of PSI too, as a practitioner then, and I can remember all of the problems we had with them. But I would also ask the hon. members to consider that it took PSI 18 years to get up to the number of enrollees that we had after a year and a half.

We took on a tremendously large task and while I am not happy with the way it has gone, I would have liked to see it go much more smoothly; I was led to believe when we got involved in a very costly and sophisticated automated system that all of the answers were ready made. I would like, someday, to sit down with these people and tell them what I think of their highly sophisticated automated system. If I had it to do over again, I would start with a manual system and work into the automated system, the way the other companies did; but they did not have available to them the sophisticated equipment that we did.

Now they are going into it and I predict that they are going to have problems, just as we have had and probably we will be able to tell them how we have tried to overcome ours. The system is smoothing out. I am quite certain that if we could have worked gradually into the system, if we could have phased in over a longer period of time than we did, we would not have had the problems.

I am quite convinced in my own mind that we undertook too ambitious a programme, that we put too rigid a time limit on ourselves, that we should have had at least a year. Those of you who were in the House

prior to 1959 will recall that we gave ourselves two years to phase in to OHSC. And in spite of that we had a great many problems, as members who have been here for that length of time will recall.

Letters were piled on my desk every morning in those days, and the department was not the responsible body then. OHSC was the responsible body, and as I recall it, I think that there were just as many complaints, or comparably just as many complaints and the questions about OHSC as there have been about OMSIP.

I can say to you that my hon. friend from Sudbury—I think that he referred to it as a chaotic nightmare. Was it, I cannot remember?

**Mr. Sopha:** Well, it was pretty bad, pretty bad!

**Hon. Mr. Dymond:** I agree with the hon. member that it has been pretty tough at times. But I am also in a position to tell you that there is a very marked improvement, and the system is smoothing out. We are well settled now, and the operation will go more smoothly. Our problems have been aggravated in some degree but the fact that we have had to move and expand our operation—we went into one building; we thought it would be big enough, we found it was not.

We moved into two other buildings and then we moved into another building and we have now consolidated. We are now in the process of consolidating on Yonge Street and Overlea Boulevard so I hope that with this consolidation, instead of the scattering of our activities, we will be able to run a better show and a more smoothly functioning show.

**Mr. Chairman:** The member for Essex South. The member for Huron-Bruce?

**Mr. Gaunt:** I have just one more point to make in connection with this, Mr. Chairman. I would acknowledge that the problems are getting fewer and fewer and the ones that I encounter are being dealt with in a very expeditious manner compared to a few months ago. The one thing that I am wondering about is this total taxable income. I know that last year, a lot of problems which I had were the result of people filling in that part of the application form in error. They got confused with the nomenclature I guess, the total taxable income.

Instead of putting that figure in, they put their total income in, instead of being charged a partial rate, or in some cases no rate at all,

they were charged the full rate, simply because they had made a mistake in filling in that part of the form.

I am wondering, first of all, sir, if the department should not give consideration to changing the wording on the form from total taxable to simply taxable income, which would perhaps be more easily understandable as far as the average man in the street is concerned? The other point that I am wondering about is that these forms will be going out within the next week or so, asking for the taxable income of OMSIP subscribers for the previous year, that is to say 1967. That will determine their premium rate from July 1, 1968, to July 1, 1969.

Now, in order to make sure that there is a minimum of error in this whole operation, I am wondering if the department is going to send a letter of explanation along with this form so that we will have a minimum number of errors in filling this very essential piece of information out, insofar as these forms are concerned.

**Hon. Mr. Dymond:** This has been a very grave difficulty and our people have thought of every possible way of wording it so that it will be more clear. I am told, however, that the form is now being changed, and just what the wording is going to be, I do not know first hand. But it has been changed, and we are finding fewer complaints in this regard because I think that our people are getting more familiar with it. I can assure you that if you can give us suggestions on wording that will be more readily understood, we will be happy to receive them and give them consideration, because we have tried this one in every way that we possibly could.

I know when I look at it myself I can immediately visualize many people putting down their whole income as you have had the misfortune of finding in quite a number of your problems. They were completely honest mistakes, not even careless. It was simply that they did not understand what was meant. Taxable income is, in the minds of many people whose incomes are not apparently very large, their full income, and how we separate this out, I do not know. I am hopeful that the new form—and again I cannot tell you the wording—will give us some improvement in this regard.

**Mr. Chairman:** The member for Essex South.

**Mr. D. A. Paterson (Essex South):** Thank you, Mr. Chairman. I would like to relate



two questions to the hon. Minister, one in relation to the Windsor medical services. As the Minister stated, a very high percentage of the people in Essex county avail themselves of this service, and from time to time as a member I am asked by constituents which plan they should join. "Should I switch from Windsor medical to OMSIP or retain that which I have?"

Now, the cost of OMSIP runs in some cases up to ten per cent higher, and I assume that this plan possibly offers certain benefits that the Windsor medical does not. I realize that part of the difference in the cost is the relation to what the doctors' receive in remuneration in these benefits. But I would ask if the hon. Minister could relate to me the benefits that he would feel are more advantageous to the OMSIP plan versus Windsor medical, and those in the reverse. If this is not possible, then possibly someone in the department could relate those to me at a later date.

The second point that I would like to raise is in relation to this insipid little card, the certificate that was issued to me for my hospital insurance number. In the past five years, I have had a great number of mix-ups in this department drawn to my attention, and also in welfare cases and so forth. People just do not seem to be able to find their cards. I wonder if it would not be practical for the department, either through this section or under the health insurance registration board, to send out periodically, possibly every two years, a reminder card that this is your number and keep this number on file. I think that this might be a worthwhile suggestion, and I would like the Minister's comments in this regard.

**Hon. Mr. Dymond:** Mr. Chairman, I do not know if we have thought of this, but it certainly is something worth thinking about. I am sorry that I cannot compare the two programmes. We have this information in our library and I can get that comparative analysis of the two plans for the hon. member and let him have them. Unfortunately I do not have them here.

**Mr. Paterson:** That would be satisfactory.

**Mr. Chairman:** The member for Essex-Kent.

**Mr. R. F. Ruston (Essex-Kent):** Mr. Chairman, with regard to one item, it is the doctor's, do we have the percentage of doctors who are charging—I believe that this is known to some extent that are accepting 90

per cent as payment in full—or do we know how many subscribers to OMSIP are being billed that additional amount?

The reason I ask this, of course, is that doctors in most cases accept in the case of Windsor medical, anywhere from 70 per cent to 90 per cent of the Ontario medical association rates, and with regard to PSI, I believe that it is 95 per cent.

I am just wondering if you have any figures, and if you have had any complaints, or any correspondence from subscribers to OMSIP as to bills that they are getting from doctors for the balance of the 10 per cent? That is one question.

**Hon. Mr. Dymond:** Mr. Chairman, I have not got reliable information. I do not get many complaints, but there is really no reason why the subscriber should advise us. Some of them do, but the number is really not significant enough to come to any conclusion. Nor would I have any idea of the reliability of the statistics because it may be a very large percentage, it may be a very small percentage. My own belief is that the majority of physicians who bill us directly accept the 90 per cent fee as the total.

**Mr. Ruston:** With regard to OMSIP and the ones who have taxable income and have to pay the full amount. I took from the statement that you made, that the rates that you have for OMSIP do cover costs of the operation to the people outside of the ones on welfare and so forth. In other words, the ones that are paying a complete premium. Do you feel that the premium rate you charge now does pay OMSIP in full without any subsidy from the government?

**Mr. Dymond:** Yes, this is actuarially sound and is based on a two-year estimate. The \$37 million subsidy is based on a two-year figure so that there will be some stability. But the cost or the premium charged, the total pay subscribed is, we are assured, actuarially sound.

**Mr. Ruston:** Pardon me, Mr. Chairman, I have a couple more here. I was just wondering, Mr. Chairman, with regard to the amount of problems that you have had in registration and so forth of people for OMSIP, has the department ever given any consideration to having areas set up, offices set up or some liaison maybe through agriculture offices, where people could go and have the forms filled out properly? It might save an awful lot of trouble later on.



**Hon. Mr. Dymond:** Yes, Mr. Chairman, we thought that. We have ten regional offices through the province. We utilize the regional offices where a region is set up by the OHSC. However, again, having in mind the cost of administration has dictated our course of action in many cases.

Of course, the most recent aid we have acquired to help us in this matter of assisting the public has been the mobile van which has travelled across the province two or three times already. This has been a great help. The practice in the first instance of putting our cards in banks, I think was a good idea, and it has been very amazing and satisfying to know how many bank employees help people. Then I think the hon. member himself will know through his own organization—counterparts of which are scattered all across the province—that there has been a tremendous amount of help rendered.

The medical co-ops of the counties—while some of them have pointed it out to me with some chagrin—yet I think they have been very proud to render a great assistance to people in helping them make out their forms, get to the bottom of difficulties, help them solve problems. All of these various groups and agencies, I think it can best be said, have performed a splendid public service in helping launch this programme.

I am still of two minds whether we should extend our field offices. The hon. member for Sudbury, I believe it was, mentioned that we should have a firm of consultants go over OHSC. One of the things that that firm of consultants suggested, which we did not implement, was that we should close up our field offices. We gave very careful consideration to this and it was with some reluctance that I decided that we should not follow that or implement that recommendation. I am glad now that we did retain the field offices because the pendulum seems to have swung as far in the other direction and we are having many representations made to us to extend them.

Indeed, I had a meeting with representatives of some of the co-ops just a little while ago who are going to put a proposal before us for our consideration. They believe that they can help us still further in this way. We have ten district offices, three resident representatives and two head offices, of course.

**Mr. Chairman:** The member for Brantford.

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, I have a few points I would like cleared up.

In view of the potential savings in hospital care that are possible through the establishment of group practices, is the hon. Minister considering any more action in Ontario towards this end, outside of what has been done with the contribution to the St. Catharines group centre?

**Hon. Mr. Dymond:** Mr. Chairman, I think the hon. member will appreciate that when we have just approved support of a research project we had better find out what the research brings us. There have been many reports on group practices. One reached my desk this morning. I have not had a chance to do more than open it and leaf through it, and this is a very comprehensive and far-reaching report on group practice. But we have never yet been able to determine that the studies have been wholly objective or that the group practices are not quite selective.

It is very easy to say that hospital utilization has been reduced by a very large percentage, but if you are going to select your clientele and only cater to a young healthy group, of course you are going to present better statistics. Until we can see the results of a programme that covers an adequate cross section or representative cross section of the population, I think it is very difficult to come to conclusions. This is our view not only here in Ontario; the same objections have been raised by every jurisdiction, I think, that has dealt with that, except those who are persuaded and enthusiastically in favour of group practice.

I believe there are many features about group practice that are good. Even if it did not save money I think the adoption of the drug spectrum of health services is worth a great deal and probably worth more than any economies that might flow from group practices. We have supported, or undertaken to support, this project, and out of it we expect that we will get a more objective view of this kind of practice of medicine than ever we have had before.

In addition to this, there is a two-research project presently being carried out by OHSC and the school of hygiene here in Toronto, in relation to the group practice being carried on at Sault Ste. Marie. This Soo project has been in operation now for a longer period of time, and perhaps their experiences will be more valid. The project has been under way for about a year. It started just after our last estimates. I would hope that by another year we will have some reports on it.

**Mr. Makarchuk:** Mr. Chairman, the Minister said earlier that they carried out some cost profiles on hospitals. Does the department carry out any cost profiles on physicians, particularly the number of operations done or surgery done on patients—as an example, patients who have insurance and patients who do not have insurance? What is the ratio? Is the ratio about equal between the two groups or is there a difference between these two groups?

**Hon. Mr. Dymond:** We do try to establish these profiles, of course, but we have not been in operation long enough yet. I think it is considered that you have to have an operation underway for about three years before you can establish valid statistics. We will be able to have statistics on all of those that come to us, and I think out of a third of the population we should be able to present a fairly reasonable and realistic profile of what goes on in respect of medical practice.

**Mr. Makarchuk:** Mr. Chairman, a couple of more points. I understand that patients—particularly, welfare patients who are covered by OMSIP—go into a hospital, into the emergency, and they receive treatment. Does the hospital bill OMSIP for payment for this patient? If it does, where does this money go? Does it go to the hospital into some form of consolidated fund or does it go to some of the staff physicians in the hospital?

**Hon. Mr. Dymond:** Mr. Chairman, we cannot, under our Act, pay anybody but a doctor or a doctor's agent—a nominated agent for the doctor—for medical services. We do not pay hospitals for providing medical services.

**Mr. Makarchuk:** Mr. Chairman, in that case what it really means is that you have staff doctors in hospitals who are getting money for OMSIP for work they did not do, because this work in most cases is done by interns or else residents in hospitals. It is against any particular principle that I know where you pay an individual for something he did not do. Mr. Chairman, I have another question for—

**Hon. Mr. Dymond:** Mr. Chairman, I just want to answer that before this is missed because we have no proof of this. We have heard this on many occasions and each time we hear it we investigate it. If the hon. member has specific proof of this let him give it to us and we will investigate it. An intern is undergoing an educational process. Any work that he does under the supervision of an instructor or a staff man is charged for

by the staff man because he takes the responsibility, he devotes the time to that patient. The intern, or the resident, is allowed to do the work under that supervision as part of his education and this is accepted as good medical practice. The staff man bills us for it. Of course he gets the fee, and in my view he has the right to the fee.

**Mr. Makarchuk:** Mr. Chairman, the staff man does not see the patient; he does not do anything to the patient; he could not care less about the patient.

**Hon. Mr. Dymond:** Mr. Chairman, if the hon. member can bring us specific instances of this we will investigate it because this is a very serious matter and we want to be sure that it is not being done. If he can prove this or if he can give us the information that will let us prove it, then we want to know about it.

**Mr. Makarchuk:** Very well, Mr. Chairman, I will dig up that information.

The other problem deals with the Ontario hospital services commission. What is the policy regarding patients who have to have operations in the United States? In other words, the physician tells the patient that the only place they can have an operation is in the United States; this particular treatment is not available in Ontario.

The patient goes to the United States and when he gets there he is told by Ontario hospital services commission that they will only pay 75 per cent of the hospital cost. Could the Minister just elaborate on this or explain just what is the principle; why does OHSC not pay the full cost or the full 100 per cent?

**Hon. Mr. Dymond:** Mr. Chairman, this is an Ontario plan for Ontario people for services provided in Ontario. If the service cannot be provided in Ontario then there is a policy—I am not sure that it is up to date; we will get it. But I can say this to you, that I know of very few operations which cannot be performed in Ontario or in Canada today.

Indeed I can recount many patients who come to Ontario and come to Canadian hospitals for treatment which they claim they cannot get anywhere else. This is fashionable in some quarters and if in the view of the doctor the service cannot be provided anywhere but in the United States or some foreign hospital, and if he justifies this, it will be dealt with according to the policy of the commission.



In general, if one is outside the country and is taken ill and needs hospital services, this is paid for at the rate of 75 per cent of the cost, or the equivalent of what would be paid for a similar service in Ontario, whichever is the lower. If it is an emergency, we pay 100 per cent, or if the service is not available in Ontario or Canada; so the 75 per cent does not obtain if the doctor says and can prove that the service is not available in Ontario or in Canada.

**Mr. Makarchuk:** Mr. Chairman, earlier in the month I asked a question of the Minister and he said that his department was not aware of the particular operations that are being carried on in Ontario teaching hospitals. Is it the policy of the OHSC to advise patients that certain operations are available in Canada and, too, if the decision of the patient's doctor is that the only place he or she can get the operation is at some particular clinic in the United States, can this be reversed by some doctor working within OHSC who will hear about a particular type of surgery? Can he make an analysis of the patient's condition from a letter and then decide that the patient can have this particular operation in Ontario?

**Hon. Mr. Dymond:** The OHSC does not decide that, Mr. Chairman, and they should not decide that. This is a matter between the patient and the doctor. If the doctor tells a patient that this operation is only available to you in the United States then the doctor has to justify this to OHSC. If agreement is reached, of course, the cost will be paid at the rate charged, but many patients have been told that this can be done at such and such a clinic in the United States and they, of their own volition or of their own desire, or their own preference, choose to go there. If that be the case then OHSC will pay for it on an elective basis at 75 per cent of the cost or the equivalent of the rate in Ontario, whichever is the lesser.

**Mr. Makarchuk:** I have a particular case on this and I will bring it to the hon. Minister's attention later on.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, I would like to start off with vote 807 and ask why a 25 per cent increase on the medical services insurance division branch administration costs shows when with the involvement of HIRB, should the costs not be coming down?

**Hon. Mr. Dymond:** I think the volume of work has greatly increased. The claims section, which is the biggest section now of OMSIP, is very greatly enlarged because, as I just stated, the claims are over 500,000 a month and each one of those claims is to be processed.

**Mrs. M. Renwick:** Pardon?

**Hon. Mr. Dymond:** Claims received in April, 1967, were \$361,942. In April, 1968—\$546,814. The staff in 1967 was 245 and in 1968 the claims staff was 477, so that I would have anticipated the costs would have been more than 25 per cent increased.

**Mrs. M. Renwick:** Thank you, Mr. Chairman. Two of the items—items 2 and 3—went down so that was the purpose of my question. I wanted to know what sent item 1 up.

Moving to the payments, it would appear that payments have gone down. Surely there must be some explanation for estimating \$47,500 last year and \$37,000 this year when the estimated actual payments for 1967-1968 were \$25,000. Does this indicate a slow-up in the rate of payment—a back-log in the rate of payments?

**Hon. Mr. Dymond:** Mr. Chairman, May I attract the hon. member's attention—millions, not thousands.

**Mrs. M. Renwick:** I am sorry, that is right. Thank you, Mr. Chairman; \$47.5 million and \$37 million, and \$25 million in payments.

**Hon. Mr. Dymond:** \$47.5 million was not all spent because we were estimating, Mr. Chairman, we had no experience by which to go. Now we have an experience by which to go and we anticipate that our budget will be far more accurate this year than it was last year.

**Mrs. M. Renwick:** Mr. Chairman, I can certainly understand that. Would you comment on the estimated actual payments being \$25 million, from the budgetary figures, of \$47.5 million? Does this indicate that there is still this much to be paid out, or is there a slow-up in the rate of payments?

**Hon. Mr. Dymond:** Oh, no. Mr. Chairman, those actual payments of the public accounts, that is 1966, would have nothing to do—there would have been a tremendous increase in enrolment since that time—that would have little relationship to the \$37 million that we are asking for this year. I have such a technical explanation here that I am afraid I am not able to relate it. This is



based on a cash flow. I can only say again that the figures we have estimated this year, we hope, will be much more accurate because of the experience we have got from actual claims, whereas when the previous estimates were submitted to the House we had no such experience to guide us.

**Mrs. M. Renwick:** There are payments then after that period? We just have an estimated actual figure of \$25 million for 1967-1968 which the Minister says is for 1966; is there not an actual figure for 1967?

**Hon. Mr. Dymond:** Mr. Chairman, my report is not ready yet.

**Mrs. M. Renwick:** Could I go then, Mr. Chairman, to a simple question on billing? When the doctor bills direct to OMSIP, does the patient receive a notice of what was paid on his behalf?

**Hon. Mr. Dymond:** Not from OMSIP, Mr. Chairman.

**Mrs. M. Renwick:** Operating under the London Life plan, by which some of the members of this House are covered, there is a billing directly to the patient. Does it not seem good business for OMSIP, Mr. Chairman, to indicate to the patient what has been paid on his behalf and for what services and how many visits?

**Hon. Mr. Dymond:** Mr. Chairman, I think I should point out, as I am sure the hon. member realizes, that the two plans are quite different. London Life is an indemnity plan, OMSIP is a service plan. I just remind you again, sir, that it cost us 535,000 claims last month, and an extra stamp for each one of those soon adds a very great burden to our administration bill. I do not feel that I can justify that expenditure.

The patient has a right to ask for and according to the ethics of the medical profession the doctor is under a duty to give the patient a receipt if he asks for it. The transaction is between the patient and the doctor. We are only the third party who carries insurance that helps to pay the bill.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister—it may be a rather naive question from a new member in the assembly—but does it not seem possible that a doctor then could be billing OMSIP totally unknown to the patient for additional visits which the patient has not in fact incurred, without the patient's knowledge that this

money would be being paid to the doctor on his behalf?

**Hon. Mr. Dymond:** Mr. Chairman, that is not a naive question, it is quite a searching question and one that gives us a great deal of trouble. We instituted some months ago a programme of random sampling.

We cannot check every claim but we spot-check here and there and so far, while we have evidence of apparent over-use—and it is difficult to say whether it is over-use or over-service—we have found no evidence of fraudulent dealings.

I can assure you that this is very much frowned on by the college of physicians and surgeons and any physician caught in this is very, very severely dealt with. Besides the fact is that if we were to find it, we have no choice but to turn it over to the Attorney General (Mr. Wishart); this is government policy and I must abide by that.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask then, in the spotchecking that is done, the exact system that is being used; is it a foolproof type of spotchecking?

**Hon. Mr. Dymond:** No, I think I would be wrong if I suggested it is foolproof. It is a procedure commonly followed, but it is not by any means foolproof. Other service plans which carry on this same kind of procedure have found that they have not been able to devise any foolproof check.

I do not think there is any foolproof check short of—well, I was going to say short of advising the patient of every service for which we are charging. But even that might not necessarily be foolproof because sometimes the memory is short and patients will forget how many services they got, particularly if they have been going to the doctor frequently; they might well forget how many services they got. I cannot think of any absolutely foolproof method. We did at one time think of—not the credit card, but the oil companies use it where you write out a card every time you get your tank filled with gasoline. We thought of that system.

It is a very costly system and here again we are faced with the decision whether it is justifiable to increase the cost of administration very markedly or depend upon the spotcheck. In the process, we check every claim against all previous claims that have been paid as a further check, but again I would have to point out to you, that none of these things is absolutely foolproof.

**Mrs. M. Renwick:** Might I ask then, Mr. Chairman, of the Minister, the type of procedure that is done by his department for this check, this spotchecking, the type of procedure which he says is a familiar one in other plans. I am not familiar with what other plans do, Mr. Chairman, and I would like to know what is done in the way of spot-checking from the department.

**Hon. Mr. Dymond:** As the claims are going through the machine, every certain card is thrown out by design, I presume. Somebody picks a card out every here and there as they are going through the machine and then a form letter is sent to that person whose name is on that claim card. "We have paid on your behalf to Dr. so-and-so a certain sum of money for services rendered on such-and-such dates."

Actually, it is aimed at pointing out our concern for the patient, that the patient got good service. In this way we think we can elicit better responses and we have; we have a very large number of responses; 75 per cent have returned them. Here again, it is worth noting that even with the most fool-proof system that you can devise only a certain number of people will respond. Seventy-five per cent, however, have done so. And again I repeat we have no evidence of wrong charging or overcharging. We have had cases where we felt it might have been either over-use or over-service, and it is hard to determine which.

**Mrs. M. Renwick:** Mr. Chairman, might I ask the Minister, was that all the card said or does the card say, "please contact the department if this is not accurate information"?

**Hon. Mr. Dymond:** This is why the letter is sent out; we ask them to return the letter to us, and 75 per cent of them have done so. Then, of course, in the meantime, we are establishing a profile for every practitioner. We know the pattern of his practice and out of all the information we have, we are devising provincial profiles, so that we get the pattern of practice throughout the province. If certain practitioners are obviously out of keeping with the provincial pattern then we know it immediately; it shows up very rapidly.

Special attention will be paid to that particular practitioner or those particular practitioners. Perhaps I should not be telling this; now they will know what we do.

**Mrs. M. Renwick:** Not to belabour it too long, but just one final question: Am I to assume then, Mr. Chairman, that if the letter is asked to be returned that also any corrections of this information are asked to be noted by the patient?

**Hon. Mr. Dymond:** Oh yes, absolutely.

**Mrs. M. Renwick:** May I go on then, Mr. Chairman, to ask the Minister what is being done at the present time by the Minister's department in light of the pilot project of the eight Toronto hospitals which found they could save, it is reported, 20 per cent of drug costs by bulk buying. My understanding is that the costs were cut by \$150,000 this year on eight commonly-used drugs by the eight hospitals involved in the bulk buying; drugs which cost them last year \$800,000, in the hope that this could be the first step in cutting hospital costs from as much as \$2 to \$3 million a year, that the saving could show up in lowering the hospital insurance premiums. What steps, if any, will be taken by the Ontario government to expand the collective drug-buying to all Ontario hospitals?

**Hon. Mr. Dymond:** Mr. Chairman, this of course is the basis for our programme of negotiating for lower drug prices for all hospitals—not only for all hospitals, but as I stated earlier, it would extend to all those who had to buy prescription drugs. We not only expect to get the advantage of reduced prices that can flow from our negotiations by mass purchasing, but we hope that this will reach the retail level. We intend to try, and we have agreement in principle on this, to have this reach the retail level, so that the individual consumer can also gain the price advantages that flow from this mass purchasing through negotiated prices.

**Mrs. M. Renwick:** Mr. Chairman, would the Minister comment on the disturbing front page story in the *Toronto Daily Star*, April 19, 1968, by the *Star* staff writer, Frank Jones, referring to a confidential report prepared jointly by the provinces and the federal government—probably at a federal-provincial conference or conferences last fall, but never released to the public—showing that the Ontario public is spending \$367 million a year on medical insurance premiums and doctors' bills and that the whole medical care scheme as proposed by the federal government would cost \$350 million a year, for this province, and the so-called gentleman's agreement between the two levels of government that Ottawa would not



use such figures to pressure the government into joining the federal medical health scheme.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. Prime Minister answered this very question in the House. When this came to us, it came to us through the newspapers. We searched our files, and none of us have any recollection of such a report. We could not find one. We contacted the Ottawa authorities; they told us there was no such report. Therefore we have to simply state, sir, we know of no such report either here or in Ottawa.

**Mrs. M. Renwick:** Mr. Chairman. I would like to ask the Minister, is the word "report" in that newspaper article misleading? The figures referred to here as a report, are they not the product of the joint federal and provincial meeting set up after the announcement by the federal government to institute a medical health scheme, and had this province entered the medical health scheme, it would have cut the cost of medical insurance premiums and doctors' bills in our province by \$16 million? Is that not shown from the preliminary joint meeting, similar to the preliminary joint meetings when the discussion of the Ontario hospital services commission plan was to be instituted?

**Hon. Mr. Dymond:** I can only answer this, "No," Mr. Chairman. I sat in on all of the discussions, at least at the Ministerial level, and at no time, I can assure you, were these figures mentioned, or any such figures mentioned. On one occasion I heard the great diversity of figures mentioned and we gave our views as being on a par with the views expressed by the then Minister of Finance, the hon. Mitchell Sharp. But apart from that, I know of no such meeting at any time at the Ministerial level when these figures reported in this newspaper article were mentioned. I have asked my Deputy Minister, who took a very prominent part in the discussions at the technical level, and he knows of no occasion when these figures were mentioned at all.

**Mrs. M. Renwick:** Thank you, Mr. Chairman. I believe that you can understand that what prompted me to ask this was the list, from one end of our country to the other, of the cost without medical care and the cost with medical care to each of the provinces, also mentioned in the Peterborough *Examiner*, April 10, 1968, by Mr. Ken Kelly, Canadian press staff writer.

I would like to move now to a prepared statement on vote 809. Since its inception in

1959, the operating cost of services provided by the Ontario hospital services commission has increased by \$309.2 million, from \$163.2 million—

**Mr. Chairman:** May I interrupt the member to ask her to indicate whether this is her own prepared statement, or is she referring to someone else's prepared statement?

**Mrs. M. Renwick:** This is a statement of the New Democratic Party, Mr. Chairman, with several questions in it, presenting our view on the Ontario hospital services commission.

**Mr. Chairman:** Carry on.

**Mrs. M. Renwick:** To go back, just to make certain that my figures are—

**Mr. L. M. Reilly (Eglinton):** Mr. Chairman, on a point of order, was it not agreed by the members of the House that we would have a lead-off speaker from each of the parties, and after that statement we would go into the estimates? Is this an additional statement, and is this in order?

**Mr. Chairman:** I was waiting to see what the member was going to say, and if it was just a complete rehash of what has been said, I was going to rule it out of order. I think it would be inappropriate to proceed with a complete policy statement of the New Democratic Party at this time on this particular subject.

**Mrs. M. Renwick:** Mr. Chairman, this statement pertains particularly to the Ontario hospital services commission, with a couple of questions which were duplicated from members in our caucus. I have scrapped those, and I believe the other duplications have been scrapped. This particular presentation is not a lengthy one, it is a combination of questions and comments on the Ontario hospital services commission.

**Mr. Chairman:** I think the member might proceed and ask questions and make remarks generally.

**Mrs. M. Renwick:** Thank you, Mr. Chairman.

We are told the cost forecast for 1968 is \$582.3 million. In 1959, the average cost to the commission for each day of insured hospital care was \$16.16. The daily cost in 1967 was \$32.81. In 1968 it is expected to average \$37.35. By 1970 the cost will be over \$46 a day. This average *per diem* rate has



already been reached in Metro. These increased costs are being felt not by the commission, not by the provincial government, but by the people who pay monthly premiums. The new \$11 per month family rate means that for hospitalization alone, the head of a family must pay \$132 per year. Add medical insurance to this and you have an annual payment of \$309. Quite a piece of the average wage earner's yearly salary.

**Mr. Chairman:** Order, please. It seems to me that this statement is given up to a complete statement of the policy of the New Democratic Party and is not specifically relevant to the votes before us. I would think there are questions within the statement that relate to the votes, and that the member could direct those questions for clarification. I do not think it would be proper to read this entire statement into the record at this time, in view of the nature of the contents as revealed at this moment.

**Mrs. M. Renwick:** All right, Mr. Chairman, thank you.

As it is felt, Mr. Chairman, that a person with no taxable income, or a family with an income under \$4,000 a year, is not able to afford the full OMSIP premium, it is just as logical, is it not, that premium assistance should be given for Ontario hospital services commission premiums—especially now that they are going up to \$11 per month per family. What does the government plan to do to assist such families?

**Mr. Chairman:** Is this a specific question to the Minister?

**Mrs. M. Renwick:** A specific question.

**Hon. Mr. Dymond:** Mr. Chairman, I answered that question a little while ago. Someone else asked exactly the same question. We considered this very carefully and researched it, studied it. We found that to subsidize OHSC contract holders on the same basis as we did OMSIP, it would cost \$33 million and some more from the provincial Treasury. In view of the fact that everyone is subsidized for hospital services care insurance, it was decided—apart from the fact that I could not get that amount of money—to leave the premium in the same way as it presently was. For that reason, the policy as adopted for OMSIP was not applied to OHSC.

**Mrs. M. Renwick:** Mr. Chairman, in a speech on October 24, 1967, to the OHA, the hon. Minister predicted that the cost for

the Ontario hospitalization plan will increase to \$1 billion by 1971. If this was not used as a scare figure, and if reappraisal of the government policy on financing the plan is not undertaken, does this not mean then that premiums will increase again?

**Hon. Mr. Dymond:** Mr. Chairman, I cannot predict what will happen, or how this will be paid, or what the government in future will determine will be the method of payment, but I can assure you, sir, this was no scare statement. This is the projected cost given to me by the economists whose responsibility it is to keep these matters under constant revision, review and survey. They assured me that the total cost of the programme in 1971 would be \$1 billion. Again, I repeat, sir, how this will be met I am not in a position to tell because I am only concerned with the estimates before us today.

**Mrs. M. Renwick:** Mr. Chairman, a question prompted by the blind spot that, per 1,000 beds, the availability of beds has risen from 6 to 6.5 according to the OHC. But the new hospitals cannot cut their waiting lists because there are not enough nurses to go around. Is it correct that the starting salary for a nurse in Ontario is \$5,340, and compares rather unfavourably with the \$7,000 starting salary for the same services in New York city, as an example?

**Mr. Chairman:** It seems to me that the matter of salaries, and I think the Minister has pointed this out before, is a matter of negotiation in the hospitals, and this is not properly within the—

**Hon. Mr. Dymond:** No, it really is not, Mr. Chairman, because neither the government nor OHSC has set salaries. The only salaries that the government sets are those that are set for those who are working for the government. This, I repeat, is a responsibility of The Department of the Civil Service and the association that represents them. Hospital boards set their own salary rates. At no time have we ever had occasion to change salary rates that were arrived at by negotiation.

But in respect of nurses, each year the Metropolitan hospital council submits what in their view is, or should be, the salary rate for nurses. The registered nurses' association of Ontario submits its view of what rates should be. These are discussed and agreement is reached and that is the rate that is set or arrived at and, therefore, it is the rate which is approved by OHSC in arriving at hospital budgets.

Again I repeat, if there should be a different rate set as a result of negotiation, then we have never at any time set aside such an agreement.

**Mrs. M. Renwick:** Mr. Chairman, if the Ontario government is interested in increasing the number of graduate nurses available to hospitals in our province, has any consideration been given to the pilot project of the day care centre being included in the Riverdale hospital, as an example, which might be a very worthwhile effort by this government to encourage a number of married nurses, who have the problems of children, going back into the work force? Also, would you comment perhaps on whether there are refresher courses for married women who have left the profession, to encourage their return?

**Hon. Mr. Dymond:** This depends entirely upon the hospital board. If it decides that a day-care centre is a necessary adjunct to its operation, then it can make a proposal to us and, as we did in the case of Riverdale, we will consider it on its merits and either approve or reject it, or tell them what should be done. I believe there is one under discussion at the present time, but the initiative must rest with the board.

A very great deal is being done with respect to increasing the output of nurses. The regional school programme is going forward very rapidly, as I stated in my opening remarks. For the first time we achieved the figure in excess of 5,000 newly registered nurses in any one year in the province, and this is most encouraging.

The nurses association and the college of nurses, in co-operation with the hospital association and OHSC, are constantly seeking to devise ways of making it possible for nurses who have been out of the field for some time to upgrade or to refresh their knowledge and information so that they can be prepared to come back in.

I think there is a series of schools presently going on here in Metro Toronto aimed at this, to take back into nursing women who have been out attending to family duties. This has become quite popular and I think it will be a good source of nursing skills. I think it should be pointed out too, sir, that for some time now we have achieved a balance, or there has been achieved a balance between those going out to assume family or other duties, and those coming back after the need for their presence in the home or other settings has passed over.

**Mr. Chairman:** I wonder if the member would permit the Chairman just a brief interruption. I have been notified that we have some special guests with us. The 64th company of girl guides from Tecumseh, Ontario, is now in the east gallery. I am sure we are glad to welcome these girl guides.

**Mrs. M. Renwick:** Mr. Chairman, would the Minister comment then on the serious plight of the Scarborough Centenary hospital which has been able to open only 280 of its 525 beds because of a nursing shortage; and the Scarborough general hospital which has 100 of its 656 new beds empty due to the nursing shortage?

**Hon. Mr. Dymond:** No, I am afraid, Mr. Chairman, I cannot factually comment on this because I do not know the situation at the present time. I can say, however, that just because a 600-bed hospital opens, it does not mean that it can start operation right away, even if there were a nurse for every room. A hospital is a rather complex and complicated organization and it must ease into its operations. I think we expect something of the order of a year—is that not the figure, the time? Something of the order of a year is required to phase in a big hospital of this kind.

I think the hon. member is quite well aware, however, that we are presently building a regional school right across the driveway from Scarborough Centenary and that school is already operating. The first class is in, I believe, temporary quarters.

The same thing can be said about North York general. Their school has been operating, I think now, for nearly a year. They took in their first class last September, at the beginning of the nursing academic year. The hospitals and we have joined forces to do everything possible to improve the facilities for the education of nurses and to expand the facilities very rapidly indeed.

**Mrs. M. Renwick:** I shall try to finish by 6 of the clock. In light of the average length of stay for a patient in Ontario being considerably longer than the average length of stay in a hospital in some other areas—Ontario patients spend 11 days; the average length of stay in Alberta is 8.8 days. In California it is 6 days—it would appear from these figures that the length of stay in Ontario is well above average, particularly with the demand for hospital beds. This can only be lowered, I submit, Mr. Chairman, through a reappraisal of hospital utilization and alternate forms of care. How can this province—

**Mr. Chairman:** I would point out to the member that this very subject has been thoroughly discussed and answered by the Minister.

**Mrs. M. Renwick:** I am sorry, Mr. Chairman, I did not hear you.

**Mr. Chairman:** I would point out to the member that the matter about which she is now speaking has been thoroughly discussed and appears in the headlines of the *Toronto Telegram* and *Toronto Daily Star*, I believe, and that it is entirely repetitious. The Minister has answered it all.

**Mrs. M. Renwick:** The Minister answered the plan for possibly building more chronic hospital accommodation? Is that right?

**Mr. Chairman:** Yes. Other members have spoken about chronic hospital accommodation as well, quite extensively.

**Mrs. M. Renwick:** May I ask the Minister then, and excuse that I was not up to date, was there any comment on the fact that ward care as of March 27, in our city, is approximately \$46, whereas the Ontario hospital services commission *per diem* rate for active hospital treatment is \$37.35?

**Hon. Mr. Dymond:** \$37, Mr. Chairman, is an average across the whole province. Each hospital works out its own budget, and, therefore, there is a variation depending upon the services available and provided in any particular hospital. There could be a variation, in fact a very wide variation, in the *per diem* rates.

**Mrs. M. Renwick:** Mr. Chairman, I also had a question on the July 1 proposals of how hiring an ambulance would be handled, but I have lost the statistics on that for a moment. I believe it was suggested that a portion of the cost would be paid by the patient, which to me is a deterrent for the patient calling for an ambulance. I noticed in the Minister's original statement this said for long-distance ambulance travel. Is this pertaining only to long-distance ambulance travel, or is any person who now calls for an ambulance as of July 1, expected to be able to pay a portion of that ambulance fee?

**Hon. Mr. Dymond:** Yes, Mr. Chairman. When the programme was announced, it was announced there would be patient participation in the fee. What we said about the long-distance trip, and this will apply to any trip, is that patient participation will not go over

a stated maximum. Just what that stated maximum will be I am not presently prepared to say, but we will set a maximum so that it will not be an inordinate deterrent fee.

I do not believe in deterrent fees, but these are certain services where long experience has shown us that it does help to keep the costs within control. I think it can be recognized that nobody who needs an ambulance will be denied it because they cannot afford to pay.

**Mrs. M. Renwick:** Mr. Chairman, might I ask the Minister, would it not seem that rather than have a deterrent fee, especially in view of the nature of the emergency that can be involved in the ordering of an ambulance, perhaps a penalty fee for falsely ordering an ambulance would be a much better system?

**Hon. Mr. Dymond:** I think, Mr. Chairman, theoretically, philosophically this is good, but in practice I just do not think it would work. Who is going to determine the imposition of the penalty?

I always think of an old friend I had who was a hospital administrator in one of the southern states and he was being complimented on the splendid record he had for collecting bills. They asked him his secret and he said, "Oh, it is very easy. I get them when the pain is on."

Now this is awfully difficult when somebody is in an ambulance; they may be seriously ill and they may not. Some people can appear seriously ill and actually not be very ill, but it is very difficult for an ambulance attendant to determine whether they have been misusing the service. I think it would be inordinately costly, from an administrative standpoint, if you were to have to call a nurse or a doctor, the hospital administrator or somebody like that to judge on the spot whether the service had been misused. Again I say, sir, theoretically, it might work, but practically I just do not believe it would.

**Mrs. M. Renwick:** Mr. Chairman, might I ask the Minister then, what you feel would happen in the case of an occurrence where a person who is incapacitated and somehow, someone gets an ambulance for the person? Is that person now, in his state, expected to negotiate as to whom he is going to pay the percentage of the ambulance fee before he leaves in the ambulance for the hospital? Would it not be much better in order to



save this type of negotiation to have a penalty fee for misuse?

**Hon. Mr. Dymond:** I think we could get into a long-winded discussion about this, Mr. Chairman. I still do not believe it would work and we can think of all the possibilities. In spite of them all, I just do not think it would work. What will happen—the ambulance operator will pick the patient up when he is called. The insurance will pay their share of the claim and then the ambulance operator will negotiate with the user when the time is right for the part in which they will participate.

This will not be the responsibility or the job of the hospital services commission which body will operate the insurance fees of this programme. I do not think that any person is going to be kept lying in an ambulance or waiting to be picked up until negotiations have been carried out as to who will pay the patient participation feature, or when it will be paid.

**Mrs. M. Renwick:** Mr. Chairman, just one short question in wind up. Is this firmly established that these ambulance companies will in fact negotiate after the patient has been delivered to hospital? I ask because it is not untold, or unheard of, that ambulance companies have quite recently, that I personally am aware of, asked for payment before they leave the home with the patient.

In the moment of crisis one is asked to suddenly sit down, write a cheque or produce \$15 or \$18, and in long-distance ambulance travel it would be considerably more. I think it is very important that the collection of this money is made definitely after the patient has been delivered to the hospital in order that it does not act as some sort of delay in the transfer of the patient to the hospital.

**Hon. Mr. Dymond:** I think it is already planned, Mr. Chairman, that the hospital will collect the patient's part. The insured part will be billed by the hospital; the hospital facilities are there dealing with OHSC and they will collect. They will also collect from the patient. In the event that the hospital cannot collect from the patient, of course, the hospital has no power or authority and then it becomes a matter between the ambulance operator and his client.

**Mrs. M. Renwick:** Mr. Chairman, then to wind up, the Minister said, I think, that the arrangement is that the hospital will collect. I think that would be an excellent arrangement, but because of the works, I think,

might the House be assured, might this assembly be assured, that ambulance services in our province are not going to be contingent on someone producing a certain amount of money especially 25 per cent of the fee in the beginning. Could we just be assured, Mr. Chairman, that this is definitely set up before this particular item is closed on the estimate?

**Hon. Mr. Dymond:** I am sorry if I misled the hon. member. The present planning by the hospital services commission is, that this will be the system. We do not believe we will have any difficulty in getting the hospitals to accept this and probably that is why I unwittingly injected a note of doubt.

**Mrs. M. Renwick:** Mr. Chairman, then it is set up as far as the department is concerned, but it is not yet agreed upon by hospitals that this is, in fact, the way it will operate? Is that correct?

**Hon. Mr. Dymond:** No, it has not yet been agreed upon.

**Mr. Chairman:** Now the member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, I would like to know from the hon. Minister what other types of hospital personnel are educated under vote 809, item 5?

**Mr. Chairman:** I am not fully aware of what the member said. Would you mind repeating it?

**Mr. De Monte:** Mr. Chairman, what other type of hospital personnel are educated under vote 809, item 5? It refers to nurses' residences and schools for educating hospital personnel.

**Hon. Mr. Dymond:** No, this has nothing to do with education, Mr. Chairman, it is something else. I am sorry.

**Mr. De Monte:** Then what do you mean by item 4? It says, "Grants to public hospitals or boards incorporated for construction and operations of nurses' residences and of schools for educating hospital personnel under the authority of the Act, and so on." Vote 809, item 4.

**Hon. Mr. Dymond:** That is an entirely different item, sir. The money is just what it states it is for. Item 5 is an entirely different thing; it is unseen and unprovided for; it is so often spoken of as miscellaneous. Did you want to say something else?

**Mr. De Monte:** I meant item 4. Yes, what I want is under item 4.

**Hon. Mr. Dymond:** Mr. Chairman, I am trying to get the hon. member his answer. If you just wait a minute I will try to give you your answer, unforeseen and unprovided for are some certain small unexpected items that may come up during the fiscal year and for which no item has been arranged in the budget. The amount of \$5,000, in a budget of nearly \$131 million, is a very small amount for miscellaneous.

**Mr. De Monte:** I was trying to tell the hon. Minister, through yourself, Mr. Chairman, that I meant item 4. Item 4 of vote 809.

**Mr. Chairman:** Yes, I understood the member to say item 4 and not item 5.

**Hon. Mr. Dymond:** This is for educating nurses, building the schools. Actually it is set out here in the programme account as well as I can. I can only read this out as you have already done. It is all laid out there.

**Mr. De Monte:** But I think my specific question, Mr. Chairman, through you, was what other type of hospital personnel does this include?

**Hon. Mr. Dymond:** I think it is specifically pointed out here. It says for the construction and operation of nurses' residences and schools for educating hospital personnel.

**Mr. Chairman:** The question is—what type of hospital personnel?

**Hon. Mr. Dymond:** It runs the whole gamut, Mr. Chairman, through professional nurses, medical technologists, lab technicians, X-ray technicians, orderlies, physiotherapists, occupational therapists and inhalation therapists, operating room specialists, emergency room specialists; the whole gamut. Anybody who is needed to be employed in the hospital operation.

It being 6:00 of the clock, p.m., the House took recess.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, May 7, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 7, 1968

The House resumed at 8:00 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF HEALTH (Concluded)

On votes 807, 808 and 809.

**Mr. Chairman:** The member for Timiskaming.

**Mr. D. Jackson (Timiskaming):** Mr. Chairman, I have two short questions; most of it has been answered previously.

The Minister has mentioned ambulance services; the maximum fee as a deterrent. Could he tell us whether this fee will be worked out on a mileage basis or how will it be worked out?

**Hon. M. B. Dymond (Minister of Health):** The patient participation in the share, sir, will not be worked out on a mileage basis. It will be worked out on the basis of the recognized basic fee.

**Mr. Jackson:** Mr. Chairman, if it is not being worked out on a mileage basis, in our northern areas most of the ambulance service will be over long distances—how will it affect us up there?

**Hon. Mr. Dymond:** As I stated, Mr. Chairman, the participation of the patient in the fee will not exceed a maximum.

**Mr. Jackson:** Several times today there has been mention of the delay in registration since the new insurance registration board started. I understand that most of this delay has been caused by changeover from group systems. Could the Minister tell me if this is true?

**Hon. Mr. Dymond:** I am not certain, Mr. Chairman, that I understood the member's question. By changeover from group business, did you say?

**Mr. Jackson:** Mr. Chairman, I have made some inquiries, and I have been told that the reason for the delay in the registration process is because they had a number of groups

changeover in October and November of 1967. Is this true?

**Hon. Mr. Dymond:** Oh, no, Mr. Chairman, at the cessation of direct subscriber coverage by PSI, these were turned over to us, in very large measure—the great majority of them came over to us. This did put an additional work load in a great big period of time on our staff, so that might have been the matter that has been brought to the hon. member's attention. But this was not the changeover from group. They were paid direct and PSI went out of this phase of the operation.

**Mr. Jackson:** Mr. Chairman, I understand that there are still quite a few of these people who have changed over from this group—from PSI—and who still have not received a premium notice some six months later. Does the Minister know how much money is involved in the premiums that have not been paid?

**Hon. Mr. Dymond:** No, I cannot tell the hon. member that—I will try to get the information for him. I would point out that on checking complaints of that kind that have come to my attention personally, I have found that they were not eligible to pay premiums. They had zero taxable income, or they were social assistance recipients, and they were, therefore, eligible for totally subsidized OMSIP, and they would not get a premium notice.

**Mr. Jackson:** Mr. Chairman, I would just like to point out two situations to the Minister.

One is where the man applied in November of 1967, and still has not received a confirmation that he is on OMSIP, and has not received a premium notice. The other is my own personal changeover from October of 1967; as yet I have not received a premium notice.

**Hon. Mr. Dymond:** These are two specific notices, Mr. Chairman. Without knowing the whole facts of either one of them it would be impossible for me to give an answer. In

those that we have had brought to our attention, and have investigated, we have found that there was valid reason for the delay. Either incomplete information, or incorrect information, or some such problem.

All I can undertake is that we will look into the case of the hon. member—we know his name, and so on—but we will look into the other case, if he would direct it to our attention, and find out why the subscriber has not heard.

**Mr. I. Deans (Wentworth):** Mr. Chairman, could I follow that up just for a moment?

**Mr. Chairman:** I have several other speakers.

**Mr. Deans:** Exactly on the same topic?

**Mr. Chairman:** I do not know, but they have been talking about this all day. I will call—

**Mr. Deans:** It is on the filling out of applications!

**Mr. Chairman:** I have the member's name down; I will call him. Is the member for Timiskaming finished?

**Mr. Jackson:** Yes, I am.

**Mr. Chairman:** The member for Kent.

**Mr. J. P. Spence (Kent):** Mr. Chairman, I would like to ask the Minister if the policy of the Ontario hospital services commission is if citizens miss their premium payment that they would still have a three-month waiting period?

There are quite a number of citizens, as the hon. member for Windsor-Walkerville (Mr. B. Newman) has mentioned, who are on a set income and after July 1, the premiums of the hospitalization will be increased. They are quite concerned about that three-month waiting period, if they miss a premium payment. Did the Minister give any consideration to reducing this three-months' waiting period, if that is still a policy of the Ontario hospital services commission?

**Hon. Mr. Dymond:** Mr. Chairman, we have given much consideration to it. Each time we do, we come up with the same idea or the same policy—that it should be retained.

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, about three-and-a-half hours, 10 pages of *Hansard*, and a change of chairmen and back again later, I would like to revert to the

subject that was raised by my friend from Huron-Bruce (Mr. Gaunt). But I would like to see in parenthesis that I question this procedure of dealing with three votes at one time such as we are doing, which can only contribute to the fragmentalization of the comments that are made on this side. It does not really do anything for the image of the Opposition when they are asked to vote \$126 million when it is lumped together in three votes.

**Mr. Chairman:** May I point out to the member that it is not simply the decision of the chair to do this. I will put to the member—

**Mr. Sopha:** Now I asked the leader of the Opposition if he played a part in it—

**Mr. Chairman:** Order, please!

**Mr. Sopha:**—and he told me he did not—that he did not accede to this procedure.

**Mr. Chairman:** The Chairman put it to the committee—

**Mr. Sopha:** That gives me a range in which to comment on it.

**Mr. Chairman:**—for their concurrence. But rather than restrict the debate to the one vote, since there was a certain degree of overlapping between OMSIP, the hospitalization and the health insurance registration board, it was agreed that we would not restrict debate to the one particular vote—that we would permit the members to range from one to the other. This was not a ruling of the chair or of the Minister.

**Mr. Sopha:** I think there was a certain degree of overlapping, to use your phrase, and the debate—I have been here since it began this afternoon—has ranged back and forth over a wide range of subjects, and all in complete obedience, almost tied religiously to your list. And no subject can be developed through to its finish without having to wait for the interstice of five or six other subjects. Now my membership in this House has nothing to do with your list.

**Mr. Chairman:** May I say to the member that it is quite agreeable to the Chairman to just forget all about a list, rather than to take the members as I recognize them.

**Mr. Sopha:** The parliamentary rule is that the member catches the Speaker's eye, as I understand it; it has nothing to do with the list. But I normally say it does not contribute to meaningful debate. That is the way the

Minister of Health wants it, and that list is a Tory device to disrupt us.

Interjections by hon. members.

**Hon. Mr. Dymond:** Many are called but few are chosen.

**Mr. Sopha:** That is right! What chapter and verse is that?

**Hon. Mr. Dymond:** That was Matthew.

Interjections by hon. members.

**Mr. Sopha:** I admire that exegetical sally. I wanted to ask the Minister of Health—I would like to get some idea of how much is the cost to the people of Ontario from this system in the medical services insurance division, whereby two methods of payment are adopted.

As I apprehend it, the doctor may bill the system direct on one hand and, if he is of that ultra far-right group that reviles any dealings with the state, or governmental system, he may bill the patient directly. The patient in turn bills the medical services insurance division. The patient gets the cheque and delivers it to the doctor.

It does seem to me that this is an unwarranted burden on the public in having to tolerate two different systems of this type. Quite apart from the political philosophy of the doctors and their own opinions, private and collective, toward government intervention in medical care, I would think that the sensible approach would be to programme—I believe that is the word—you programme names of every doctor in Ontario into that machine. I take it that it is a common ground, a cybernetic device is used up in the head offices. If the name of every doctor in Ontario was programmed in, when he performed a service for the patient, and was required to render his bill directly to the state, then the machine would compute the value of the services and transmit to him the cheque, or as the case may be, reject his claim for want of sufficient information and require a further explanation.

But this circuitous method seems to me to add, unjustifiably, a burden of cost upon the public.

I note in some of the private plans—just to expand that a moment—that even where the doctor does not send the patient a bill, the patient is in the dark as to the exact nature of the service that he got from the doctor. Frequently the private plan will send the patient the cheque and the patient merely

endorses the cheque and sends it to the doctor. In other cases, they will send it directly to the doctor.

Surely it is not too much to ask of the medical profession, in the collective age in which we live, that they give up, they sacrifice this petty recalcitrance that they demonstrate towards participation in a publicly-operated system of health insurance and do away, once and for all, with this circuitous route.

I point out the dichotomy of the attitude. I am led to believe that they will not deal directly with the state. They bill the patient as if everything operates in the world as they knew it, and the patient gets the bill and eventually they get paid. This attitude, this righteous attitude of not being involved with the state does not, I suppose, obtain in spending of the money that they eventually get, or for all we know in the minds of some of them, perhaps it is tainted money. Maybe they use it for charitable donations or something like that—they purge it of the taint in coming from the state.

But I say to the Minister of Health, the medical profession frequently wants to convey the impression that they are the last bastion, the last stronghold against the collective society of the encroachments of the welfare state. They actively attempt to communicate that neutrality.

I draw the contrast with my profession. Out of the 6,000 or more lawyers in Ontario, not one did I ever hear of that objected to participation in the legal aid plan, and in that plan we have no nonsense whatsoever about billing the client.

Some hon. members: Same thing!

**Mr. Sopha:** Same thing!

And in the procedure followed, I would remind the Attorney General (Mr. Wishart) that when the matter is complete, you report to the client in prescribed form, setting out briefly what you did for him, and he gets no copy of the account. The account is sent in duplicate to the legal accounts officer in Toronto.

So the medical profession, if they want to promote this mythology about the viability of their determination to preserve individual initiative and free enterprise, I say to them that they are no more fierce in their belief in the protection of that system than the legal profession is. The legal profession would not give an inch to them in being any more progressive or traditional in their thinking, in regard to the democratic virtues.



But this business is, in effect, tolerated by the Minister of Health. I do not see why the Minister of Health, in his capacity, cannot now say to the medical profession, "enough of the nonsense". We have a viable plan that is working and in the interests of conserving public money, in operating it, that is to say, within the bounds of the most rigid economy, consistent with the service provided, it is our view that the only proper way to do the billing in this plan is for the medical practitioner to report directly to the plan with respect to the services he performed and the amount that he expects to be paid. To do it the other way is to perpetuate a myth. That is in line with my thinking and I take it is shared by some in the House, if I paid attention to the debate.

If I derived anything from the debate that has gone on, I have come to the inescapable conclusion that there are many members of this House that have come to the point where they feel that in the open society, the sooner that a great deal of the mystique of this priestly cult is done away with the better. This phony mystique that the medical profession has actively been seeking to surround themselves with, speaking the foreign language Latin. They can speak Latin but they cannot write English and they use other—

**Hon. Mr. Dymond:** Lucky if they can write!

**Mr. Sopha:** They are lucky if they can write. I think it is the fourth year of medical school, is it not, that they train them to write illegibly? I think it is.

I will join that group that spoke along those lines—that in the open society let us get those people into the open and have them practise their profession there. I have considerable reservation about them, but the Attorney General has foisted it on us—this business of the medical report, which clearly emanated from the Ontario medical association, to take away from them the necessity of attending court. Now they can send it in a written form.

All right I will leave it. You send it in a written form. That point is well taken.

**Mr. D. C. MacDonald (York South):** Mr. Chairman, since the hon. member—

**Mr. Sopha:** I said I was going to leave it.

**Mr. MacDonald:** I rise on a point of order, Mr. Chairman. The hon. member is leaving it, but he should have left it 10 minutes ago. He is making a speech of the kind that

you cut out in the instance of the hon. member for Scarborough Centre (Mrs. Renwick) and I think you quite rightly cut it out with her. You should have cut it out, I submit, with this hon. member.

**Mr. Sopha:** I said I was going to leave it. I said I was going to leave it—

**Mr. Chairman:** The member—

**Mr. Sopha:** Will you put three demerit marks in—

**Mr. Chairman:** Will you please resume your seat?

Order, please!

The member for York South is quite correct. I was just on the verge of calling the member for Sudbury to order. If he has anything further to say regarding these particular votes, will he please proceed?

**Mr. Sopha:** Right. Right.

Give me three demerit marks and put him down for being right for the first time in six months.

**Mr. Chairman:** Votes 807, 808 and 809 carried?

**Mr. Sopha:** I invite the Minister of Health to give us an idea about the extra personnel that are required to sort these cards out when a doctor, with whatever average number of patients a doctor may have, when he insists on putting the claim in through the patient himself. *A priori*, I do not know a thing about these electronic devices, but it does seem to me that it would be infinitely simple, if the name of the doctor was carded or programmed in this machine and the claim immediately fell into his slot. I do not know if the machine writes the cheque but conceivably it has something to do in the process.

Supposing he has 50 or 75 patients who make a claim in a month—there are that number of separate operations in sorting out those patients and making individual cheques instead of a composite one. As a matter of fact, I can lend some evidence to what I say. I have been told by a person who occupies a senior capacity in one of the private medical plans, that the very bane of their operation, is the doctor who insists on being paid through the patient.

I submit to you, Mr. Chairman, that that attitude on the part of a small minority of the medical profession does not do credit to the enlightened age. If it is a manifesta-

tion of the recalcitrance, then it is unworthy of the doctor and it is unworthy of the profession which tolerates it. One would think, one would really think that the Royal college of physicians, if it is the appropriate body, would take the necessary steps to put an end to it.

If the hon. member for York South will allow an analogy, I can tell you, Mr. Chairman, that in our profession if an edict is determined by the law society and passed along to us it is obeyed. I just state that by way of analogy that the encyclicals that emanate from Osgoode hall are obeyed by the profession without question. Maybe the Royal college of physicians is the appropriate body to bring about a reform of this process.

On the other hand, I rose seeking information and, if it is only a minor item of expenditure, if it is only a few dollars a year, then I will be content to have what I had to say in that connection disregarded. But I suspect that it probably amounts to many thousands of dollars and the continued burden of the public from what may be contumacious behaviour I would say is completely unwarranted.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member's point can be answered.

First of all, the participation of the doctors is—as I stated at the outset—75 per cent bill us directly and are paid directly. In other words, it is a direct contact between the doctor and OMSIP, OMSIP and the doctor. A further 13 per cent of the doctors complete the prescribed card for OMSIP and either mail it in behalf of the patient with the card being annotated “pay the patient” or give the account card to the patient who sends it in to us. So that 88 per cent of the doctors are co-operating very closely with OMSIP.

The remaining 12 per cent is no different—indeed, it is much better than the participation of the doctor in many plans. There is no extra staff needed because this is wholly a machine operation. The machine handles the card for the doctor and the patient equally well; it does not really matter which. The machine writes the cheque; the machine does the whole thing if the card is what they tell me is a clean card.

The private plans, it is quite true, do in many cases send the cheque to the patient, but on the application or in the claim form of many of the private plans there is an assignment statement. If, as often happens, the doctor asks the patient to sign this assignment

form, then the private plan will pay the bill and send the cheque directly to the doctor in keeping with this instruction. The name of every physician is already in the machine—every practising physician—so this is no problem.

The hon. member drew an analogy between OMSIP and the legal aid plan. I submit to you, without too much knowledge of the legal aid plan, that no clear or no close analogy can be drawn, because this is a totally subsidized programme—legal aid. There is no client or patient participation—call it what you will—such as we have with about 50 per cent of our OMSIP subscribers. It is an entirely different thing. I think that if the government were paying the whole cost of OMSIP for everybody we would be in a much better position to mandate that the billing would be directly between the physician rendering the service and the programme.

I would like to point out, as I am quite sure the hon. member realizes, but may have forgotten, that the college of physicians and surgeons has nothing to do with this whatsoever. It is the regulatory body and has nothing to do with the business or social aspects of the professional activities. This is the responsibility of the Ontario medical association and/or the individual physician.

**Mr. Sopha:** I do not understand that. You and I will have a talk about that some day. The law society of Upper Canada, under the Attorney General, has everything to do with the way we practice our profession. Now you tell me that the Royal college has nothing to do with the way doctors practice medicine. I accept that, I would like to—

**Hon. Mr. Dymond:** No, no, no. Mr. Chairman!

I think the hon. member has misunderstood what I said. First of all, may I point out to him that it is not the Royal college. The Royal college only controls physicians; the Royal colleges only control specialists or direct specialists or approve or certify specialists. It is the college of physicians and surgeons which is the controlling body insofar as our education, our professional conduct, our registration, and our disciplining are concerned. In matters concerning fees and patterns of practice and all that sort of thing, so long as there is no hint of unprofessional conduct or incompetence, the Ontario medical association is the body which represents organized medicine, if you will. But every physician does not, nor does he have to, belong to the OMA.

**Mr. Sopha:** Is that not curious? I would like to hear more about that some day.

**Hon. Mr. Dymond:** Two bodies.

**Mr. Sopha:** The law society of Upper Canada authored the whole legal aid plan—what a difference.

**Some hon. members:** Order, order!

**Mr. Sopha:** What do you want to order? Is the Minister of Health telling me, Mr. Chairman, that if the doctor has 50 patients in a month to whom he has rendered services and who belong hypothetically to OMSIP—and if the machine writes 50 cheques in the month, instead of one cheque for all 50 patients compositely, is he saying there is no significantly greater expense to the public of Ontario?

**Hon. Mr. Dymond:** There would be, Mr. Chairman, the mailing expense, but my business people advise me that the actual cost for the machine process is no greater. But there certainly is the mailing cost, of course.

**Mr. Sopha:** Well, I leave it, but listening to the explanation of the Minister of Health I can see what additional staff would be required in all this bookkeeping resulting from the fragmentalization of the doctor's practice, instead of his practice being a composite whole connected to the public participation through the medical services insurance division. But I leave it by saying merely that a perpetuation of that system is certainly unworthy of the medical profession in this province.

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** Mr. Chairman, I wanted to raise two or three aspects with regard to the disturbing increase in costs in both OMSIP and hospital insurance. I recognize that this point is going to be rather difficult to deal with without repeating something that has been said before, but I shall bear your stricture in mind and see if I can avoid getting into unnecessary repetition.

**Mr. Sopha:** There is no rule that you cannot repeat.

**Mr. Chairman:** The member for York South, proceed.

**Mr. Sopha:** Go ahead and repeat it.

**Mr. MacDonald:** Mr. Chairman, there is one aspect of the increasing cost of OHSC that

was dealt with last night and has, as you pointed out this afternoon, been headlined in the afternoon papers—namely, the excessive utilization of the hospitals and the Minister's worries and some of the suggestions he was making as to how one could cope with this excess of utilization through self-discipline on the part of the doctor.

There is another aspect of this, which has been put very well on the record in a newspaper article by Harold Greer. My friend from Parkdale (Mr. Trotter) referred to it explicitly or implicitly in his introductory remarks, but I want to query the Minister with regard to certain aspects of this because, quite frankly, I do not think the alleged abuse of the system by the doctors in another sense has been put to the Minister and therefore he has not yet commented on them.

In the second of his series of articles, Mr. Greer points out that there is now an extension of the services in OHSC to cover out-patient services and he contends that this is "locking the barn door after the horse has been stolen." His contention is that in the earlier stages outpatient services were excluded. It was tacitly understood that private practitioners looked after those who could pay, while the hospitals looked after those who could not pay. Gradually there has been a tendency for the hospitals to provide services to people, in part because they could not get a family practitioner, they could not get a general practitioner as a family doctor. The result has been a staggering increase in statistics. May I quote just one paragraph:

The statistics which document these trends are dramatic. Last year there were 3,480,000 out-patient visitors and treatment at Ontario hospitals, an increase of 87 per cent over 5 years. Although the frequency of patient visits to the doctor's office has actually declined, the frequency of diagnostic X-rays has gone up 57 per cent, other diagnostic procedures by 70 per cent and laboratory analysis by 650 per cent.

The impact on costs, Mr. Greer goes on, on costs has been nothing short of revolutionary.

Furthermore—and this is the point that I want to address to the Minister and to ask for his comments, if not defense—the doctors on the staffs of the hospitals have formed associations—legal partnerships which bill for professional fees. He adds that there is no evidence that the association pays the hospitals anything for the use of the facilities.

They have also hired—and here is a point which somebody put to the Minister this



afternoon, I think it was the hon. member for Brantford (Mr. Makarchuk) and the Minister in effect said, "Give us evidence and I will deal with it." Well, here is evidence—a general accusation, that the hospital interns do much of the work, which would appear to be a clear circumvention of the regulation of the college of physicians and surgeons that only those on the college's register can charge a fee.

In other words, nominally staff doctors are supervisors, the interns are working for them and you have a very interesting grey area as to whether the doctor who is supervising the whole process has any meaningful relationship with the patient at all. It is the intern that has the relationship. He is doing the work, but the doctor is collecting the fee, and it is suggested, as it was this afternoon, that this is in violation of the rules of the college of physicians and surgeons. However, financial problem—if I may return to it, Mr. Chairman—is compounded by the introduction of this new machinery, so-called SMA that does some 12 blood analyses at once, the cost of which is some 30 cents. Indeed the cost was so little to begin with that the hospitals—in my view quite sensibly—decided that they were not going to charge the 30 cents. Then Mr. Chairman—and here is a point again, that I draw specifically to the Minister's attention—

**Hon. Mr. Dymond:** On a point of order, Mr. Chairman. I have repeated this three times this afternoon. Now I ask you, sir, in all fairness, with all respect—how often do I have to repeat this?

**Mr. MacDonald:** What have you repeated three times?

**Hon. Mr. Dymond:** Exactly the thing which you have mentioned now—about the auto analyzer, about everything you have mentioned. I have answered all these questions this afternoon already, sir; they are on the record.

An hon. member: He was not here.

**Mr. MacDonald:** I was here.

**Hon. Mr. Dymond:** I think this has gone too far, Mr. Chairman.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, I was here all afternoon and while I was here most of those seats were empty.

**Hon. Mr. Dymond:** Well, it is on the record.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, I have been around here too long to be howled down by those people over there. So if you want to waste the time of the House, let them holler.

Now let me put the question specifically to the Minister.

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order. I ask you, sir, if the hon. member is going to put this specific question, how often is a Minister expected to answer the same questions in the same day?

**Mr. MacDonald:** All right, let me put this question to the Minister. In the first instance, the hospitals were not charging and then, according to Mr. Greer, under the pressure of the Ontario hospital services commission they were urged to start making charges. Is that correct?

**Hon. Mr. Dymond:** No, Mr. Chairman, that is not correct.

**Mr. MacDonald:** What did happen then? On whose initiative did they start making charges and what is the Minister's defence of the proposition from which the original cost of 30 cents has grown to \$5 for three tests and \$12 for analyses which are covered under the OMA schedule of fees?

**Hon. Mr. Dymond:** No, no, Mr. Chairman. The hon. member is completely confused. I already cleared this up specifically and I say to you, sir, as you will recall, this is in *Hansard* of this afternoon—this very matter, and the explanation I gave for it.

**Mr. MacDonald:** Will the Minister tell me, Mr. Chairman, who it was who initiated the procedure of the charge which is now going to \$12?

**Hon. Mr. Dymond:** I do not know anything about who initiated it; the charge is not \$12.

**Mr. MacDonald:** Mr. Chairman, if the Minister does not know, he gets up and complains about rising costs of—

**Hon. Mr. Dymond:** Mr. Chairman, do I have the floor or does the hon. leader of the socialist party have the floor?

**Mr. MacDonald:** Mr. Chairman, do not let the Minister try to use what he thinks are smear terms. It is a proud term, as far as I am concerned.

**Mr. Chairman:** Order!

**Mr. MacDonald:** Well, the Minister, Mr. Chairman—

**Hon. Mr. Dymond:** Mr. Chairman, do I have the floor?

**Mr. MacDonald:** I am not sitting down.

**Mr. Chairman:** Order!

**Mr. MacDonald:** I will sit down when the Minister sits down.

**Mr. Chairman:** Order! Did the member for York South direct his specific question to the Minister?

**Mr. MacDonald:** I asked the question, Mr. Chairman, a few moments ago and the Minister said he would not reply to it because he had done so. Now, my question is this: if costs that were 30 cents have grown to \$12 so that the cost of the OHSC have risen to \$582 million this year, what is the Minister doing to avoid this exorbitant increase in costs which is being channelled through legal associations of doctors in the hospitals to augment the already high salaries of doctors?

**Hon. Mr. Dymond:** If the hon. member had been in the House he would have heard what I said, Mr. Chairman.

**Mr. MacDonald:** When, Mr. Chairman?

**Hon. Mr. Dymond:** The cost was never 30 cents, the cost was never \$30. We negotiated OMSIP—

**Mr. MacDonald:** What is the Minister talking about, \$30? Mr. Chairman, on a point of order, I never mentioned \$30.

**Hon. Mr. Dymond:** I said 30 cents.

**Mr. MacDonald:** You said \$30. The Minister said \$30, Mr. Chairman. If you want to get into wrangling, I said the original cost was 30 cents and it has risen to \$12.

**Hon. Mr. Dymond:** I said to you, Mr. Chairman—will you sit down, please?

**Mr. Chairman:** Order! The member should let the Minister provide the answer.

**Mr. MacDonald:** At one time he will not provide the answer and another time he wants the floor.

**Hon. Mr. Dymond:** I am trying to let you hear what we are saying.

**Mr. Chairman:** I stated to you, sir, that the cost was never 30 cents nor was the cost \$12. We negotiated a fee of \$5 from one to

three runs and I stated it was quite beyond the comprehension of the people at Ottawa Civic hospital—the hospital which was mentioned specifically—where the figure of 30 cents or 50 cents, as the hon. member for Parkdale mentioned in the first instance, ever came from. It was the belief of our informant that whoever spoke about this was referring to the cost of the agents used in the tests and not the tests themselves.

**Mr. Chairman:** May I just say that the Chairman does recall discussion along these lines, but not this afternoon—at an earlier date.

**Mr. MacDonald:** The Minister said this afternoon and I was here all afternoon, so I was taking his word for it. Perhaps his word should not be trusted.

**Hon. Mr. Dymond:** Well, that is big of you.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** Let me proceed with it, Mr. Chairman. It is alleged that there are some 200 of these doctor-owned corporations that have been formed within the hospitals for the purpose of billing through OHSC to get this extra money at the \$5 or the \$12 the Minister has not heard of. Does the Minister find that this procedure of doctors banding themselves into legal associations so they can use the OMA fee schedule to get money from OHSC, is that a sensible proposition?

**Hon. Mr. Dymond:** Quite, Mr. Chairman; and furthermore they are not billing OHSC. OHSC does not pay any doctors except geographic full-time doctors who are employed for a certain portion of the time in administrative work in the hospitals. They are billing OMSIP and they are perfectly legally constituted bodies. I have nothing to do with the legal constitution, but they are legally constituted.

I further stated this afternoon, sir, that they cannot charge for services performed on their behalf by interns or residents unless they are given supervision. The interns and the residents are there as part of their educational process and, if they are under supervision, under direction, the staff man has a right to charge for his time in supervising them and for directing the course of the treatment of the patient.

There are certain of those associations which, in the evenings, to help cover off the out-patient departments or emergency depart-

ments of the large hospitals in the city, have retained residents who are practising on their own time. The residents are usually—they are qualified, and those who are practising thus are registered with the college of physicians and surgeons, and therefore have a right to practise. If they practise on their own time then they have a right to charge a fee, which will be recognized by OMSIP.

**Mr. MacDonald:** Mr. Chairman, the Minister said this afternoon, if we could give him specific cases, then he will be glad to look into them.

**Hon. Mr. Dymond:** And we will.

**Mr. MacDonald:** I will say this to the Minister—that if he will quit winking at a situation, he will discover, if he wants to go into any hospital, that there are doctors who have interns working for them and, in many instances, the doctor has at best passing contact with the patient. The intern does the work, and the doctor is billing and drawing the money.

I would suggest to you that Harold Greer is dead right when he says that that is in violation of the rules of the college of physicians and surgeons. The Minister does not need to ask us to give him the evidence so that he can police correct rules. All he needs to do is to exercise his own authority and to do his duty, and I submit that in this instance, he is not doing it.

Mr. Chairman, let me proceed to this one final point on this matter, with regard to these so called lab corporations. In his article Harold Greer concluded by stating: "It may not, however, be so legal." He has intimated just before that in many instances, the person doing the analysis in the lab next door is the doctor's wife, and yet the billing is going through in the doctor's name because he is the only legal person whose name it can go through. He said:

It may not be so legal after all. Health Minister Matthew Dymond is known to have a committee quietly looking into the ownership of the lab corporations and their effect on the OMA schedule. But very quietly, of course, because the Minister is a doctor himself. Meanwhile, the salesmen of the SMA machines are telling the doctors that if they can buy one for their own labs, they can recover the capital cost within one year. The small ones cost \$10,000.

Mr. Chairman, my question to the Minister is, has he got a committee looking into this?

Or is this another detail by a reporter who is normally very careful with his facts, another detail that is wrong?

**Hon. Mr. Dymond:** There is a committee of the Ontario council of health, on their own initiative, looking into laboratory services in the province, but they are not looking into it from this aspect. They are looking into it from the aspect of the quality of service that is being rendered, and the qualifications of those who are rendering services.

**Mr. MacDonald:** Mr. Chairman, we will leave that aspect of it there for the moment, I want to go on to one further point.

**Hon. A. F. Lawrence (Minister of Mines):** I think that you should. It is out of order, anyway. It is not in the estimates.

**Mr. Sopha:** Oh, everything is out of order.

**Mr. MacDonald:** What is not in the estimates? The whole question of the costs, and rising costs—costs which now the Minister says are going to be \$1 billion by the year 1970—is not a matter of concern?

**Mr. Chairman:** Order, please. Will the members refrain from this conversation across the floor, and direct their remarks to the chair? The member for York South.

**Mr. MacDonald:** Yes, you are quite right, Mr. Chairman. As a matter of fact, it will be much more pleasant to talk to you than to the Minister of Mines.

**An hon. member:** I am told that they seldom speak outside.

**Hon. A. F. Lawrence:** That is not true!

**Mr. MacDonald:** Mr. Chairman, I want to deal with one other aspect that was raised this afternoon. Quite frankly, I do not know what the facts are and I am getting increasingly puzzled.

The Minister, as did the Prime Minister (Mr. Robarts) earlier when I put a question to him, stated that he knew nothing of these figures that have been gotten in a trans-Canada survey by Canadian press. They know nothing of them; they did not emerge in Ottawa; they checked with the federal department, and so on. So, Mr. Chairman, let me put it on the record and if the Minister wants to, he can comment or we can leave it there until the facts ultimately are revealed by future events.

Ken Kelly, of the Canadian Press, who is a person not without detailed knowledge of



the operation of medical services in this country, did a survey across this country. Upon checking with Mr. Kelly I find the figures are available in the federal department. And they have been discussed with the provinces. I am not going into the figures with regard to other provinces, because they are irrelevant in this estimate, but, Mr. Chairman, they are very relevant in terms of this estimate in the province of Ontario. They reveal that the present expenditure of this government and individuals directly to the doctors, or through their insurance companies, is \$367 million this year and that the cost for the implementation of medicare would be \$350 million a year—a \$17 million saving.

Now do not "Ah," sir, because there—

Interjection by an hon. member.

**Mr. MacDonald:** Mr. Chairman, just let me comment on this—

**Mr. J. E. Stokes (Thunder Bay):** You do not recognize the facts when you see them.

**Mr. MacDonald:** Mr. Chairman, let me say this: I have always said that with medicare the costs would be some 10 per cent more than the expenditures directly by patients.

**Mr. White:** Socialist statistics satisfy socialists only.

**Mr. J. Renwick (Riverdale):** Just listen!

**Mr. MacDonald:** Is that the kind of thing, for example, which the federal Minister has indicated where this year's expenditures are \$805 million; to get a full plan it will be \$885 million. But, Mr. Chairman, the important thing is that the province of Ontario is now spending that extra 10 per cent. What is the extra 10 per cent, Mr. Chairman? The extra 10 per cent is what the government will have to spend to meet the needs of the needy, the welfare cases, those who have to be subsidized.

**Hon. A. F. Lawrence:** What is wrong with it?

**Mr. MacDonald:** Nothing is wrong with it; it is very relevant to this vote and the whole cost of medicare. This government could be reducing these costs by a medical insurance plan. I will tell you another reason why they could be reducing it, Mr. Chairman. And do not take it from a source you would not trust. This happens to be the *Financial Times* of January 17, which points out that "medicare, when it happens, will jeopardize the business of more than 100 health insurers in

Canada; they earned \$327 million in premiums in 1966 and they paid out in claims \$197 million." In other words, Mr. Chairman, 40 per cent of what the people paid went into overhead, when that overhead can be reduced to 5 per cent.

**Mr. E. W. Martel (Sudbury East):** 130 million reasons why we do not have medicare; each one a dollar bill.

**Mr. MacDonald:** So there is \$120 million or so that could be saved. If you had an overall plan, you could reduce this \$367 million that is now being spent.

**Mr. Chairman:** Order, please! Before the member proceeds along those lines, will he briefly relate to the Chairman how he intends to relate this to the appropriations set forth in the Budget?

**Mr. MacDonald:** There are two ways, Mr. Chairman. One, under OMSIP we are spending some \$60 to \$70 million in these estimates.

Interjection by an hon. member.

**Mr. MacDonald:** Right, and that \$60 to \$70 million is the extra that would have to be put into an overall plan. You were already spending it. So, by an overall medical insurance plan you would reduce the total cost.

**An hon. member:** It sounds beautiful.

**Mr. MacDonald:** It not only sounds beautiful, it is beautiful, except the Tory government will not do it.

Interjections by hon. members.

**Mr. MacDonald:** Now there were a number of other specifics—

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** There were a number of other specifics with regard to costs, but they have been dealt with by hon. members in both the Liberal and the New Democratic Party this afternoon so I will not proceed further with them. But I submit to this Minister, in summation, that if he wants to reduce the needless expenditure, he should look at the kind of feather-bedding that is going on by so-called legal associations established by doctors in hospitals for purposes of using the OMA schedule of fees to draw money from OMSIP.

Secondly, if he wants to reduce the costs, and relieve the Treasury in the province of Ontario and, at the same time, provide over-

all comprehensive coverage, bring in a medical insurance plan, because you can get it for less, as the survey indicated, rather than more, as you are contending.

**Hon. Mr. Dymond:** Mr. Chairman, I am very much distressed at this attitude on the part of the group on that side of the House who persist in refusing to believe what we state in this House, relative to so-called reports or discussions, or what have you. If the Canadian press has access to these figures from The Department of National Health and Welfare, I say to you, sir, that they have access to figures which are not available to me as the Minister of Health of Ontario.

I repeat to you, sir, for the record, that we discussed this with the one person on the staff of The Department of National Health and Welfare below the Deputy Minister who should have the greatest knowledge of this matter, and he disclaimed all knowledge of it. And I repeat to you, sir, from my own experience, in all of the discussions we had at the Ministerial level with the Minister of National Health and Welfare, these figures were never discussed. I hope that this will lay this accusation at rest for all time, sir.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, on a point of order before the Minister continues. Is the person in the federal civil service below the Deputy Minister, Dr. Armstrong, the man who was mentioned in the press report? Is it the man who was appointed federal director of the medical insurance scheme who was quoted in the report?

**Hon. Mr. Dymond:** No, it was not Dr. Armstrong, it was Dr. E. H. Lossing.

Interjections by hon. members.

**Mr. Nixon:** What is his position up there, sir?

**Hon. Mr. Dymond:** Director—

Interjections by hon. members.

**Hon. Mr. Dymond:** You are not fit to unlace his shoes—he is a director-general of medical services—pardon me, health insurance services and health resources.

The hon. member again enunciated the philosophy of his socialist party that we could reduce the cost of medical services insurance in Ontario. Probably we could, but you see, he did not complete his philosophy or his story, Mr. Chairman, because he left it hang-

ing in mid-air as they always do—the airy, fairy attitude—you pull money out of the air. You go down in the basement and you start up the printing presses. We cannot do that here, not until they come in and that would even put to shame the old “funny-money” idea that was originated—

**Mr. Stokes:** The money is already there. What are you talking about?

**Hon. Mr. Dymond:** I say to you, Mr. Chairman, that he forgets the fact that the former Minister of Finance, who was very much involved in this matter of the national proposal for medicare, pointed out to Canada, quite clearly and quite frequently, that if this were entered into by all of the provinces it would immediately mean an increase in personal income tax of 12 points.

**Mr. MacDonald:** Oh, nonsense.

**Hon. Mr. Dymond:** If you offset one against the other, I think you will find that the so-called saving that our dreamer friends put so clearly and so loudly before us just does not exist.

**Mr. MacDonald:** Mr. Chairman, I am not going to pursue this any further tonight, but it is either out of a calculated ignorance or a confusion of the issue that the Minister comes back with this bogey of income taxes.

**Hon. Mr. Dymond:** The hon. member is confused.

**Mr. MacDonald:** You are confused!

**Hon. Mr. Dymond:** No you; you—

**Mr. MacDonald:** If you bring in—as a matter of fact, it is interesting that the Tories of both parties, namely Mitchell Sharp and Matthew Dymond, should be getting together to peddle the same confusing arguments.

Interjections by hon. members.

**Mr. Deans:** Mr. Chairman, the remarks that I wish to make probably would have been more pertinent had they been made 40 minutes ago. What I want to do is follow up for a moment some comments that were made by my colleague from Timiskaming with regard to people who have applied for OMSIP and who have not been notified one way or the other as to whether they have been accepted or not.

The Minister made the statement that perhaps part of the trouble was because they did not provide adequate information at the

time they applied. Now I understand the Minister to have said that they are going to change this application form somewhat, and I could suggest to him that one of the ways, or one of the areas, that should be changed is in the area on the back of the form. If the Minister would care to raise his eyes for a moment, so he can see where I am pointing, on the back of the form where it indicates, "if you have left a medical group insurance plan within the last 30 days," and you have to fill it out.

If one was to get this form and follow it and fill it out exactly as is asked, you would not be accepted, because, in addition to what is asked for here, you must provide a form from the insurance company that you are leaving in order to verify that you have been covered under group coverage. It does not state it any place here.

I got one of these forms, I filled it in properly, sent it in, and a month later I got a letter back saying that the form was not properly filled out; I had not enclosed a copy of some number of form, the number escapes me, indicating that I had, in fact, had group coverage. This delayed it a month. Not too long after that—right away, in fact—I sent in the form, I went and got one and I sent it away. I told them at that time I had not been billed. Two months later I got a premium notice and I sent the premium in, assuming then that I was covered for sure.

During the intervening period, my family was forced to go to the doctor. On the 13th day of the third month, March 13 this year—and this is since last November—I received a letter from The Department of Health stating that they regret that they are unable to process the claim for payment as my contract has been suspended.

How on earth could my contract have been suspended?

Well, this is fine. It came to me! I know how to handle this. I can pick up the phone and call the Minister's department and I can have this sort of thing looked into. But what about some person who does not know how to handle it? What does the old age pensioner do? The person who perhaps gets this type of a letter and it says, "your contract is suspended." It is suspended because of the stupidity of the department. They are then notified that I sent the cheque away and I tell them the number of the cheque and very shortly they agree, "Oh yes, we made a mistake, I am sorry."

Today I got another call. Six weeks ago—

**Mr. Chairman:** Order, please! I think numerous members have brought up the point that there has been a great deal of difficulty in connection with the OMSIP administration. A good number of instances were cited and described in detail. The Minister replied to those complaints. I am sure that all the members of this House have encountered the same sort of complaints and are quite familiar with the details of which the member speaks.

Now it seems to me that we are going just a little bit too far beyond the purpose of the estimates before us—

**Mr. Deans:** I feel it must be driven home.

**Mr. Chairman:** —in further complete discussion on such detailed matters. Every member of this House is fully aware of the matters that the member for Wentworth is referring to at the present time. It seems to me that we are just going too far away from the votes.

**Mr. Sopha:** If we are going to deal with personal complaints—

**Mr. Deans:** Perhaps we are. But may I suggest to you, sir, that the hon. member for Sudbury strayed not only far away, but right beyond reason.

Is the Minister aware that this particular portion of the application form is in need of revision, and will it be revised? This particular portion?

**Hon. Mr. Dymond:** Mr. Chairman, I advised you this afternoon that the application form was in the process of being revised.

I would like to point out, sir, that I must come to the defence of my staff. I do not care how stupid they call me, that does not really matter. My hide is so thick that it really rolls off, but I do resent very, very deeply any hon. member in this House referring to my staff as stupid. They may make mistakes and they may be guilty of and capable of errors, which any human being can make. But I assure you, sir, they are not stupid.

**Some hon. members:** Hear, hear!

**Hon. Mr. Dymond:** They are very well skilled men and I berate them often enough, but they do not have to sit in this House, or read in *Hansard*, or read in the newspapers that other hon. members of the House berate them as well. When I berate them, I berate them in private, where it should be done, or through their supervisor, but I do not like, sir, and I must emphasize this, any hon. member standing up—indeed, sir, I think it



ill becomes any member of this House to refer to any member of the public service as stupid.

**Mr. MacDonald:** Quit the sermon!

**Mr. M. Shulman (High Park):** If the department was better managed you would not have this constant criticism.

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** The public service represents you as well as the government.

**Mr. Sopha:** That epithet should be reserved for politicians.

**Hon. Mr. Dymond:** I agree with you.

Interjections by hon. members.

**Mr. Deans:** What I said, I might point out, was that the department was stupid, but I withdraw the word stupid, and put in its place, incompetent.

**Mr. Sopha:** If the pay was not so good, we would all quit.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Chairman, I would just like to ask the Minister how the government justifies not building less expensive chronic hospital accommodation so that our active hospital treatment beds can be made available to those who need them? I am thinking, of course, of the length of stay, which was discussed this afternoon, and also the cost. The chronic hospital care being \$18, and the nursing home care \$10, the home care programme or plan, the daily rate of \$10—meaning that every day a patient is kept in an active treatment hospital when chronic hospital care is indicated, the unnecessary expenditure is \$28 per day.

**Hon. Mr. Dymond:** Mr. Chairman, this is a decision that must be made by the medical people attending the patient.

If the patient needs chronic hospital care, it cannot be provided for them under the home care plan, or in a nursing home. They need the care that is specifically provided for them in a chronic care facility and if they do not need that, then it is the responsibility of the doctor to get them out of there and get them into another kind of facility which is capable of meeting their needs, or supplying their needs.

I dealt with that this afternoon. I dealt with it last evening, and the same arguments which

I applied to the active treatment hospital runs down the whole gamut of the facilities. I think that one of the great bars to people, or one of the reasons for the unwillingness of people to leave chronic care facilities, or facilities that are paid for under the hospital care insurance programme, is the fact that the others are not covered by the hospital insurance programme.

But I have to remind you, sir, that this is a hospital care insurance programme and not a nursing care programme. The home care programme is subsidized. Indeed, it is paid for out of the budget of OHSC and The Department of Health. Each organization pays 50 per cent of the cost. If doctors do not use this, it is not because they do not know it is available, or they are not aware of the service that is provided. For reasons which are best known to themselves they either do not use it, or they have decided that the patient cannot be adequately looked after in such a setting.

We have now provided chronic care beds at the rate of one bed per 1,000 population. In our experience this is a valid formula; whether it is right or not, there is some controversy, but the consensus still seems to be that this figure is an adequate one and it is a formula that should be maintained. And I think it is a formula used in several other provinces, I cannot be positive of that, because I have not got that information at hand. But we have, after long study, come to the conclusion here in Ontario that this is a valid figure.

There are in the province now, 12,800 nursing home beds. Every one of them is available, but here again, this is not an insured service under the hospital insurance programme and cannot be, because the federal government has again reminded us that this is a hospital care insurance programme and not for nursing home care.

**Mrs. M. Renwick:** Just a couple of questions, Mr. Chairman, rather short ones, but the seriousness of this situation warrants the questions.

Are there some nursing homes at the present time which can be covered, or are covered, by the Ontario hospital services commission scheme? If so, could I just ask how many?

**Hon. Mr. Dymond:** There are places that were formerly nursing homes that are presently, on a temporary basis, licensed as private hospitals in order that they provide care for chronic patients under the hospital

services insurance plan, but I emphasize, sir, that they are not nursing homes while they are serving this purpose. They are temporarily licensed as private hospitals. When public facilities are available in these communities to provide adequate nursing home facilities these temporary licenses will be withdrawn and then they will revert to their former function as nursing homes.

**Mrs. M. Renwick:** How many are there, Mr. Chairman, and is this the area that is covered, then, by the home care plan?

**Hon. Mr. Dymond:** There are 40 nursing homes and, I think, there are about 600 beds—something in the order of between 600 and 700 beds. They are not part of the home care plan—the home care plan is what it says, it is in the patient's home, not in an institution of any kind at all.

**Mrs. M. Renwick:** But the 40 units are chronic temporary units, not nursing homes—I believe you just said 40 nursing homes. What you are speaking of? Am I correct in understanding that you are speaking of the 40 temporary units for this type of care?

**Hon. Mr. Dymond:** They were nursing homes, but because they were in areas where there was a lack of publicly operated chronic care facilities they were licensed temporarily as private hospitals to provide chronic care. When the public facility is available, they will lose that temporary licensing and they will revert to nursing homes.

**Mrs. M. Renwick:** May I ask, Mr. Chairman, how many beds are covered by those 40 units?

**Hon. Mr. Dymond:** It would be 666; I thought it was somewhere around 700.

**Mrs. M. Renwick:** Just one other small point, Mr. Chairman. Earlier today, in the process of planning this question, I began with the average length of stay in hospitals. After reading the red headline, which was referred to me by the chair—thank you—and being a democratic socialist I certainly would not want to have any confusion on the record this afternoon that I, somehow, in speaking about the length of stay in Ontario hospitals, suggested that it should be in any way cut. I feel very deeply about the article, which I see in the newspaper tonight, saying that medical tribunals will be established to decide how long patients can stay in Ontario's private hospitals.

**Hon. Mr. Dymond:** Let me correct the hon. member. If the newspapers said medical tri-

bunals will be established, this is not what I said. I said it may come to the time when I will recommend to the government that we establish medical tribunals.

**Mrs. M. Renwick:** Mr. Chairman, I will not belabour the House with the story but I would just like to disassociate myself strongly with this statement:

It will be a sorry day when that has to happen but I am prepared to do it, Dymond told the Legislature.

Personally speaking, Mr. Chairman, I know that doctors' decisions for the length of stay of a patient are very often based on what sort of environment the patient will return to at home in order to make the treatment in the hospital effective. In my own particular case, where a visiting homemaker was not available to me, the doctor extended the stay in Women's College hospital. Her work would have been lost had she not done so. I feel very strongly—when I see this is the attitude taken by the Minister—that a voice must certainly come from the opposite side of the House saying that the doctor's decision on the length of time that it takes for his patient to recuperate is much to be considered and desired.

**Hon. Mr. Dymond:** Mr. Chairman, this has been my contention right along that it must be a medical decision but I suggest to you, sir, and I suggest to you as a physician, that unless the doctor can justify his professional opinion and justify retaining his patient in hospital on the basis of medical necessity, then he is transgressing the insurance programme.

**Mrs. M. Renwick:** One last point, Mr. Chairman. May I ask whether the Minister can work with the Minister of Social and Family Services (Mr. Yaremko) on a couple of points that to me need both Ministers to decide? Many patients could be returned home if we had a broader homemaker service in our province, where mothers could go home and be assured the treatment was not wasted in hospital if they resumed household duties. The homemaker plan of operations should be broadened; if nursery schools were instituted in all our hospitals it would no doubt return married nurses to work. Could we ask, Mr. Chairman, if sometimes these decisions are discussed by one Minister from one department with the Minister from another in hope of alleviating the problem that concerns really both departments?

**Hon. Mr. Dymond:** Mr. Chairman, a home-maker service is part and parcel of the home care plan, so that no further discussion is necessary. It is built into the plan already and I think every community that has established a home care plan is aware of this.

On the matter of the nursery, I presume the hon. member is making reference to the establishment of a day-care set-up such as Riverdale hospital had. We have not thought of talking to the Minister of Social and Family Services about that but there is no reason why we cannot. I do not know where he would be involved in it, but we are quite prepared to discuss it with anybody. If they will help pay the bills, it will be very helpful to us.

**Mrs. M. Renwick:** The incorporation of such a unit is a paying service by the mothers of the children; let us hope it could be a worthwhile and profitable situation. Could you just tell me, how many visiting homemakers we have in the metropolitan area, or in the province?

**Hon. Mr. Dymond:** I would not have any idea of that figure, Mr. Chairman. The home care programmes, wherever they are in vogue, are operated by local authorities and we have nothing to say about how many they have, nor do we ask for this information unless we have a specific or inquisitive reason for asking for it. I have no idea how many there are in the province because the only place they come into contact with my programmes would be in the home care plans operated by municipalities.

**Mrs. M. Renwick:** Mr. Chairman, may I suggest, even as a new member of this assembly, that in order to cut down the length of stay in hospitals, which is critical in our province in the metropolitan area right now, the service of the visiting homemaker is worthy of perusal by the Minister and also the aspect of day care.

**Mr. Chairman:** The member for Beaches-Woodbine.

**Mr. J. L. Brown (Beaches-Woodbine):** Mr. Chairman, I would like to ask a general question about the organization of the department. I am particularly interested in why the foundations, commissions and institutes are directly related to the Minister and whether or not this produces problems—

**Hon. Mr. Dymond:** Mr. Chairman, on a point of order, this should have come under vote 801, general administration.

**Mr. Chairman:** Yes, I would point out to the member that we are on votes 807, 808 and 809.

**Mr. Brown:** Well then, I will come down to the specific Ontario hospital services commission and enquire whether or not there may be some merit in considering that being an integral branch or division of The Department of Health rather than a commission answerable directly to the Minister, and whether or not the present structure of the Ontario hospital services commission does not present basic organizational and planning problems simply by the nature of its relationship within the department's services.

**Hon. Mr. Dymond:** In the wisdom of government, Mr. Chairman, 11 years ago the Ontario hospital services commission was established. Government has looked at this on two or three occasions, and it has been content that this was a good operation, and it was the way that the government wanted to continue to operate the hospital programme. Now, despite the fact that my own personal feelings about commissions are quite well known, I can say with very great sincerity, sir, that I have found no problems in its operation; I have found no difficulties in working with the commission or having the commission working with me.

They are a body charged with certain responsibilities, including of course, the administration of a very important piece of legislation. That they have done it well, this House does not require me to remind it, or to remind the hon. members. The success of the operation has been very evident, and it has been attested to quite glowingly by some members of the Opposition benches today. I know that the members of the government side of the House are satisfied with the operations of the commission, and I cannot think of any way where it poses any problem either to the operation of government or to the smooth functioning of the plan which we administer.

**Mr. Brown:** I wonder if the Minister would share with the Legislature the reasons for making it a commission rather than making it a department?

**Hon. Mr. Dymond:** No, Mr. Chairman, I really could not because I was very young in this House—I mean from the point of tenure in this House—when it was formed. Indeed, I said it was 11 years ago; I think actually that the commission was established in 1956. The year after I was elected, the



first job that I was given in the House was to chair the standing committee of the Legislature on health and for the first two sessions, we considered the hospital services commission legislation—that was all we did.

The decision to make it a commission was taken before I became a member of this august assembly. As I say, despite the fact that I know during my own tenure of office, government has looked again at the operation and they were satisfied then and I believe that we are quite satisfied yet to retain the commission.

Votes 807 and 808 agreed to.

On vote 809.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, on page H36 of the accounts for the year 1967 there are grants relating to treatment rendered in organized out-patients' departments. I just wanted to satisfy myself—are these the grants referred to before that were to cover band-aids, and things of this nature? H36, main paragraph 2.

**Mr. Chairman:** Are these the public accounts for 1967? Could you relate this to the estimates?

**Mr. Shulman:** I want to know whether—this is brought up under this vote. I want to know if this is a portion of the duplicate payments in reference to hospitals being paid on the one hand from the out-patients' department, and again through OMSIP. I want to know if this is the item that is referred to?

**Hon. Mr. Dymond:** Mr. Chairman, these are the grants, but, I would repeat again, sir, that these are not duplicate grants.

**Mr. Shulman:** How are these grants arrived at? Are they arrived at per patient? I notice here, for example, at St. Joseph's—

**Hon. Mr. Dymond:** Visit, Mr. Chairman, per visit!

**Mr. Shulman:** Per visit? Thank you.

Now, to come down again to the cost of OMSIP. We have heard considerable discussion tonight on the work done by interns in hospitals under the supervision of staff men, with the staff men charging for that work. The hon. Minister has pointed out that he felt that it is quite proper for these charges to be made, so I would like to continue giving the hon. Minister some medical

education by relating how this particular set-up occurred.

For this past generation, in city hospitals in any case, it has been a great privilege to get on the staff of hospitals, because this allowed the doctors who were on staff to admit patients, and this is a matter of dollars and cents. In return for this, the doctors agreed—and this has been the custom up until very recently—that they would supervise the work of the interns in the out-patients' department, in the hospital itself and in the emergency and were delighted to do so free—

**Mr. Chairman:** What vote is this on?

**Mr. Shulman:** This is under vote 807, OMSIP.

**Mr. MacDonald:** Dead on—where the Minister is vulnerable, too.

**Mr. Shulman:** Suddenly the doctors, to their great delight and amazement—and I think that you will find that this is universal throughout the group who have been so fortunate to receive this great windfall from the Conservative government—have found that this work that they expected to do as a reimbursement for having entrance to the hospitals is suddenly being paid for. And being paid for better than any other work that they do anywhere else.

It is a tremendous windfall which the Minister, in his kindness to these poor gentlemen, has decided to throw to them, without it even being asked for. So the result now is that the men who are receiving these vast gifts—and they are vast gifts, I have some figures in front of me that would amaze you, Mr. Chairman, of the amounts that individual doctors have received—they suddenly find that this is a free bonus. An unexpected free bonus, and this bonus is going to the highest paid members of the profession—they are primarily specialists, who are already on the hospital staffs, who are getting the hospital beds, who are doing the operations, and who are drawing the big fees.

One urologist who I had the pleasure of having dinner with the night before last, said to me, with amazement, that as a result of this particular flaw in the running of OMSIP—if it is a flaw—he had found to his great delight and amazement that his gross income last year rose to \$130,000, and he was rather pleasantly surprised.

**Hon. Mr. Rowntree:** What hospital is that?

**Mr. Shulman:** That is a Toronto hospital, I can assure you.

**Mr. MacDonald:** Never mind, never mind, that is irrelevant.

**Mr. Shulman:** I am not going to mention a specific hospital; it applies to every hospital in this city.

**Mr. MacDonald:** This is a general proposition.

**Mr. Shulman:** This is a general situation. I am not going to smear one particular hospital. This applies to every man in this particular position.

**Hon. Mr. Dymond:** Mr. Chairman, may I interject on a point of order? The hon. member says that he is not going to smear one particular hospital. May I recall to your memory, sir, a few nights ago in this same House, when I steadfastly refused to divulge certain information, this hon. member and his leader stood up in high dudgeon and demanded that after having hinted about this, I must—

**Mr. MacDonald:** On a point of order?

**Hon. Mr. Dymond:** On a point of order, Mr. Chairman. Mr. Chairman, I am on a point of order.

**Mr. MacDonald:** Mr. Chairman, it is not a point of order. This is—

**Hon. Mr. Dymond:** —and demanded that I give the full information. I ask you therefore, sir, that the hon. member be directed to give the full information after having hinted at a smear.

**Mr. MacDonald:** You cannot cover your tracks by that kind of argument.

**Hon. Mr. Dymond:** A nice mess you made of the person too, didn't you?

**Mr. Shulman:** On a point of order, Mr. Chairman. May I point out that at that time, the hon. Minister stated that that particular nursing home was being closed that day and the private patients moved out—

**Mr. MacDonald:** The hon. Minister misinformed the House.

**Hon. Mr. Dymond:** Mr. Chairman, the hon. member is getting away from the point.

**Mr. Shulman:** I am stating a fact. I have learned tonight that that particular nursing home was not closed. Once again that Minister misled this House. He does it daily.

**Mr. MacDonald:** Exactly!

**Hon. Mr. Dymond:** He is so accustomed to smearing, sir, I guess that he does not recognize the difference.

**Mr. MacDonald:** Mr. Chairman, on a point of order. The point has been made that the Minister misled the House, now let him correct that misinformation and not hurl charges across the floor of the House.

**Hon. Mr. Dymond:** I did not mislead the House.

**Mr. Chairman:** The member for High Park had a question I believe, that he was directing to the Minister.

**Mr. Shulman:** Yes, I was coming to that Mr. Chairman.

**Mr. Chairman:** Well, would he like—

**Mr. Shulman:** The question was: in the light of this windfall, this unexpected, this unrequested, windfall, will the Minister please make the simple amendment to the running of OMSIP, so that patients who are being treated in hospitals, but who are not in-patients, will not be covered by OMSIP? This will allow him to lower the rates, and at the same time will return the situation to where it was before, where doctors will still be delighted to be on staff so that they can get the beds, as the situation was until this hon. Minister arrived on the scene.

**Hon. Mr. Dymond:** Mr. Chairman, I stated this afternoon that I would not make such a recommendation to the government, because I will not divide the citizens of Ontario into two classes of citizens.

**Mr. Shulman:** We are asking the Minister to divide the citizens of Ontario into two groups—those who are in hospital and those who are outside of hospital. He finds it difficult to understand this.

Let us get on to another matter. This afternoon the Minister and I had some discussion about the extra 10 per cent which was charged by OMSIP to many patients. He pointed out his great difficulties in hammering out an agreement with the Ontario medical association and I tried to explain to him that he did not have to hammer out an agreement with the Ontario medical association.

I have gone to the trouble of getting a copy of the agreement which physicians' services incorporated signs with the individual doctors in this province who wish to do business with PSI and I would like to show the

Minister this particular agreement. I would like to read one paragraph; it is paragraph F, section 3, subsection M.

**Hon. Mr. Dymond:** Has it anything to do with my estimates?

**Mr. Shulman:** Yes, it has a great deal to do with the estimates, and I submit to you—

**Hon. Mr. Dymond:** It has nothing to do with my estimates.

**Mr. Chairman:** Will the member for High Park, briefly, if he can, and clearly indicate if this subject matter at the moment has something to do with the estimates? The Chairman does not follow it.

**Mr. Shulman:** This has to do with the cost of OMSIP.

**Hon. Mr. Dymond:** It has not!

**Mr. Chairman:** Well, what does the contract of PSI have to do with the cost of OMSIP?

**Mr. Shulman:** Because I am trying to show the Minister how he can improve OMSIP. We are discussing OMSIP now. This is a 20-years-old agreement, which the Minister is apparently not willing to bring in in relation to OMSIP. If he was willing to bring it in he would save money for the people of Ontario who have OMSIP. And there are a lot of people who have OMSIP in this province.

**Mr. Chairman:** I still cannot see how it—

**Hon. Mr. Dymond:** It has no bearing, Mr. Chairman, whatsoever, absolutely none.

**Mr. Shulman:** Mr. Chairman, are you ruling that I may not present this evidence?

**Mr. Chairman:** I wanted to give the member every opportunity to indicate to the committee how it specifically relates to the votes in this estimate and I said earlier that I could not follow it. And I am not able to follow how it does relate by virtue of a PSI contract.

**Mr. Shulman:** Well, let me try again, Mr. Chairman.

**Mr. Chairman:** One more try.

**Mr. Shulman:** Once more, OMSIP is the medical scheme which is run by this particular department. PSI is a very similar medical scheme which is run by the medical profession in this province. PSI has a proviso in it which prevents extra or overcharging by

physicians who have agreed to accept the PSI money. OMSIP, which is what we are discussing under this vote, should have a similar provision. Because if they had a similar provision it would save money for the people of this province who have OMSIP, and on that ground I submit that this is applicable, and I request your permission to proceed.

**Mr. Chairman:** The member is simply suggesting that a new concept, a different principle than that to the one which has been used by the department and in the OMSIP programme, would perhaps work better than the present plan.

**Mr. MacDonald:** Save us money!

**Hon. Mr. Dymond:** After all, the hon. member is a Johnny-come-lately, sir, and we tried all of this long before he came into this House. We tried this when we started to organize OMSIP. We discussed this with the medical profession and they absolutely refused to enter into a contractual relationship with us. I emphasized that this afternoon. I have emphasized it on three previous sessions of this Legislature during the last Parliament, and I think we have gone over this frequently enough. I have talked to enough medical people in the interim to recognize that enough of them are not prepared to enter into a contractual relationship with us to make it worth our while.

**Mr. Shulman:** Now, Mr. Chairman, as I tried to point out this afternoon on this point.

**Mr. Chairman:** No; order!

I think the member has conveyed to the committee and to the Minister what he has in mind and I believe I have a clear understanding of it. As the Minister has answered it, I think that any further discussion on it is out of order.

**Mr. Shulman:** But, Mr. Chairman, I must point out that the Minister has not answered; the Minister continues to say he cannot make an agreement with the medical profession. This does not require an agreement with the organized medical profession. This is an individual contract between individuals and the insurance scheme.

**Hon. Mr. Dymond:** Mr. Chairman, this is out of order.

**Mr. Chairman:** I think the Minister has indicated to the member for High Park that they have fairly considered the proposition



in the past and it is not acceptable to them. Therefore further discussion is not in order.

**Mr. Shulman:** This is not true, sir.

**Mr. Chairman:** The Minister says it is true, and I must rule it out of order.

Vote 809 agreed to.

Vote 810 agreed to.

**Mr. Chairman:** This concludes the estimates of The Department of Health.

**Hon. Mr. Dymond:** Thank you, Mr. Chairman.

Before I leave this place, may I be allowed to draw to your attention—I meant to do this earlier—that two of the senior members of my staff have been rather signally honoured in recent days. My Deputy Minister has just had conferred upon him, or is about to have conferred upon him, the degree of doctor of laws *honoris causa* by the University of Western Ontario. Mr. Stanley Martin, whom we miss here tonight—although his place has been well filled by his associate commissioners—Stan is presently in Toronto East general hospital suffering from an acute illness. But he has been honoured by the American medical association for his tremendous contribution to hospital services in Canada.

#### ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, in presenting the 1968-1969 budgetary estimates of The Department of Agriculture and Food to this Legislature for approval, I would like to make a few comments about the health of the industry and the role of the department in providing a climate whereby the family farm in Ontario can progress through the social and technological evolution which presently characterizes the industry and move on into a promising future.

There are two key concerns in agriculture today: (1) the difficulty being experienced by farm operators in earning a fair return on their labour and investment; and (2) the uncertainty of our farm operators about the direction in which the current change within the industry is likely to carry them. It is doubtful if there has ever been a period when greater doubts existed in the minds of our farm people as to what the future holds. The winds of change are sweeping our society, shaking our traditional institu-

tions at their very foundations. The same winds of change are sweeping through agriculture as well, and many traditional beliefs are being questioned and abandoned.

Farm life, which for generations has been a preserve of independence, has changed from a way of life to a way of making a living. The hard impersonal rules of business are upsetting the old values which our families have striven to preserve. The fact is, if agriculture as an industry is going to survive and flourish, we as farm people must be prepared to submerge some of our traditional thinking and replace it with the disciplines of business. Out of this climate of change there is emerging a new agriculture, an industry based on the family farm operating as a business, often as a corporate family business, rather than as a way of life.

It is in this atmosphere that The Department of Agriculture and Food is working today, seeking to smooth this transition and assist farm families to build business structures that will weather the test of time. It has meant many changes in the department's way of doing things. It has created a demand for new programmes, new policies, and an updating of many of those which remain on our statutes.

We are continuing the policy of providing every possible encouragement and assistance to those who wish to remain on the land, and at the same time we are striving, in co-operation with other departments and agencies, to provide alternate opportunities for those who find the pressures of our modern agriculture too demanding. We believe in the family farm, operated efficiently as a family business, and are convinced that these family owned and operated businesses will ensure a sound industry for the future.

We are concerned about reports, particularly from south of the border, which would seem to indicate that vast amounts of corporate capital are either being funneled into agriculture or stand ready to be invested. Large corporations, many of them engaged in the manufacture and sale of goods and services used in agriculture, or depending on agriculture for their raw materials, have an eye on the industry as an investment. For some it is a way to guarantee a steady supply of raw materials of the grade or variety they need in their processes.

For some it is a method of guaranteeing a market for their feeds, their fertilizers or other materials. But there is another group with designs on modern agriculture; those who see it as an industry which requires far

less manual labour than some other industries, and as such promises a fair return on invested capital.

A recent report from the highly regarded and usually reliable Doane's agricultural service in the United States sets forth some examples of these corporate inroads into the agricultural industry, but it goes on to say that while 95 per cent of United States farms were family-type operations, corporate farming is on the increase south of the border. We know that the same climate and the same conditions exist in Canada as in the United States, and we know that many of the same corporations do business on both sides of the international border. If it can happen in the United States, it can happen in Canada, and we must be keenly aware of this threat to the traditional family farm philosophy. We know that a good many management decisions in certain fields of production are already being influenced by either credit, contracts, or other arrangements made between individual farmers and corporate giants. This is inevitable in a country where producers have the freedom to decide whether they remain free to produce as they wish, or be bound by contracts or agreements or quotas.

Agriculture is a highly competitive business. Not only does the farmer have to compete with his neighbour for a share of the market, he must be prepared to meet the competition between commodities. Beef and pork producers court the consumer, while, at the same time, they compete with the producers of poultry products. For practically every commodity there is an alternative—a substitute or a synthetic product which must be considered. In many, many cases, our producers also face the overwhelming competition of imported products from countries where labour costs are low, and, in some cases, where government programmes assist in their movement at prices that bear little relationship to the domestic price or the cost of production.

Our Ontario farmers are today making greater use of marketing legislation than those in any other jurisdiction in North America, and perhaps in the world. Marketing authority under either The Ontario Farm Products Marketing Act or The Ontario Milk Act has been extended to the producers of a multitude of commodities. Ontario has pioneered in this field, and our marketing boards have been used as models by many other provinces and organizations. But we are not so naive as to claim that these boards

are the final word, the utopia for all producers. As a matter of fact, the very best efforts of some of our most efficient producers have been neutralized by the unhindered importations of low cost products from around the world.

For this reason we are extremely hopeful that the federal government, working in concert with producers at national level, will shortly see their way clear to establish national marketing programmes for those commodities suffering from unfair competition from without, and interprovincial movement from within this country. The national dairy commission is a welcome first step in this direction, and we look forward to the day when this national approach will be applied to other commodities.

We in The Ontario Department of Agriculture and Food intend to do everything possible to create an economic climate that is favourable to the establishment and maintenance of an industry based on family units, where the management decisions are made by the members of that family team. Our programmes and our policies are pointed in this direction and we do so with firm confidence in our objectives.

Our Ontario junior farmer loan programme is drafted in such a way as to provide that young men may use these loans to buy into, and expand the family-operated business. More than 5,000 of these first mortgage loans, to a total of more than \$70 million, are now out, and by the end of this year we expect that a further \$24 million will be approved to qualified young men.

Last year, under ARDA we embarked on a farm enlargement programme whereby farmers hindered by uneconomic units could have assistance in acquiring adjacent acreage under this programme. As of March 31, 1968, we have acquired 355 farms, totalling 50,683 acres, and averaging 144 acres each. These lands are then leased to interested farmers for a period of five years, with an option to buy at any time within that period, or to renew the lease for a further five years. Thus we are enabling these farm families to build economic units without heavy capital commitments during the period of adjustment.

Many of these farms have been acquired from elderly people who wished to retire but who lacked the capital to do so. Some have moved off the land but, should they desire to stay, we are arranging lifetime leases of the farm home to these elderly persons so they may live out their lives among their friends

and neighbours in the friendly environment of the rural community.

Through our capital grants programme we are providing financial assistance to farmers who wish to improve their facilities and modernize their operations. In the 12 months ending March 31, 1968, 13,249 grants were made under this programme, to a total of \$7,163,000. Of these, 9,502, worth \$6,246,000 were for farm structures such as silos, poultry houses, greenhouses, milk houses, grain storages, tobacco kilns, manure storages, and the paving of barnyards or for farm drainage purposes.

The remaining 3,747 grants were for farm water supplies, either wells or farm ponds, or for our field enlargement through fencerow removal, and in this case the cost is shared with the federal government under the ARDA agreements. This capital grants programme is a long-term undertaking over the next 12 years. It is another valuable tool in our continuing battle to put our family farms on their economic feet, and to enable these enterprising people to better utilize their time and capital.

Working hand in hand with the federal government, we in Ontario have gone further in development of a comprehensive crop insurance programme for our producers than has been the case in any other province. Our Ontario crop insurance commission, within the short period of less than two years, has gained sufficient experience to be able to provide protection for the growers of fall wheat, spring grains, grain corn, soybeans, and forage crops, the key crops for our Ontario farms. We have introduced accumulative premium discounts for growers who have not filed claims, and we are giving consideration to many other ways in which this programme can be made both versatile and economic as to cost.

In the past our growers have relied upon either handouts from the public purse or temporary programmes of government-guaranteed and assisted loans to see them through crop losses. With crop insurance now available, we take the position that it is only logical that every farmer insure his crop, as he already insures his buildings against fire, wind or other damages. At the present time we are giving a good deal of consideration to a broadening of the concept of this programme. It is indicated that farmers may wish to insure for lesser amounts than those now provided, with the emphasis on costs of production. For those who would seek this minimum protection the premium rates would be under-

standably, much less. The existing protection is aimed at guaranteeing a certain level of income.

In an industry where technology and chemistry are playing an ever-increasing role, it is vitally important that the owner-managers of our farms be informed of the latest techniques. We are attacking this problem at two levels. First, we are undertaking to provide professional training for the men who will be our farm operators of tomorrow and, secondly, we are using every available means to upgrade the skills of those presently engaged in farming.

The degree graduates from the Ontario agricultural college at Guelph are in great demand, both in agriculture and in associated fields, but we long ago conceded that we could never hope to recruit enough of tomorrow's farm operators from these young men and women.

We have been greatly encouraged by the interest in the two-year diploma course at Guelph. We have undertaken at our own colleges of agricultural technology to establish courses of study with the prime purpose of preparing our young men for full-time careers as farm managers. We know that not all of those taking these courses will go back to the land; however, they will probably be absorbed by the agribusiness sector and as such will be very useful to the industry. The demands upon our facilities for this training have been so great that we have had to expand our facilities at Kemptville and Ridgetown. A similar course at New Liskeard is being provided. We have opened another college at Centralia and we are participating in the provision for similar training for students at the Woodstock satellite of Fanshawe college. We are frankly pinning our hopes and our aspirations for tomorrow's industry on these young men.

At the same time, we are attempting in a variety of ways to upgrade the skills of those presently in the industry. In addition to our regular programme of extension, short courses, farmers' week at the colleges, and so on, we have for several years now used television as a teaching medium, with three one-hour programmes each January. The response to these programmes has been overwhelming.

This past winter, in seven high schools across eastern Ontario, from Peterborough and Orillia to Plantagenet, more than 600 farmers, farmers' sons or full-time farm workers participated in full-time "business of farming" courses, sponsored by the Ontario manpower training programme. These courses given in



the local high schools were held five nights a week, for periods ranging from four to twenty weeks. Financial assistance was provided to the students under the federal-provincial manpower training programme, with The Department of Agriculture and Food advising on curriculum development, and providing many resource persons.

We are confident that this investment will yield healthy dividends in the form of improved management skills, more productive farms, and a greater appreciation of farming as a business. But this upgrading is a continuing process; it is not a one-shot programme. We must and we will provide our farm operators with continuing opportunities to keep abreast of the latest tools that the scientist, the engineer, the chemist and the economist provide.

Because of the complexity of the issues in agriculture today, we have enlisted the guidance and the advice of some of the most highly trained economists to assist in determining goals and objectives for the future. Our Ontario farm income committee will be presenting its report and I am hopeful that this will include the kind of guidelines so badly needed in establishing policies and programmes for the industry. We have invested \$500,000 of the Ontario taxpayers' money in an exhaustive study of the industry which is being carried out by the Hedlin, Menzies firm. We are also hopeful that the findings of the federal task force on agriculture, appointed by the federal Minister of Agriculture, will have relevance in Ontario, and to this end we have pledged the wholehearted cooperation of our farm income committee.

It is quite clear to anyone who has given thoughtful consideration to the industry's problems that the answers cannot be provided within the narrow confines of one province. The constitution of Canada provides many jurisdictional limitations which provinces have to recognize. In Ontario we have implemented many programmes and policies aimed at higher levels of efficiency, lower production costs, and improved returns for our producers, but superimposed on these provincial programmes are the limitations of federal jurisdiction, which can and do hamper their effectiveness from time to time.

All international trade in food products, particularly imports, comes under federal jurisdiction, as does the interprovincial movement of food products. As a province we have no control, no influence, over cheap imports

of agricultural products from other countries which can seriously and adversely affect our industry, and at times render helpless the most effective provincial marketing machinery. Because of the limitations placed on us by the constitution, it is impractical for us as a province to attempt unilateral solutions to many of our acute farm problems within our own provincial boundaries. We must co-operate with the federal jurisdiction and, through such agencies as the task force, seek to either modify these firm and rigid jurisdictional boundaries, or influence national policy.

It is very clear that farm people in Ontario, and indeed in most societies, want to have a voice in the planning for the future of their industry. This is the way it should be, but in Ontario and in many other jurisdictions, it is very difficult indeed for governments, or any other agency, to sort out the true and genuine desires of the rural community when there are several spokesmen for the industry. In Ontario we have not one voice, not two voices, but in fact many voices. At times it is extremely difficult to determine what is actually being proposed.

We have two general farm organizations, and a small multitude of commodity organizations, co-operatives and other groups, each seeking to gain the ear of government for its own particular interests. On occasion, the result is a harmonious sound wherein most, if not all, agree. But on many of the key issues of agriculture, the diversity of opinion sets the various organizations apart. This division, this confusion, this inability to speak with one voice, does little to improve the industry's image, or to clarify the position of the farmer. It confuses those to whom presentations are made; it fragments the strength of an industry already declining in numbers; it weakens the bargaining position of farmers, and exposes the industry to ridicule and indecision.

If there is a groundswell of public opinion concerning farm organizations in rural Ontario today, and I believe there is, it is a groundswell of demand for unity. It is a demand that those divided voices join together to give responsible leadership at a time when leadership is badly needed. A united voice for Ontario agriculture is not a new objective, Mr. Chairman, not a new idea. In June of 1961, the report of the agricultural marketing inquiry committee, including in its membership the presidents of both the Ontario federation of agriculture and the Ontario farmers' union, made this recommendation:

"We recommend that the Ontario federation of agriculture and the Ontario farmers' union unite soon with a single, clear and responsible voice."

The principle of a single farm voice has not been forgotten. At the present time, a 16-man committee is working against time to draft a proposed farm organization structure that will be acceptable to Ontario farmers. This committee is made up of persons who represent the two general farm organizations and others who speak on behalf of the commodity and co-operative organizations. They have toiled very long hours, and it is hoped their work will not be in vain. I have not been a party to these discussions, for it is my opinion that farm people themselves must decide upon the kind of organization they need. But I would like to go on record as stating that, in my humble opinion, farm people can no longer afford the extravagance of division, duplication, and dissension within their ranks.

At the present time, various farm groups are competing vigorously for both public recognition and official status as the spokesmen for agriculture. There is a growing demand throughout the industry for bargaining power, such as now exists in Britain and is gradually being introduced in legislative form in the United States. Farmers are making it clear that they want one organization which will have the authority to bargain and negotiate, not only with governments but perhaps more importantly with corporate interests, on social and particularly economic matters. This is a policy that can be supported. It is a policy that this government accepts.

However, it should be made abundantly clear that before such official recognition is provided, the farmers of this province should be prepared to accept one farm organization as their spokesman. Farmers should be prepared, as their leaders should be prepared, to submerge their individualism in the interests of strength and unity. But they must also be aware of the responsibilities that will fall on the shoulders of such an organization.

With the authority to bargain goes the obligation to deliver, to fulfill contracts, to live within quota production, to live within agreements, to live within commitments, if necessary. This means harnessing not only the power of rural Ontario, and better still of rural Canada, but its productivity as well, and directing it in the best interests of the community at large.

When the farmers of this province have indicated the kind of organization they desire, then this government will fulfill its part of the bargain. When a single unified farm voice evolves, and it is the kind of an organization that is well financed and responsible, then this government will give that organization the recognition and status necessary to bargain in good faith on farm policy matters. We make this commitment in the hope that all parties to the present discussions are meeting in good faith. Should such a single responsible organization be developed, it is the hope of this government that it will be but the first step to a single national organization that will assure this industry a firm grip on the future.

Should this hope be realized, we would welcome the opportunity to march forward into the future, accepting a well-organized industry as partners in determining those long-range guidelines that will bring Ontario agriculture the attention and appreciation it so rightly deserves in the overall Canadian agricultural and food industry.

Ontario is humming and throbbing with development. The population of this province grows as we strive to keep up with the demands for goods and services. As this province grows and develops, new opportunity for our farmers reveals itself. As the Minister of Agriculture and Food, I know there are adjustments that will have to be made, policies that from time to time will have to be amended, but as a farmer I have confidence in the future. As an Ontario farmer, I am very appreciative of the fact that today we have the very best brains in this country searching for answers to your questions and mine.

The federal government's agricultural task force, the Quebec Royal commission on agriculture, and our own farm income committee studies are drawing attention, not only to the industry's problems, but its important place in the economy of this country. I am hopeful that when these studies have been completed, and the guidelines established, we will be able to enter the future with one strong, well-financed, adequately-staffed farm organization which would become, in fact, a permanent and continuing task force serving the agricultural industry provincially and nationally.

Now, Mr. Chairman, I will be prepared to debate and discuss all of the matters pertaining to our estimates which are currently before the House, and I would hope that this discussion will be both interesting and productive.

**Mr. M. Gaunt (Huron-Bruce):** Thank you, Mr. Chairman.

May I say first of all that this is the fifth time I have had the opportunity to lead off in the debates associated with The Department of Agriculture and Food. I welcome the opportunity once again to engage in debate with the Minister in some of the vital areas insofar as the industry of agriculture is concerned.

I was interested to hear from the Minister that he is vitally interested in seeing that the farm organizations across this province unite into one farm organization. I think the amount of time that was allotted by the Minister to this question indicates to all that he considers this point a very important one and one which should be resolved in the near future if agriculture is to have the kind of representation which it needs.

In his latest work *The Industrial State*, John Kenneth Galbraith writes as follows:

The 500 largest corporations produce close to half of all the goods and services that are available annually in the United States.

The initiative in deciding what is to be produced comes not from the sovereign consumer who, through the market, issues the instructions that bend the productive mechanism to his ultimate will. Rather it comes from the great producing organization which reaches forward to control the markets that it is presumed to serve and beyond, to bend the customer to its needs.

The two parts of the economy—the world of the 500 technically dynamic, massively capitalized and highly organized corporations, on the one hand, and of the thousands of small and traditional proprietors, on the other—are very different. It is not a difference of degree but a difference which invades every aspect of economic organization and behaviour, including the motivation to effort itself.

What Galbraith is saying, then, is that there are two economic worlds; one, the world of the giant corporations, and the other the world involving thousands of small, independent proprietors. Their total production may truly be a small percentage of our total productivity. However, they still represent the majority of the people in our country.

They have no control over the market place. They do not fashion the demands of the market place, but in large measure they still function to quite an extent under the law of supply and demand, the demand being that of

the consumer, not one generated or controlled by themselves as producers.

In this category are many small businesses as well as farmers. The large corporation can pass on any costs of production plus a margin of profit to the consumer, but the farmer does not have this option because, generally, he has no control over the ultimate selling price of his product. In the case of the farmer, the market place is not controlled by the producer as is usual in the industrial world of the corporations, but by the buyers. The buyers clearly have the whip hand and control the market place. The farmer is at the mercy of the market place over which he has virtually no control.

To say the least, this is not economic justice. We cannot expect the farmer to accept a secondary position in his standard of living, an inadequate return on his capital investment and wages below those prescribed by law for employees in the industrial sector. Just as in other sectors of our economy, his return must be measured by the contribution he makes, and by the hours he works.

I was interested to note that the Secretary of State for Agriculture in the United States is currently advocating that farm organizations be permitted to bargain collectively as to the price of their produce in just the same way that trade unions bargain with respect to wages, and I notice that the hon. Minister alluded to this in his remarks.

In the United Kingdom, the farmer's union is the unified voice and strong arm of all farmers. They bargain each year with government as to the level of commodity prices. The farmer then has at least some control over the market place in which he sells.

In this country we appear to accept the myth of a free market place insofar as agricultural products are concerned and expect the farmer to bear the brunt of all the vagaries of that mythical market place.

Well, we believe that the usual ways and means of dealing with farmers' problems have in large measure failed. That is why the government appointed the farm income committee. Without trying to second-guess the farm income committee, it seems to me there are two ways in which the problem can be solved. The first method would be for the farmer to gain a greater control over the market place. This might be accomplished through farmers' organizations or marketing boards. The other road to a more equitable income pattern is direct government intervention whereby the farmer would be recom-



pensed for his production through some form of governmental income policy.

In this centennial plus one year, farmers feel that much of the progress of the nation has been made at their expense. Poorly rewarded labour and low-yielding capital investment in agriculture is subsidizing a cheap food policy. This may be to the advantage of the other 90 per cent of the electors, but it is dangerous for a nation that still relies for its prosperity on agriculture.

Agriculture provides jobs for more than three times as many workers as all other primary industry combined. It ranks fourth in importance as an employer following manufacturing, trades and services.

Farmers are among the country's largest consumers of goods and services. Each year their purchases include \$330 million in new farm tractors, machinery and equipment; over 2 billion kilowatt hours of electricity; over \$375 million worth of transportation to move goods by truck, rail and water; \$105 million for fertilizer and agricultural limes. These are but a few items, but give a very accurate picture of what the farmer is worth to the economy.

We have witnessed some major shifting during the past year in industry allied to agriculture, simply because when the farmer is experiencing a severe income problem, which is obviously the case at the moment, this is bound to have an effect on industries that depend on the farmer for a living, such as fertilizer companies, machinery, feed, and so on. Some of these companies have gone broke; some have consolidated and others contemplate moving out of the country, but much of this can be attributed to the farm income problem.

I want to say a word about the farm income committee and, in particular, the Kemptville conference, where the firm of Hedlin-Menzies brought down their report. This firm of economists gave professional recognition to what farmers have been saying for years. However, it was important that it should have official recognition and documentation. It is now up to the income committee to give advice and ideas on short-term policies to help raise farm income. However, I hope the short-term policies will not prejudice long-term solutions. I understand the committee intends to report in the late fall of this year, and I am sure we will all be looking forward to that report.

If I may return to the Kemptville conference for a moment, the conference was told

there were a number of alternatives open in an approach to the problem of farm income, and may I list them: (1) continuation of the present *laissez faire* policy; (2) the prospect of corporation control through vertical and horizontal integration; (3) turn farming into a public utility; (4) create a climate where all sections of the food industry may work independently but in close co-operation with each other. Each segment would get a reasonable return for money and time investment. I think it fair to say that everyone agreed with the last alternative as being the best for everyone concerned.

I want to deal with this alternative for a moment because I suggest if this is going to achieve the desired results there are going to have to be some fairly major changes. The Minister mentioned tonight that these changes are of great concern to the industry and to farmers generally, and I suggest that is true. There will be some radical answers needed and then an abundance of courage will also have to be added in order that this suggestion and objective can be reached. It is within this context I make my next remarks.

I want to make it clear that I am simply dealing with ideas which I hope have merit and which will add to the public debate which is so necessary if an agricultural policy is to be designed to create a viable agricultural climate in the near future.

The first thing I want to mention is supply management. At the moment the scene is one of thousands of farmers at one end of the process selling their goods to hundreds of dealers; the other end is largely occupied by a few big supermarket chains, which account for more than 70 per cent of retail food sales. They do not like the idea of having their employees tied up all day dealing with a multitude of suppliers. In fact, they are willing to pay a premium to avoid it, and they do, where they can order guaranteed quantities and quality three months in advance. Supply management, then, involves supplying a given quantity of a certain quality, at a given time and at a given price.

This can be done where large central sales organizations, co-operatives and other firms gather in crops from many farmers over a large area and deal with the big chains on near-equal terms.

In this connection I make reference to an address which was given by Richard Loftus, a consultant with P. S. Ross and associates, at the marketing conference of the rural learning association in February of this year. Mr. Loftus had some very important things

to say in connection with marketing and the role of marketing boards. Mr. Loftus pointed out that our crops are finding it increasingly difficult to compete. The only way to meet organized competition is through organized marketing. According to Mr. Loftus, this can be done by forming marketing boards which would have the following characteristics:

1. There would be formal short and long-term planning;
2. Planning would start with the consumer and work back to the producer—not plan to produce regardless of market. Marketing is understanding what your consumers want, where they want it, when they want it and how they want it. They buy what they want and not what is best for them;
3. Sales, promotions and business in general would be conducted in a manner acceptable and familiar to major buyers—in other words, accepted modern merchandising techniques similar to those being used by many of our competitors;
4. They would be under professional management;
5. They would be much broader in scope than present boards. The present compartmentalization of the industry is divisive, leads to empire building, is inefficient, overlapping, costly and some individual boards are too small to operate effectively, according to Mr. Loftus.

He goes on to say that grass-roots producer contact would be maintained presumably through growers' committees on a regional or a crop, or type of crop, basis.

Committee members would elect a producers' marketing board. The board would elect a chairman. Here the resemblance to present marketing boards would end. The producers' marketing board should appoint a general manager, and Mr. Loftus suggests a man who has proved himself in industrial marketing management. The general manager should then have a free hand to develop the required organization and implement policy.

Three functions would be required in the organization: (1) marketing, which would include sales, sales forecasting and so on; (2) finance budgeting and accounting; (3) operations, entailing production planning and field services.

**Hon. Mr. Stewart:** Is this on a provincial or national basis?

**Mr. Gaunt:** No, this is on a provincial basis, as I understand it. This is what Mr. Loftus was saying. He goes on to say:

An organization of this magnitude and sophistication obviously requires a sufficiently broad base and substantial volume for support. This implies an end to the compartmentalization of the industry as it now exists. It implies unity of like products requiring some degree of similarity of buying and handling and with common end purchases.

He goes on to group farm products into categories which could be handled by one marketing board.

The first group is produce, tender fruits and fresh vegetables, which could be handled under one sales agency because there are two major types of outlets for this entire group—the food processor and the retail store produce buyer. He says in the latter category a handful of chain and group store buyers account for the bulk of the market. The produce buyer is not concerned only with apples, pears, grapes, potatoes or celery. He is concerned with a balanced complete selection for 40 produce departments of his chain or group. There also appears to be obvious advantages to have sales to processors and to the fresh fruit and vegetable markets handled by the same people.

Mr. Loftus suggests that other examples of logical group marketing might be: (1) poultry and poultry products; (2) grains and seed crops; (3) dairy products; (4) livestock. One selling team would handle each of these classifications. The strategy of such an operation would be to plan production and marketing for the market, not to produce and expect the market to conform to production. He lists a number of successful marketing boards such as: (1) The United Fruit Company; (2) Sunkist growers co-operative in California, and (3) Ocean Spray Cranberries. The last was in real difficulty a few years ago, but the growers decided to hire a new type of management team. The vice-president of Colgate-Palmolive became general manager; a new marketing manager schooled in General Motors was also hired, as well as a top-notch financial executive. The new management literally brought the organization out of the middle ages into modern times through streamlining and modernizing production, product research, new products and created a basically marketing-oriented approach to the industry.

Mr. Loftus, in his approach to marketing, indicates there is room for small producers but not for small sellers. He says it is time



for Ontario producers to start marketing instead of leaving it to others to develop the services required to deal with one mass distribution environment. Producers should integrate forward rather than depend on industry and large merchandisers to integrate backwards. Mr. Loftus suggests that a thorough study of marketing and organization be undertaken. After that the next step would be the planning of an organization to meet the industry's requirements and which would perform a genuine marketing function. The final step would be implementation—the bringing about of the desired type of organization, the filling of key positions, development of marketing strategy and the development of a properly functioning operation. It seems to me that if what Mr. Loftus says is valid, and I think it is, then this will require some rethinking on the part of government, marketing boards and farm organization.

In the province there have been nibbling starts where the marketing board takes title of the crop or the product and markets it from there, but these examples, I think, are limited to two boards, if I recall correctly. So by and large, Ontario has not taken the opportunity to trade in the rather outmoded market techniques for a modern marketing vehicle. Insofar as selling on a broad product classification basis, as opposed to a straight product basis, we have done nothing.

It seems to me that unless the government and marketing boards and farm organizations adopt this marketing-oriented approach in order to achieve a high degree of sophisticated marketing, the future will be rather bleak. The prophecy of Professor Harold Breimeyer, an economist at the University of Missouri, could very well be true when he said that within the next ten years practically all beef cattle marketed in the United States will be raised either on contract or will be the product of a feedlot owned by a group of packing plants, feed companies and chain stores. The same could happen in Ontario, unless farmers make sure the integration takes place from farmer to industry and retailer in a forward fashion rather than backwards, from industry and merchandisers to the farmer.

Another area where our thinking needs to be reviewed is in the area of land ownership. It used to be, and still is to quite an extent, a status symbol if you have the mortgage paid off on your farm, and it was to this end that farmers worked and saved to pay off the encumbrances on their property. Having done so, they achieved respect and

admiration in their community. It was thought to be unfortunate if a farmer had a big mortgage and was in a lot of debt, and he was actually looked down upon if it got to the point where he rented his farm to someone else.

I suggest all of this is changing because I would say that most farmers today have good-sized mortgages, or at least have sizeable amounts of money borrowed in order to operate. This is one of the things which has taken place in a relatively short period of time, but is just another indication of the rapidly changing environment in which we find ourselves.

It has come to the point in farming where farmers have too much fixed capital tied up in land, which gives a distorted picture of actual income. Farmers cannot afford 70 per cent of their operating capital tied up in land. If they were freed from this burden, the spare capital could be used for actual production and other short-term needs. In this regard, tenant farming would help young farmers increase the size of their operations since less total capital is needed.

Land prices are the most rapidly increasing cost factor in Canadian agriculture. They increased at an average rate of about 11 per cent per year in the period from 1962-1966. The agricultural economics research council of Canada noted that return to land gobbles up half the net income of Canadian farmers. It is interesting to note that renting has become a way of life in modern business because it avoids tying up capital and the needs of the business may change along the way. Farmer have both these problems. In addition, the return in recent years from farming such land could never cover the cost of buying.

In Britain, tenant farming is quite common and I suggest, out of necessity, it will become common here as well. All that is needed is for rented land to offer security of tenure. If security of tenure could be given for at least ten years, this would permit farmers to plan ahead. It would also improve the income picture according to a recent study in the United States involving rental vs. the conventional method of purchase. This idea would call for revision of tax regulations. For instance, depreciation allowances would have to be much larger but, I am sure, these things could be worked out provided the desire and imagination were applied.

I suggest this system would help reduce off-farm work of farmers. Let me explain. In



many areas of the province, many of those listed as farmers in the census records are part-time farmers, holding down a job in the city and farming mainly on weekends. This rural residence type of take-over tends to be scattered through good farm land. The main effect at the moment is the creation of a very high demand for social services, such as schools. At the same time, rural residences may provide a very small base of assessment to support such services. The usual result is that farm taxes and land prices become so high that farms are non-viable for young farmers starting in. This is the area where owners cannot afford to enlarge their units. ARDA cannot help them out, and because of the speculative price prevailing, the farmer tends to solve the income problem with off-farm work.

However, this raises another area of discussion which I will allude to briefly. This applies to farmers who are close to large metropolitan areas. For instance, in York county, farm taxes have become so high that in many cases they amount to far more than the rental value of the land. Taxes are out of all proportion to farm income. Average assessment of farms in York county under the new manual, I understand, will increase eight-fold. The assessment on other property will increase three-fold. The problem arises because the assessment is based on market value of the land rather than the farm's value as a food production unit.

Yet agriculture has a strong claim on the land it needs to feed the people of this country and, indeed, in many parts of the world. However, if the government carries on in the same fashion which it has in the past, agriculture will be left with the land no one else wants. I want to deal with that a little bit more fully in the light of our meeting this morning with Dr. Pearson. He made some very pertinent comment on this. Planning in the country seems to have assumed that the supply of land is inexhaustible. This just is not so. It seems to me that land-use planning must go hand-in-hand with an attempt to solve the farm income problem.

As far as the problem encountered by York county farmers and others like them who are located near big cities, the only solution seems to be zoning. However, there are difficulties associated with this, but perhaps owners could be paid for the right of title which would help considerably. However, that is another area which I want to deal with later in my remarks.

To sum up the point I originally started out to make, I suggest that tradition in our society which says that a man has to own his land or he is not much good will have to change. Society and farmers will have to change their outlook in this regard. Tradition often dies hard and this applies as much to the way farm organizations present their case to government as in many other areas.

The Minister dealt tonight with the possibility of having one farm organization. Perhaps if in fact we did have one farm organization in the province, the method by which the farm organization would deal with the government would change considerably. I do not know, we would have to wait and see, I suppose. As it is now, I have often felt that the way briefs are presented by farm organizations to government—and this includes government at both levels—is archaic and silly.

The farm organization comes in with cap in hand with its brief which it reviews with the government, bids the time of day and away it goes with the government giving their every assurance that the matters discussed will be given every consideration—but take heed, don't you call us, we will call you.

**Mr. Sopha:** The Hollywood approach.

**Mr. Gaunt:** Yes, indeed, it is something of that nature.

**Mr. Nixon:** They learned it from the Minister of Education (Mr. Davis).

**Mr. Gaunt:** Surely this is not a very effective mechanism either from the government standpoint or from the farm organization point of view. If the exercise is going to be meaningful for both parties then there must be a system where some form of negotiation can take place, where the experts are lined up on both sides and where problems are hammered out and resolved to the satisfaction of all concerned at least to the point where everybody knows where they stand. This implies more responsibility for the farm organization involved as well as the government, but I think the winner would be the farmer.

Frankly, the system in England where the farmers' union bargains with the government has a lot to commend it. These negotiations may last for a week or longer depending on the problems to be resolved. I would hope that type of forum would eventually find its way into our system with the most sophisticated type being where the farm organization

sits down with government to discuss farm problems. When the meeting is over the prices of all products are set for the year with the amount coming from the market being determined and the amount of government subsidy, if any, being arrived at.

Dealing with the briefs of the farm organizations through the standing committee on agriculture would be a far superior system to what is being employed at the present time.

So much for my general comments. I want to turn now to some specific questions. The first problem with which I want to deal is one which I feel the Minister and I are in agreement. It has to do with the so-called group insurance sponsored by the Ontario milk marketing board, with the carriers being Continental Casualty Company and Great West Life. I must say I have had no unpleasant experiences with Great West Life but I have had some constituents who are unhappy with the way Continental Casualty handle themselves in the event of a claim.

I have discussed this at committee, as well as with the Minister, milk marketing board officials and the chairman of the milk commission. I do not want to re-thresh old straw but I do want to make a few observations which I consider germane to the discussion. The milk marketing board inherited this plan which was designed to give group coverage on a very broad basis for accident and sickness protection.

The first point is that it is not group insurance in the normal sense because people are dealt with individually and the salesmen do on-the-farm selling. The company can cancel individual contracts which is not a group insurance principle.

In addition, the role of the milk marketing board is often overplayed by salesmen to the extent that the farmer gets the impression that this plan is government sponsored and government backed. Particularly is this so with the wording on the front of the material which is used to sell the policy. And it says, "officially sponsored by the milk marketing insurance service for members of the Ontario milk marketing board and the Ontario cream producers marketing board." At the bottom "group insurance plan."

All of this wording I suggest, Mr. Chairman, adds an aura of respectability to the whole thing which it would not otherwise have.

After the farmer has signed he is issued a certificate. This certificate is sent to him; it is not a policy. It is just simply a certificate. He never sees the policy, the policy remains

in Toronto. If he wants to see it, he has to come down here to Toronto and ask the company specifically to see the policy.

In the brochure used to sell this policy it says in connection with cancellation: "If your application is accurate and acceptable, once your certificate is issued the company cannot cancel, refuse to renew, or restrict the coverage for employed members up to age 70 as long as the plan as a whole remains in force and premiums are paid."

**Hon. Mr. Stewart:** Is that the Continental or the Great West Life?

**Mr. Gaunt:** No, this is the Continental. Then in the Continental certificate under the heading of individual terminations it reads as follows: The insurance of any insured shall immediately terminate (a) on the date the group policy is terminated; (b) on the date the insured ceases to be a member of the holder or an employee of a member—which means, Mr. Chairman, that as soon as he ceases milking his cows, then he ceases to be a holder—

**Mr. Sopha:** Well, I guess so. I do not know much about it myself.

**Mr. Nixon:** That is quite true, though.

**Mr. Gaunt:** (c) on the first annual renewal premium due date following the insured's 70th birthday; (d) on the expiration of the period of grace, if the insured fails to make the required premium payment; (e) on the date the insured retires or voluntarily ceases to be actively engaged in the duties of his occupation.

This last reason for termination is a very interesting one, particularly in view of what the certificate says under "definitions," which is at the front of the certificate. It says:

Total disability as used in this certificate means the inability of the insured by reason of injury or sickness to perform each and every duty of his occupation except after 24 months from the commencement of any period of disability for which benefits for total disability are payable. Total disability for the balance of the period of disability, if any, means the complete inability of the insured to engage in each and every gainful occupation for which he is reasonably fitted by training, education or experience.

In other words, the company has it both ways. The insured cannot win, the dice are loaded. In one case, the insured has to be disabled to the point that he cannot do a

single chore associated with his work or he cannot be classified as totally disabled, and then under the individual termination the insurance can be cancelled "on the date the insured retires or voluntarily ceases to be actively engaged in the duties of his occupation."

In other words, in order to qualify under the total disability clause one would be disqualified under the clause dealing with individual terminations because he would no longer be actively engaged in the "duties of his occupation" if he were totally disabled. So qualification under one clause disqualifies the insured under another clause. There is just no doubt about it—the company can cancel a policyholder's insurance almost at will because there would always be a clause in the certificate that would fit the occasion.

**Mr. MacDonald:** What does the Minister of Financial and Commercial Affairs think about this?

**Mr. Gaunt:** It would be interesting. My friend says, "What does the Minister of Financial and Commercial Affairs think of all this?" I think that it would be interesting to find out what he thinks about it.

**Hon. Mr. Rowntree:** I will have a look at it.

**Mr. Gaunt:** Fine, well I am glad to hear it.

Not only is this trash being peddled throughout the country but the milk marketing board is a party to it all. It is hard to say what the policy says but I am sure it would not be any better.

I quote from a letter to a constituent of mine, written by Mr. E. C. Rouse who is secretary of the milk marketing board:

I wish to point out that the Ontario milk marketing board's role in respect to the insurance is simply to provide a service to milk producers whereby they are enabled to obtain group premium rates. Similar insurance bought on an individual basis would be much more expensive.

Well, I say to the Minister and to the milk marketing board, where is the evidence of that? I would think the board would be hard pressed to justify that statement in view of the fact that the first premium is \$30.30 and every renewal premium for the first five years is \$22.80; second five years is \$27.50; third five years is \$35.40, and the renewal premiums thereafter are \$49.60 per year on a policy that can be cancelled any time the

company looks hard enough for an excuse to do so. Believe me they would not have to look too hard to find one, particularly if one ever had cause to submit a claim.

On the contrary, this type of policy is just about as expensive as a policy can come, group or individual, for the type of coverage which it offers. I suggest to the Minister that he would be doing the farmers enrolled in this plan a great favour if he persuaded the board to change carriers or get out of the business altogether. This company has been playing a cute little game with the milk producers of this province with the help of the milk marketing board and I suggest it should stop.

I want to turn now to the Smith committee report on taxation as it applies to farmers in particular. The report in its dealing with taxation is pretty much of a second-hand repair shop. In contrast to the textbook idealism set forth in the Carter report, Smith uses some very practical arithmetic in a far less idealistic fashion than Carter. Smith in his approach comes rather close to pragmatic politics.

Tax reform is long overdue in respect to many facets of Ontario tax structure. Perhaps the biggest disappointment to farmers was the fact that Smith did not accept the view that the cost of supplying services to the people should be removed from property taxes and collected through the means of some other tax not associated with the ownership of land. The committee tended to dilly dally around with the concept without either accepting or rejecting it.

The services-to-people concept seems to have been accepted insofar as the administration of justice is concerned and the government has implemented the proposal. The cost of the service to people will be raised by taxes other than property tax.

The committee came to the conclusion that those who require sizeable acreages of land to earn a living benefit more from educational expenditures than those who require very little land or none at all. The committee also proceeded on the assumption that ownership of land has a relationship to "the ability to pay" the costs of education without greater hardship than other taxpayers. Both assumptions are wrong.

An equitable tax must conform to one or the other of two taxing principles. On the one hand, there is the benefit principle whereby the amount of tax paid should relate to the scale of benefit received by a tax-



payer in comparison to others who benefit to a different degree or not at all. Then there is the ability to pay principle which takes into account the wherewithal of the individual to pay taxes in comparison to other taxpayers in different categories without greater hardship than is imposed on them. Property taxes to support the costs of education cannot be related to either the benefit principle of taxation or the ability to pay principle. It therefore leaves much to be desired as a method particularly when the property tax on land does not bear a close relationship to farm income.

As the OFA stated in its brief to the Treasurer of Ontario (Mr. MacNaughton), in relation to the Smith report, it may be the intention of the government to seek remedies for the problems of agriculture that would be outside and quite apart from the tax system. Frankly, if the government is going to raise the relative position of the farmer in the economy it is going to have to employ every means at its disposal both inside and outside the tax system.

The United States and England regard as an accepted fact that farmers get a low rate of return on investment in farm property. There is every indication that the same applies to the province of Ontario. In Ontario farmers not only get a low return on their investment but they are taxed to death as well. So it is essential that the province do something concrete concerning the property tax which bears particularly heavy on the farm and which the Smith committee says is a very regressive tax up to an income level of about \$5,000 and proportionally beyond. There are only about 20 per cent of the farmers in the province who have net incomes over \$5,000 per year. So we can see very readily that this type of tax bears very heavily on them.

The committee explains in volume 1, page 268:

It now behooves us to explain briefly the reasoning behind the tax increases we contemplate. These admittedly large increases are the direct result of additions to provincial expenditure designed solely to reduce local government recourse to another revenue source, the property tax. To lighten property tax burdens is to cut back the tax that our incidence study shows to be by far the most regressive.

Yet in view of this I cannot explain why the committee does not recommend that the property tax on property for education purposes

should not be removed because it is a particularly regressive tax, and secondly, education is a service to people and, therefore, should be paid for by people and not by property.

Smith proposed that farms should be assessed in two parts—as a residence and a working farm. Only that part of a farm used for production would be classified as a working farm. The rest would be considered residential property. It recognizes that the farm unit is different from other kinds of property.

The Smith report made the analogy between applying the tax to food production and applying the provincial sales tax to food. It is government policy that there must be no tax on food. All society benefits from tax laws that promote a cheap food policy. Smith's basic rule for residential property would tax it just one way—on 70 per cent of its valuation with an exemption on the first \$2,000 of assessment up to half the residential tax. Recognizing the farm house as the farmer's home, and as distinct from the farm land as his business, Smith would first have the farmer pay the regular residential property tax on his farm house. Then, on 50 per cent of his working farm valuation he would pay tax as owner of a business. However, where most businessmen would pay on the other half of their business property, farmers are exempt on the logic that their particular business happens to be primary food production and food, after all, is a tax-free item.

One of the difficulties associated with the proposal of Smith is that a working farm has not been defined. Briefly stated, the proposals in the Smith report, as they apply to agriculture, will do very little to alleviate the tax burden on farmers. When the commission abandoned the principle of people paying for services to people, and property paying for services to property, they should have recognized that the farm sector will suffer unduly by departing from these recognized principles of taxation.

Income levels with agriculture are well documented and would suggest that cheap food policies are not conducive to improving the tax-paying ability of those in agriculture. Therefore, tax levels must be maintained at realistic and equitable levels. Tax levels should have some obvious relationship to either benefits received or ability to pay, which is not the case under the present system.

On Tuesday of this week, Dr. Norman Pearson appeared before the agriculture committee and while he dealt with planning and

land use in a fairly broad context, he did say some things which should cause us great concern. Perhaps we can deal with his comments more fully at another time. He said that by the year 2000 there will be virtually none of the good farmlands left in Ontario if the present practice continues. At the same time, he suggested that if prime agricultural areas were exempted from local assessment, provided it stayed as farmland, this would help to take the steam out of the pressures in such areas. The point he made was that the tax system has to be related to regional planning and regional planning has to come within the context of a provincial plan—which the province does not have in the sense of a strategy to resolve conflicting demands on land resources before valuable opportunities are lost to secure a stable and harmonious environment.

Another point he made was that the Smith report—and this referred to the report in its entirety, not just as it applied to agriculture—tackled the problem in reverse. The approach that should have been used, according to Dr. Pearson, was to formulate a provincial plan and then draw up the tax structure to accomplish the aims and objectives set out in the plan. But unfortunately the Smith report does it the other way around and ends up with a piecemeal problem-solving approach to the already existing system. As a result, Dr. Pearson feels the local system of taxation will eventually collapse. Frankly, I think he raises a very valid point and I think the government should listen to this warning very carefully and hopefully do something about it.

In conclusion, Mr. Chairman, I want to say that this past year has not been a very bright one for agriculture in Ontario. Farmers were faced with an extremely wet year, income levels continued to drop reflecting the tightening cost-price squeeze, and in general farmers have never had it so bad. Agriculture in this province has been brought almost to the point of economic annihilation by the government. The farmers in southwestern Ontario suffered a particularly hard blow with the closing of the sugar beet industry in the province. It is a sad day, Mr. Chairman, when a government permits a climate where a foreign company

can move into Ontario and then start dictating economic policy.

As I understand it, Tato and Lyle now have 40 per cent of Canada's sugar market. With the plant in Chatham closed they will be in a position to set the price and take a profit at practically any stage of the integration change. It is obvious this move has consolidated their supply of the raw product. The timing was deliberate and the company was gambling the provincial government would not lift a finger. And they were right. It makes me sad to think that a bunch of nasty little money grabbers, 3,000 miles away, sharpened their pencils and decided they could make more money by closing the plant, which I suspect will ultimately mean that consumers in this province will have to pay more for their sugar.

Mr. Chairman, there are a number of areas which I have opted to discuss under the various votes such as ARDA, the milk marketing board, and so on. I know my colleagues will have many comments in connection with these matters.

Hon. Mr. Robarts moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will receive the second readings and on Thursday we will resume the estimates of The Department of Agriculture and Food.

Hon. Mr. Robarts moves adjournment of the House.

Motion agreed to.

The House adjourned at 11:30 of the clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Wednesday, May 8, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 8, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Our visitors today include in the east gallery, students from Queensborough junior high school in Toronto and in both galleries, students from Fairmount senior public school, Toronto. Later this afternoon in the east gallery, we will be joined by students from the Queen Elizabeth public school, Peterborough, and by the ladies of the New Democratic group in Hamilton West.

Petitions.

Presenting reports.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Speaker, I beg leave to present the fourth annual report of the pensions commission of Ontario for the year ended December 31, 1967.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, I wonder if I may gain your permission to introduce a bill which is a simple amendment to The Dog Tax and Livestock and Poultry Protection Act? I have not given notice of the introduction of this bill, but it simply provides for a definition of livestock and an increase in the maximum settlement for certain types of livestock. If I have your consent, I shall introduce it.

**Mr. Speaker:** The rules of the House, as the Minister and the members know, require the unanimous consent of the House for the introduction of a bill without notice. Has the Minister the unanimous consent of the House to the introduction of this bill?

It is agreed.

## THE DOG TAX AND LIVESTOCK AND POULTRY PROTECTION ACT

**Hon. Mr. Stewart** moves first reading of bill intituled, An Act to amend The Dog Tax and Livestock and Poultry Protection Act.

Motion agreed to; first reading of the bill.

## VOLUNTARY EMERGENCY MEDICAL SERVICES

**Mr. E. Sargent** (Grey-Bruce) moves first reading of bill intituled, An Act to relieve medical practitioners from liability in respect of voluntary emergency medical services.

Motion agreed to; first reading of the bill.

**Mr. Sargent:** Mr. Speaker, the purpose of this bill is to relieve medical practitioners from liability in respect of voluntary medical services rendered at the scene of an accident or other emergency.

**Mr. Speaker:** Introduction of bills.

The Provincial Treasurer has a statement.

**Hon. Mr. MacNaughton:** Mr. Speaker, before the orders of the day I would like to announce that the civil service arbitration board, chaired by his honour Judge J. C. Anderson has submitted an interim award dealing with the salary revisions for administrative and professional classes. This award was handed down with the understanding that representatives of the government and the civil service association would attempt to negotiate the related classes to the benchmarks specified in the award. I am pleased to advise this House that with only two exceptions, these negotiations have now been concluded. Negotiations are continuing on the remaining two classes.

Revisions to the other 209 classes affecting some 2,900 civil servants will proceed immediately. The civil service commission staff is presently engaged in the necessary administrative work to effect speedy implementation. We are also adjusting the salary rates of the related management classes and will recommend appropriate revisions to the Lieutenant-Governor in council next week.

This award follows arbitration hearings which were held in February and March of this year and which followed negotiations between representatives of the government and the civil service association dating back to August, 1967. These negotiations continued until October.

**Mr. R. G. Geddes** was appointed as a mediator by the hon. Minister of Labour in

November, 1967. On this occasion the mediator's efforts were unsuccessful and the matter was referred to his honour Judge Anderson by the chairman of the joint council last December.

In the award, the majority of adjustments were of the nature of a 4 per cent increase, with some revisions upward for a limited number of classes according to current market rates. These are for a one year period and are all retroactive to October 1, 1967. On October 1, 1968, a further 4 per cent is the uniform rate of increases awarded.

The award also dealt with a number of inspection classes, involving some 100 employees. Inspectors in the fire marshal's office and securities commission received increases for 15 months and will come up again for negotiation in January, 1969. Revisions for inspection classes in transport had been settled in direct negotiations in October, 1967.

The award reflects the research findings on competitive salaries in both the private area and other public jurisdictions, which were the basis of the case of the official side before the board. Salaries in the professional and administrative classes in the civil service had increased substantially since October 1, 1965. This meant that the government previously was paying salaries commensurate with those paid in comparative sectors. The increases which have been awarded are appropriate to the growth of the economy and keep civil service salaries in these series on a competitive basis with those outside.

**Mr. M. Shulman (High Park):** Mr. Speaker, I rise on a point of order. My point of order is that the hon. Minister of Labour (Mr. Bales) has, no doubt inadvertently, misled this House. In the debate on the Speech from the Throne I related the story of James Lynch, who was severely burned during the workmen's compensation hospital fire and was offered \$30 in settlement for his injuries.

On March 26, 1968, in the Legislature, the Minister of Labour denied this and he stated the \$30 offer was only for the loss of a wrist watch. I have here a copy of the final release Mr. Lynch was requested to sign by the insurance company for the workmen's compensation board. I quote:

In consideration of the payment or the promise of payment of the sum of \$30 I, James Lynch, 188 Bald Street, Hamilton, agree for myself, my heirs, administrators, executors, and sign hereby release in further

discharge of workmen's compensation board from any and all actions, cause of actions, claims and demands for damages, loss or injury howsoever arising which heretofore may have been or may hereafter be sustained by me in consequence of the fire which occurred March 31, 1967 at the workmen's compensation hospital rehabilitation centre. I declare that we fully understand the terms of this settlement that the amount paid herein is the sole consideration of this release, I voluntarily accept said sum for the purpose of making a full and final compromise, adjustment and settlement of all claims for injuries, losses and damages resulting to or resulting from said accident.

Dated February 26, 1968. There is nothing in here about a watch.

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, the hon. member for High Park delivered this to my desk through a page, I think, two minutes ago and may I say that I had some previous information about this and made inquiries about it. This is an insurance company release and I am told it relates directly to loss of the person's personal goods and has no connection whatsoever in reference to injuries sustained or other compensation.

Because it has simply come to my desk at this point, I do not have the material before me, but I have requested from the workmen's compensation board some time ago to obtain an affidavit or a declaration setting out that this was in reference to a watch only, or other article, and not in reference to settlement for personal claim. I will obtain those documents later and make them available. But this declaration makes it very clear, Mr. Speaker, that this is an insurance company release only dealing with a particular article, even though on this form it does not say so, and I made it clear to the insurers that I was not satisfied with that kind of general release.

**An hon. member:** The hon. member is merely misleading the House.

**Mr. Shulman:** Mr. Chairman, to the Attorney General—

**Mr. Speaker:** Order! The Attorney General not being in his seat, the question can be placed at a later time.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, before the orders of the day, I have a question for the Minister of Education, notice of which has been given.

In view of the resolution of the Sutton district high school as reported in the *Lake Simcoe Advocate*, March 7, 1968, that a public investigation by The Department of Education, under oath and with power of subpoena, be held to examine charges of improprieties in the administration of the Sutton district high school, is the Minister of Education of the province of Ontario going to conduct such a public investigation? If not, why not?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, the answer to the first part of the question is "No". To the second part of the question: I think, Mr. Speaker, it was indicated at the time that I felt this was a matter within the jurisdiction of the local school authority and I am instructed that the matter was resolved some time ago at the local level. I think I should respectfully point out to the hon. member that this matter was raised by the member for Peterborough (Mr. Pitman) on March 8, 1968, and at that time I indicated that the matter was being handled by the officials at the local level. I think, Mr. Speaker, unless the hon. member has some information that is not available to me, that while newspapers certainly are very helpful in obtaining material for questions before the orders of the day, perhaps some effort should be made to update these and not go back some two months to find a question that might be asked.

**Mr. T. Reid:** Mr. Speaker, I have a supplementary question if the Minister would allow it.

Would the Minister explain why the retirement rate at Sutton district high school for grades 9, 10 and 11 is over 26 per cent whereas the provincial average is less than 11 per cent? That is, the Sutton district high school retirement rate is almost 140 per cent greater than the provincial average.

I would also like to ask the Minister why there was a two-day student strike of primarily grades 9, 10 and 11 students in the halls of the school during the week of March 7, 1968.

**Hon. Mr. Davis:** Mr. Speaker, in answer to the second part of the question, I think the same article that the member is quoting from probably indicates why the students were out of class—if one wishes to use the term "strike" at that particular time. The statistics relating to the number of students leaving, say, at the grades 9, 10 or 11 level with respect to the Sutton district high school, while they may be higher than some other

areas of the province, I suggest with great respect do not relate to the issue that was raised at the time the students were not participating in their classes.

**Mr. T. Reid:** Mr. Speaker, if I may pursue the point—

**Hon. Mr. Davis:** I have no objection to supplementary questions. I have always indicated that I am prepared to answer supplementary questions, but I say with respect, sir, that these do not constitute supplementary questions whatsoever. The hon. member is endeavouring to precipitate a debate relating to a particular subject that occurred some two months ago and if he feels he wishes to pursue this, I suggest, once again with respect, the appropriate time would be during the estimates of The Department of Education, which I expect will be fairly soon. I think this would be the appropriate time to do it and I would be delighted to enter into this dialogue with him on that occasion. I do not think they are supplementary questions.

**Mr. Speaker:** In addition to the remarks of the Minister, I would also point out to the member that matters for questions before the orders of the day are to be of urgent and immediate importance and it would appear to me from the discussion so far that these matters may have been at one time of immediate importance but obviously now are either in negotiations or settlement. Therefore, I would suggest that the suggestion of the Minister is one that might be followed in this case. However, the member has something he wishes to say on this?

**Mr. T. Reid:** Mr. Speaker, thank you very much for your ruling. I would just like to state that in my opinion this is an urgent matter.

**Mr. Speaker:** Order. The period before the orders of the day is a period for questions. If there is to be a debate on a matter of urgent importance, then as the rules provide, notice must be provided to the Speaker's office and it must be approved before it can be placed on the agenda. Therefore, if the member feels that it is such a matter, he can peruse the rule book and take the necessary action and I will be glad to deal with it when it comes to my office.

**Mr. T. Reid:** Mr. Speaker, my only comment is that the Minister did say that in his opinion—



**Mr. Speaker:** Order! This is a question period and not a time for comment or statements by anyone, except for Ministerial statements. Now, if the—

**Mr. E. W. Sopha (Sudbury):** He just made one. Mr. Speaker, on a point of order, precisely what the Minister did was seek to make your ruling and usurp the function of the chair and he gave us a long discourse—

**Mr. Speaker:** Order! Order! Will the member take his seat when the Speaker is on his feet?

**Mr. Sopha:** I rose on a point of order.

**Mr. Speaker:** Will the member take his seat? Now, if the member has a point of order and a point of order that is proper, I will be glad to yield him the floor and he will place his point of order.

**Mr. Sopha:** My point of order is that the Minister sought, through you, and usurped your function, to lecture my colleague, the member for Scarborough East, and in effect what he did was indulge in a lengthy disquisition both as to the nature of my friend's question and to the propriety of him asking a supplementary question, and he suggested the matter go to the estimates. Up gets my colleague from Scarborough East and he seeks to propose to you that he is entitled to show cause, as the Minister did, why his question is of an urgent nature. But having listened to the Minister and he having put his personal valuation on it, you now demonstrate you are unwilling to listen to the member for Scarborough East. That is unfairness, I would say.

**Mr. Speaker:** Order! I would point out to the member that it has been the custom of the Speaker to listen to these remarks which are made in the House. The Speaker is not unaware of the rules of the House and the Speaker had intended to give exactly the same ruling as the Minister gave when he did give it. While it was anticipated, perhaps in his own way, by the Minister, as far as I am concerned it was quite a proper procedure and I merely proceeded to make my ruling following that.

Now, as far as Mr. Speaker is concerned, I would say to the member for Sudbury that the rules of the House do provide how the member from his caucus, the member for Scarborough East, can bring this matter to the attention of the House for debate if he so desires and if the House will permit

such a debate upon the necessary motion on the day appointed. I would suspect that this might well close this matter for today. However, if there are other points of order, or the member for Scarborough East has something further, I will be glad to hear him.

**Mr. T. Reid:** Mr. Speaker, I would just like a point of clarification from you, sir.

The Minister, I believe, stated that in his opinion this was not a point of urgency. He also stated, I believe, and *Hansard* will verify this, Mr. Speaker, that if I had new information it might be made public. I have affidavits from students who have been beaten in that school.

**Hon. Mr. Davis:** Mr. Speaker, on a point of order. I think I did not state, at any stage, that this was not a matter of urgency or importance. I suggested, and I think it is highly relevant and I say this with great respect to the member for Sudbury, that as I see the question period here in the House, it is the opportunity for the members in the Opposition to ask specific questions. If there are supplementary questions that flow from this that have not been prepared in advance and that can be answered in relation to the amount of information that a Minister may have available to him in a fair and equitable fashion, then I think it is appropriate.

But I think it is also appropriate, if the hon. members opposite have supplementary questions that they know may flow from the initial question which they have already prepared, then I would suggest in fairness, Mr. Speaker, that these questions should be given to the Ministers as a matter of courtesy, so that we can indulge in a proper answer or dialogue with the member's office. This is what I am suggesting, Mr. Speaker.

**Mr. D. C. MacDonald (York South):** Must the Minister always have a script?

**Hon. Mr. Davis:** Oh no. But I think it is very helpful to know what the hon. member wants to find out.

**Mr. Speaker:** The member for Sudbury East has the floor.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I have a question of the Minister of Financial and Commercial Affairs.

In light of a resolution which was adopted unanimously at the meeting of the federation of northern Ontario municipalities held in Sturgeon Falls, April 26 and 27, 1968, regarding the higher prices charged for gaso-

line, beer, and so on, in northern Ontario compared to southern Ontario, will the Minister consider a full-scale investigation into the pricing policy, shipping charges and other costs, which contribute to the higher prices of certain goods sold in the north?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I have not had the privilege of reading the resolution to which the hon. member refers. I am not in a position to comment on its contents. Insofar as the second part of the question is concerned, Mr. Speaker, I believe it has been dealt with previously by me in this House. I refer the hon. member to page 602 of *Hansard* of March 8 of this year.

Mr. Speaker, several days ago the hon. member for Cochrane South (Mr. Ferrier) directed a question to me with respect to certain events leading up to, as he described it, the receivership of Munro Copper Mines Limited. I now have the information and would like to provide it to the House. First, however, may I draw attention to the word receivership as used in the question. I think the technical and correct word would be trusteeship, and the word receivership would indicate some step or proceeding in the nature of bankruptcy, which is under the federal jurisdiction and their responsibility in that type of thing.

On March 1, 1968, a preliminary prospectus was filed with the Ontario securities commission. Ord Wallington and Company Limited, the underwriter, was seeking to qualify 600,000 common shares of the company—500,000 to be purchased at 35 cents, 100,000 at 40 cents—for a total of \$215,000. One hundred thousand dollars of this amount had already been advanced to, and used by, the company. As a result, the company was to receive an additional \$115,000.

The company had previously borrowed \$2 million at 7 per cent secured under a trust indenture. It had also obtained a line of credit from a bank. The company defaulted on the bond interest on October 1, 1967, and on January 19, 1968, obtained an order from the Supreme Court of Ontario—sanctioning a plan of compromise or arrangement dated November 29, 1967, made with the bondholders and unsecured creditors under The Companies Creditors' Arrangement Act. Under this arrangement, the following was required by March 31, 1968, which was to be paid from the proceeds of the underwriting:

1. \$70,000 of interest due October 1, 1967.

2. Approximately \$18,000 to be paid to unsecured creditors.

3. Legal and other costs of approximately \$15,000.

4. Payments to certain creditors, whose services were essential to the continued operation of the company, of approximately \$25,000.

The arrangement itself required immediate payments of \$128,000, while the balance remaining to be paid under the underwriting was only \$115,000. Over \$3 million had been borrowed to bring its mine to production. The preliminary prospectus pointed out that insufficient ore had been outlined to pay off the indebtedness. Approximately \$85,000 was required to further a continued exploration and development programme in the hope of proving up additional ore. They hoped to generate the funds to support this programme through profits from present production.

On Friday March 29, 1968, a meeting was held between company representatives, the underwriter and the commission staff. The figures supplied by the company for January and February, 1968, showed that there was a gross operating loss on production, before the administration charges were added and before any allowances for bond interest, depletion, depreciation, and without any provision for reserves to be used for further exploration and development. In short, this was actual loss. This was in a direct contrast to a written assurance given to the commission by the company's president that the operating profit would be in excess of \$50,000 per month.

Under all the circumstances, the underwriter was told that insufficient funds were being made available to carry out the objects of the company. The balance of funds to be paid under the agreement were insufficient to meet the amount required to be paid under the plan of compromise with the creditors. The company's mining operation, rather than generating a net profit available to meet the current obligations and to support the required exploration programme was showing a loss.

Section 61(1)(c) of The Securities Act, 1966, prohibits accepting a prospectus where the proceeds of the sale of the securities to which the prospectus relates when taken with other resources of the company are insufficient to accomplish the purpose of the issue stated in the prospectus.

We are informed that the company has not been put into receivership under The Bankruptcy Act, but rather that the trustee has appointed a receiver under the trust indenture to administer the affairs of the company for the benefit of the secured creditors.

**Mr. Martel:** Mr. Speaker, I did not want to interject while the Minister remained on his feet to answer a second question, but I would ask if he would entertain a supplementary question? If it is not the government's responsibility to get involved in insuring that the people in the northern region are not discriminated against, could the Minister advise whose responsibility it is to protect the consumers in the north?

**Hon. Mr. Rowntree:** Mr. Speaker, I think that this matter is one that would be more properly dealt with in debate at some time during the current session of the Legislature, probably under the estimates of my department when they come. I would make this comment however, in answer immediately to the inference made by the hon. member in his remarks. The question of the price of goods is a very large one involving domestic trade, and international trade. It also involves the cost of delivery. It involves the problems under the theory of a single price for a product wherever delivered, but the question of uniformity of price is a very complicated one, as is the marketing segment of our economy, and I shall be prepared to deal with this and debate the matter when our estimates come forward.

**Mr. Sopha:** Well, I was promised an explanation about the price of beer here a month ago, and I am still waiting.

**Hon. Mr. Rowntree:** It is being looked into.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I rise on a point of order. This is the first opportunity since the completion of The Department of Health estimates last night to refer to the matter raised as a point of order by the hon. member for Grey-Bruce at the beginning of those estimates, considering a possible conflict of interest involving the hon. members for Beaches-Woodbine (Mr. Brown) and Scarborough West (Mr. Lewis).

At the time the Chairman heard assurances from the members that they received no government funds directly, and from the Minister that no money from his estimates

was payable to the members through their association with Brown Camps. I support the ruling made then that permitted both hon. members to take part in that debate and vote on those estimates.

In the near future we will be asked to approve the estimates of The Department of Social and Family Services, which do contain substantial funds payable indirectly to Brown Camps. The question of a conflict of interest arises again. Therefore, in advance of those estimates I believe the House should refer the question to the standing committee on privileges and elections for clarification. There is no question of the imputation of motive. The matter has been raised in the House. It has been examined by the press, giving rise to editorial comment and advice. To clarify the matter before the estimates are called, this reference to the committee is required.

The rules of the House do not permit me to make a motion now in this connection, but only to give notice of motion. To avoid delay in the estimates, the matter should be put before the committee as soon as possible so that the air can be cleared. I should say, Mr. Speaker, that argument on this matter has raised a similar situation, in lesser degree, among several hon. members in their private capacities as teachers, lawyers, doctors and businessmen, and for this reason I propose a somewhat broader reference to the committee in the following notice of motion:

That the possible conflict of interest involving the hon. members for Beaches-Woodbine and Scarborough West in their positions as directors of Brown Camps be referred to the committee on privileges and elections and that the committee be instructed to rule on this and on the rights and responsibilities of any hon. members of this House doing business directly or indirectly with the government, under rule 21 of the House and section 9 of The Legislative Assembly Act.

Mr. Speaker, my point of order is that this is one way whereby this matter may be dealt with for the good of this House and the hon. members concerned. There are alternatives involving your prerogatives, and of course the prerogative of the Premier (Mr. Robarts), but this is the way I propose to deal with it, and I raise it at this time so that it can be dealt with well in advance of the calling of those estimates.

**Mr. Speaker:** The member for High Park has a question of the Attorney General. He is now in the House.



**Mr. Shulman:** Thank you, Mr. Speaker.

A question to the Attorney General. Will an inquest be held into the death of Charles Dovel, which occurred April 19 on Highway 10?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I have just reached the House. I will take the question as notice and consider the matter.

**Mr. Shulman:** Thank you.

**Mr. Speaker:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I rise on a point of personal privilege.

After almost three months in this Legislature, I have found that as the elected representative for a riding 900 miles away, and as a new member without a secondary source of substantial income, and as one who has not been born with a silver spoon in his mouth, I resent and I decry the fact that I am forced to submit to an antiquated statute on our books, a statute which permits the legislative accountant to withhold some \$400 to \$500 per month of my member's indemnity and expense allowance and all of my travel allowance. It is an antiquated method of reimbursement, which no union in this country would permit any corporation in this country to practice for very long—a system which has caused me no end of financial embarrassment, and what is worse, a system which is preventing me from serving my constituents as my conscience dictates to me that I should.

Tonight the whole Lakehead will gather in the Port Arthur armouries to honour a former member of this Legislature, George Wardrope. The hon. Premier, I understand, will be there. But I, the present member of that riding, and successor to Mr. Wardrope, will not be there.

**An hon. member:** Shame.

**Mr. Knight:** Why? Because I cannot afford to spend the \$125 it will cost me to fly up there and stay there overnight and fly back. I wonder if the hon. Premier were to switch places with me, whether he could afford to go?

**Mr. Sopha:** He stays home and you go.

**Mr. Knight:** Hon. members can all realize the burden of abuse and embarrassment my not being there tonight will bring me.

**Hon. J. P. Roberts (Prime Minister):** Will he make my speech?

**Mr. Knight:** Personal embarrassment I can always take; but not being able to get up there for other important matters, matters important to my people, is something I cannot tolerate and that is why I am bringing this matter out into the open at this time and in this place. I have tried the so-called proper, behind-the-scenes channels, but I can see that if I wait for this government to move, it will be just too late. I think it is time the people of this province knew what financial handicap its members are under.

Let me make it clear, I am not asking for an increase in the indemnity. I am not asking for an increase in the members' indemnity. I am simply asking that this Legislature have enough faith in each of us as the elected representatives of our people to allot us our annual increment in 12 equal parts so that we can meet, with the honour and dignity of our high office, the financial responsibilities that accrue to each one of us on a month-to-month basis. Granted the \$400 or \$500 withheld each month will be paid in a lump sum at the end of the government's fiscal year. But what good will \$5,000 or \$6,000 next March 31 do to me right now?

Mr. Speaker, the government may be withholding our funds for a rainy day; that is not quite clear to me yet. But one thing is clear, I am right now in the middle of a thunder-shower. In this matter, sir, I would have hoped that those who have sat in this House for years might have realized and understood the plight of us young members from distant ridings, and perhaps as they say, gone to bat for us by this time.

This House has got to realize it has entered a new era. It entered that era on October 17, an era which has brought new young members into this House, who, though they may be rich in energy, spirit and ideas, may not be rich in pocket and may just very well depend on the stipend of this office. If they are to serve the people in this vital arena of government, they must be free to do so financially, within reason. And you must agree that what I ask at this moment is surely within reason.

I repeat, the method of disbursing the members' increment is antiquated, especially discriminatory to the new young members and those who represent distant ridings as I do. I ask this House respectfully to take whatever steps are necessary to change this worrisome state of affairs immediately, and I ask it not only on my own behalf, but on behalf of every other member in this House—members I have heard grumbling in the hallways,

for example; members who have been squeezed into a similar position by this out-moded system.

If I have embarrassed the House, I apologize, but the matter is of such personal urgency to myself that I felt I should bring it up at this time and I thought that the people should realize the situation as it really is. We live in an age of truth and of honesty, and I certainly think that the people of this province should know how much money I make, and how I get it, and what my problems are in trying to serve them.

Once again, I ask the House to please bring in a bill, or whatever is necessary, to change the statute that controls the present method of reimbursing the members of this House. And thank you for your patience.

**Hon. Mr. Robarts:** Mr. Speaker, I feel impelled to run out and buy the hon. member a raincoat.

Interjections by hon. members.

**Hon. Mr. Robarts:** I would just point out that this matter has been raised in meetings which I have held with the leader of the Opposition and the leader of the New Democratic Party and I have absolutely no objection personally to the method of payment being changed. This is an old traditional method. It used to be even more extreme than it is now and it was altered several years ago to provide interim payments. At one time, in the life of this Legislature nothing was paid to any member until March 31.

However, I quite agree with the hon. member; times change. We are sitting for longer periods and certainly we are investigating not only the possibility of making payments in a different fashion, but we also feel that some recognition must be made of the fact that when members are here for longer periods of time, particularly those from the longer distances away from these buildings, they need to go back to their ridings more frequently. In the days when we met here for eight or nine weeks, in my early days in the House, we only needed to go back eight or nine times. If we are going to be here for 30 or 40 weeks, we must take into consideration that each member, in order to be in his riding and to look after the people he represents, finds it necessary to journey back to his riding. In other words, he cannot come down here and stay for the full period of time, because the period of time is simply too long.

I assure the hon. member and other members of the House, I am well aware there

are people other than the hon. member who has spoken, who are concerned about this matter and we are presently studying what needs to be done in order to correct this situation.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 50th order, House in committee of supply.

**Hon. Mr. Robarts:** I am sorry. I am so used to calling estimates. Today we decided we were going to deal with the bills, so may I rescind that last motion and not have it put. We are going to deal with second readings.

**Clerk of the House:** The 4th order; second reading of Bill 45, An Act to amend The Age Discrimination Act, 1966.

#### THE AGE DISCRIMINATION ACT, 1966

**Hon. D. A. Bales (Minister of Labour)** moves second reading of Bill 45, An Act to amend The Age Discrimination Act, 1966.

**Mr. N. Davison (Hamilton Centre):** Mr. Speaker, in rising to support this amendment to The Age Discrimination Act, I would like to point out that when the original bill was brought in two years ago, we felt that this was the main reason for the bill being brought in. We argued at that time that people were being discriminated against in newspaper advertising. I will say this, that the hon. Minister of Labour at that time did say that he felt that this was covered in the bill that he had brought in, and he did agree, if at a later date it was proven that it was not covered, that they would certainly take another look at it.

We, at that time, brought an amendment in to the bill. It was turned down by the government and it was basically the same amendment that we are discussing today.

I would also like to point out that the committee that was set up in this House on aging also brought in this same type of a recommendation, so that I am very happy today to see that the Minister has decided to make this amendment to The Age Discrimination Act.

I would have hoped though, that when he was looking the Act over he would have changed the other section of the Act that I think is very important, and that is only allowing the Act to be effective to people between the ages 40 and 65. I hope this is a section at which he will also take a serious

look, because it is still hurting a lot of people in Ontario.

**Mr. Speaker:** Is there any other debate on this amendment?

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, my comments will be very few on this bill.

I am very pleased to see the Minister has introduced the legislation that is before us. I was prepared to make a few comments the other day and in looking over my own paper I found eight different ads in which an age discrimination appeared. That is in one day's issue of the newspaper. If we find eight ads in one paper, multiply that by the number of newspapers throughout the province of Ontario and you can see how widely spread discrimination such as this still exists. I heartily endorse the Minister's presentation of this bill.

**Mr. Speaker:** The member for Parkdale.

**Mr. J. B. Trotter** (Parkdale): Mr. Speaker, I just wanted to underscore the remarks that have been made.

I had the opportunity, with the member for Hamilton Centre as well as other members of this House, of being on a committee on aging when that committee had the opportunity of examining what has been done in other jurisdictions in trying to enforce a bill such as this. I have this one bit of advice to the government: When you pass legislation such as this it acts as a big stick behind the scenes in trying to have firms or corporations carry out employment policies that will assist those people who are getting on in years.

It has been found that corporations have not wanted to hire older people because they feel they do not do as good a job as those who are younger. I know down in Washington the government found that when governments were persuaded to hire older people they found the older people not only did as good a job as the younger people, but in many cases did a far better job. They were perhaps more set in their ways and not so anxious to move from job to job.

While in Washington I inquired how many prosecutions they had under an Act which is very similar to the one we have here. Their answer was that they had not had any prosecutions. It was the threat, the fact that the bill was on the books, that they could take some action which more or less acted as a stick, as I said, behind the scenes, to per-

suaade a corporation to assist in hiring older people.

So this is good legislation Mr. Speaker; legislation that we in this party have supported for a number of years, and to give due credit legislation the member for Hamilton Centre has had on the order paper of this House as a private member's bill, for a number of years. Finally it became government legislation and again, step by step, the government has brought the legislation up to date. It is legislation that literally should have been law in this province a long time ago Mr. Speaker.

But my one bit of advice to the government in carrying out this legislation is not to suddenly have a lot of prosecutions, because this will only cause bitterness in the management-labour field, but to use it as a stick to persuade employers to hire older people. Of course if the law is not obeyed after gently talking to them, then by all means get tough.

But this puts a good stick into the hands of the Minister and I hope he uses it. It will not only be for the benefit of the economy as a whole but I am certain that these firms which in the past have been nervous in hiring older people will find they are not only assisting the economy of the country in hiring them but they are also helping themselves.

Thank you.

**Mr. Speaker:** Any further member wishing to speak before the Minister?

The Minister.

**Hon. Mr. Bales:** Mr. Speaker, when The Age Discrimination Act was introduced in 1966 it was initially planned to seek voluntary compliance as to the omission of an age requirement in advertisements.

I may say that a review of this situation has been made periodically since that time, and certainly since the human rights commission came to administer this Act. We have realized that there have been advertisements citing a specification as to age and this has been a matter of concern to us, and to the public.

Many of the complaints that were received were not directly related to an age discrimination matter itself, but those kind of ads were cited as examples of discrimination and I think indicated to us that those seeing them were perhaps impeded in seeking employment because of the excluding nature of such ads.



The commission has sought the co-operation of newspapers and we did receive good co-operation from a great many, but nevertheless the fact remains that people did disqualify themselves from seeking employment by reason of these ads. We are anxious to eliminate that source of difficulty and for that reason we have brought forward this legislation.

On the point the hon. member for Parkdale makes in reference to persuasion I am in full accord.

The human rights commission endeavours first to persuade rather than prosecute. That is the last resort, but it is there and we make it very clear that we will prosecute if necessary. There has certainly been ample evidence of that but we seek first to solve these matters by other ways.

Mr. Speaker, this amendment to the Act will give tangible support to the concept of merit employment. It stresses that workers be employed on the basis of their ability to do a job and their qualifications, not in relation to age itself.

Mr. Speaker: The motion is for second reading of Bill 45. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

#### THE BLIND WORKMEN'S COMPENSATION ACT

Hon. Mr. Bales moves second reading of Bill 57, an Act to amend The Blind Workmen's Compensation Act.

Motion agreed to; second reading of the bill.

#### THE MOTOR VEHICLE ACCIDENT CLAIMS ACT, 1961-1962

Hon. I. Haskett (Minister of Transport) moves second reading of Bill 67, an Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Mr. E. W. Sopha (Sudbury): I must confess the matter relating to the principle of the bill which I do not understand is the ultimate effect of the amendment. If it means one thing then perhaps a person would have to take a stand against it as a matter of principle. In one reading at least it seems to preclude that power in the court, and

under the rules where the court has power to appoint the official guardian, or upon proper material and proper circumstances has the power to appoint another person to be guardian *ad litem*. Now I frankly should like to hear from the Minister on what the principle is which would lead the government to eradicate that protection which for good reason has been given to the court and in effect oust the jurisdiction of the official guardian, the protector of all infants in the province. Why should he be precluded from participating in an action just because notice has been given to the Minister under this statute? Now, I would think that is a proposition that needs to be answered.

Mr. Speaker: Is there any other member wishing to speak to this?

Hon. Mr. Haskett: Mr. Speaker, in bringing forward this amendment to The Motor Vehicle Accident Claims Act, the purpose and principle of the bill is to remove the necessity of a guardian *ad litem* being appointed in each and every case involving an infant defendant. The member for Sudbury raised a very proper point which I thought might not have arisen until the bill was in committee. He points out quite properly that the bill as it stands would preclude the appearance or intervention of an official guardian. This, I might say, was not the intention when we put forward the desire to have this amendment in the Act.

The desire was to achieve the removal of the necessity of providing a guardian *ad litem* because the Minister in the discharge of his responsibilities acts in precisely the same way as a guardian *ad litem* would; namely, he must first be satisfied that there is liability before he would agree to a settlement. Second, he must be satisfied that the quantum is fair and proper; third, he must be satisfied that there is no ground for counter-claim, or else he enters counter-claim.

So I say that the Minister's position is identical with that of the infant defendant, but the bill is deficient or in error in precluding the appointment of an official guardian as a guardian *ad litem* if it should be so desired. And if it please you, sir, when the bill comes before the committee of the whole for clause by clause discussion, I will be prepared to make the appropriate amendment to which the comments of the member for Sudbury very properly led.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** I wonder if the members would mind if I interrupted to draw to their attention certain ladies in the gallery? We all know the value of the ladies in our own area, and I have been informed by their member that in the west gallery are the ladies, from the Pride of Huron Rebecca lodge, in Exeter, and in the east gallery are the ladies whom I previously mentioned this afternoon.

### THE HOMES FOR THE AGED AND REST HOMES ACT

**Hon. J. Yaremko** (Minister of Social and Family Services) moves second reading of Bill 85, An Act to amend The Homes for the Aged and Rest Homes Act.

**Mr. L. A. Braithwaite** (Etobicoke): I have a few comments: I gather from reading the bill, Mr. Speaker, that the Indian bands will now be empowered to establish and maintain homes for the aged, and rest homes. I presume that sections of the bill will now facilitate the return of the Indian to his reservation if he wants to enter a rest home. I think this is a forward step and the bill should be supported. However, the first query to come to my mind is, what have Indians done in the past for this type of accommodation?

To carry the argument further, Mr. Speaker, there seems to be an assumption on the part of the government that Indians on the whole have a life span equal to that of other people who live in Ontario, and other Canadians. I have done a little research on this and I found some statistics which I felt were significant. On life expectancy, I found that whites in the United States live 71 years, and Indians in the United States live 44 years. Whites in Canada have a life span on the average of 70 years—and this is the very important part—Indians in Canada have a life span of only 34 years. Indians in India have a life span of 50 years.

I would point out, Mr. Speaker, that inasmuch as the life span of Indians in Canada is only 34 years, I should think that this is something that the hon. Minister might want to give serious consideration to. Why is the life span of the average Indian so short?

I feel that this is directly related to the principle of the bill, Mr. Speaker, inasmuch as we are talking about rest homes and homes for the aged. Further there is now under this bill going to be provision for Indians to have rest homes and homes for the aged on their

reservations. Mr. Speaker, I fully realize that there are many of my colleagues, who have reservations in their constituencies and who are much more qualified than I to speak on this whole question of the treatment of the Indian.

However, I feel that this bill gives me an opportunity once more to try to get the government to open its eyes to the fact that the average Indian in Ontario has not been treated fairly.

Mr. Speaker, I want to go a step further and say that there is always a great deal of buck-passing; one hears the comment that it is a federal affair, or it is on some other level of government. I felt today that if I brought this matter up, it would hasten the end of this buck-passing and the confusion which now exists.

Any time this comes up, Mr. Speaker, there is always some comment made for the other side.

**Mr. Speaker:** Order! I hate to interrupt the member but I would ask him, please, to stick with the principle of the bill is homes for Indian bands, and not the general treatment of Indians within our province, because there is ample opportunity in other places for that, I am sure.

**Mr. Braithwaite:** Mr. Speaker, my comments are not going to be that long, but I do feel that it is not very likely that the average Indian is going to live long enough to enjoy a home for the aged. If there is anything that this government can do to assist Indians who come off the reservations into our cities, then this is the proper place that it should be discussed.

A year or two ago—during the last session, when the hon. member for Downsview (Mr. Singer), the member for Parkdale and I visited Mercer reformatory—I felt there was something strange. I looked at the population of the girls there and a large proportion of these girls were Indian. At the time I had some doubts as to why they were there.

I was reading an article, Mr. Speaker, in the *Labour Gazette* of April, 1968, which I think pretty well summarizes some of the reasons why the average Indian does not live any more than 34 years.

The article is headed up, "Submerged, neglected and abused" and it says:

The situation of Canadians of Indian origin continues to be a desperate one. They remain a submerged minority, neglected, abused and all but forgotten by

the rest of the population. Their health standards are the worst in Canada. They are kept at levels of near illiteracy. They are prevented from exercising any initiative by a cumbersome and obsolete system of regulation under which they sink deeper and deeper into despair.

And he goes on and on.

This is a quotation, Mr. Speaker; it is from a brief submitted to the government of Canada by the Canadian labour congress, February 13, 1968.

What I am trying to point out, Mr. Speaker, is that the hon. Minister and his department, in making provision for homes for the aged on Indian reservations, should perhaps give more thought to what happens to the average Indian when he comes into the city. As I say, if you were to go Mercer reformatory or any reformatory you would see young girls who were there because they had fallen into prostitution or they had fallen because of drink or because they have not been accepted by society on the whole. They find that the only place they are accepted is on skid row, and that in itself leads to jail and to other places of degradation.

I would like, Mr. Speaker, at this time to ask and to urge the Minister to co-operate with The Department of Lands and Forests, The Department of Education, and anybody else in the government, or any other Minister who might have the resources to assist Indians who come off the reservations, so that when they come they have a place where they can get some sort of counselling, they have some place where they can secure lodging and not have to go to a beer parlour as the only place where they will be accepted. They should have some place where they can speak to somebody to secure counselling on learning a trade or learning how to live in the city.

I repeat, Mr. Speaker, I feel quite inadequate. I do not have a reservation in my constituency and I am not that familiar with the Indian problem. Yet I have seen the sorry results of the way our Indians are treated. I feel that if there is anything that the hon. Minister can do in addition to what he proposes here in this bill, I cannot urge too strongly that he and the government do so soon.

When you look at it, Mr. Speaker, the hon. Minister is the first one to get up in this House—and I must commend him for it—to speak on the way the average immigrant is treated when he comes from a foreign

land. He speaks on how they have counselling and how they learn the English language and how money is spent to make sure that they become assimilated as Canadians. I think this is highly commendable, but there comes a time, Mr. Speaker, when we have to turn around and look in our own backyard.

There was an article in the *Toronto Daily Star* not long ago. The heading says "Help the Métis . . ."—that is just one section of the Indian population—"Help the Métis now or face a Watts riot in ten years." There is much truth in this statement.

I ask, Mr. Speaker, if there is anything this Minister can do towards alleviating the situation of the Indian who comes to our cities, it behooves him to do so. I know he is a man who is farsighted; he has done much of the same sort of thing for people who have come from Europe and have come as strangers. I think, as I say, that his government's and his attitude is commendable. But I think the time has arrived when all of us must turn around and look behind us, to people who live on reservations because they want to, because they have to. They should be considered, and helped. Also those who leave to come to our cities should be provided for. The Indian-Eskimo association and others should be supported. There should be much more money spent, because this is one area where I feel this government has fallen down very seriously.

I say, Mr. Speaker, that the bill is a step forward but there is much more to be done. I entreat the Minister and his colleagues to give a great deal of consideration to this. We consider it a much more urgent problem, no doubt, than they do, but I urge them to give some consideration to this problem.

**Mr. Trotter:** I would like to say a few words on the principle of this bill having regard to the principle that comes from the enactment of section 6. That is, the appointment of administrators for homes for the aged and rest homes. Again, this matter arises from my having been on the committee on aging. That, I find, Mr. Speaker, was a most valuable committee to be on because you certainly get a broad view of the problems of our older people.

I must say to the Minister that this province has done a great deal in the homes for our older people. I know the Minister of Health (Mr. Dymond), when we talked about the homes for special care, said we want to stay away from institutions, but here in this prov-



ince, with our superintendents and our administrators of our homes for the aged, they are doing a good job. In many cases our homes for the older citizens may be institutions but the new ones certainly do not have that atmosphere. And the government should be complimented on the work that it has done in this field.

But it is still open to criticism on a number of matters, on a number of improvements that can be made. One of the main things they can improve is right under this very bill, and more particularly the principle involved in section 6. Section 6 refers to the administrator being appointed after having a course of instruction. Certainly there is no real formal training today for the administrators of our homes for the aging. It has been my experience that where a highly trained person, or persons, is in charge of our homes for the elderly citizens it is usually a first-class home.

I know in Montreal, in the Jewish home for the older people, the individuals in charge there are highly trained, and it is probably the finest home for senior citizens that I have ever seen. I think the second best home for our senior citizens I have ever seen is the Jewish home here in the city of Toronto. Again, the people in charge there, the administrators, are highly trained, they are well educated and with them it is a career job. This is what we need in the province in all our homes.

Here in Ontario the practice over the years often has been to appoint somebody who is retiring from local politics or who has lost his last campaign. Now we are getting away from this, although even some of the people who were appointed through that have been excellent, they have a way of getting along with the people. Still, I remember one recent appointment in one home that I was at here in Ontario. It was not to the top position in the home for the aging but it was a used car dealer with little or no experience at all in handling older people. These things we have to stay away from.

I want to draw to the Minister's attention, through you, Mr. Speaker, this matter of the course of training that is mentioned in section 6 that is to be given to the administrators. Probably when the Minister is winding up the debate, he may be able to answer some questions I would really like to put to him in making my remarks. For example, in the bill before us, reference is made to superintendents or administrators, as we now wish to call them, being appointed permanent-

ly after they have successfully completed a course of instruction that is approved by the Minister. I find in going back to the original bill that was passed in 1960—that is nearly eight years ago—that we did provide for a course and as far as I know there is really still no formal course of instruction for these superintendents of our homes.

So I would like it, when the Minister is winding up, if he could give us some idea of what kind of course there is in the regulations. Do you have an instructional staff, or where is the school located, or if a person does take this course that is mentioned, is he certified or what is the present procedure? The present regulation regarding the qualifications of superintendents or administrators is vague and it does not touch on the course itself. And the Minister, by this subsection, accepts the responsibility for the course. Again I say, what is the course, what is the duration, how long does it take, how many persons have passed this course and have been approved by the Minister, since we passed the legislation in this House back in 1960?

Emphasis has been put—on a number of occasions, and by a number of groups—on the importance of training the administrators or superintendents of our homes for older people. I might mention the Senate committee on aging in Ottawa. They had a few lines on it and they said this:

Much more care must be shown for the selection and training of directors of homes for the aged. Great Britain has had a course lasting several months for matrons and assistant matrons. Sweden has been training administrators of homes since 1908 and the course lasts three years. At present the qualifications of directors for homes for the aged in Canada remains dubious in most parts of the country.

This is what the Senate of Canada says and I am sure, Mr. Speaker, that despite the fact that we passed legislation in this House in 1960 and we are back talking about it again, the course here is very dubious because I really know of no course. But the Minister may be able to give me some idea on it.

Now on the committee on aging, Mr. Speaker, we made a recommendation on this very point. It was recommendation No. 10, and we said that in another specific area, namely the training of local directors or administrators of homes for the aged, The Department of Public Welfare establish and operate or enter into an agreement with the

municipality to operate a model home for the aged to be used as a teaching home, in conjunction with lecture series such as those offered by Ryerson institute, Toronto, and McMaster University.

We went even further than that. We wanted to specify that a particular training centre in a model home be set up and we practically even suggested that a former public servant, Mr. Earl Ludlow, the man really responsible in this province for seeing to it that we have the relatively high standard of care for our older people that we do have, be its namesake.

Certainly, Mr. Speaker, many of us have criticized the particular Minister, the predecessor of the present Minister who is now in charge of this department. The one advantage the department, formerly known as The Department of Public Welfare, has had is that the civil servants have been of a very high order. Certainly Mr. Earl Ludlow, who had so much to do with senior citizens was one of the best examples of that.

But we had suggested, the committee on aging had suggested, that a teaching centre be set up in Toronto. We went so far as to suggest that it be called the Earl Ludlow teaching centre.

When the Minister is speaking before we pass this bill I would ask him to consider whether the principle is desirable enough to insert here, as a further subsection, that a model home that would be a teaching centre actually be established under the bill.

Every member on the committee of aging was impressed by the earnest efforts of many local people to cope with the responsibilities. In other words a vast majority of people on staff in our homes for the aged, do the best they can, but I do think that a lot of them lack the training. I know the committee appreciated the efforts of people like the consultant on our committee, Mr. Lawrence Crawford; and of course we were also able to bring back into service Mr. Ludlow. Thinking back to some of the people in the department who can give training to the administrators there are of course Doctor Priddle, Doctor Stewart; these are some of the officials who could I think help set up a teaching staff to train superintendents and administrators of homes for the aged.

I believe that this bill, Mr. Speaker, could be strengthened by incorporating a section showing the Minister's firm intention to develop a teaching centre by the addition of provision for regulations specifying the

nature and the course of instruction; a course, I suggest, that would be accredited by The Department of Education and University Affairs so it would enable students and administrators to transfer to other similar work, either in Ontario or elsewhere.

I support, Mr. Speaker, the general aim of this bill. I think it is needed. But what I would like the Minister to do is to be more specific in what he means by a course for administrators.

We just cannot have, today, appointments of superintendents or administrators because she is a nice woman or he is a nice man. It is like anything else in the society in which we live, taking care of the aged needs training. There are a lot of improvements that can be made and this is one of the weaknesses in this particular field, that we do not have enough trained personnel.

So, in sitting down, Mr. Speaker, I would urge the Minister to amend this section, if he would suggesting in a more definite manner what type of training, what type of course these administrators are to have; and also, if he could, give me some idea of what training administrators are receiving today.

**Mr. Speaker:** The member for Grey-Bruce has gone, has he?

The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** This is a very interesting piece of legislation, Mr. Speaker, in light of the plight of the Indians in our province, but I question the meaningfulness of the legislation in the light of the life span being 34 years, if this is correct, as mentioned by the member for Etobicoke.

I question the requirement of age for commitment as being over 60 years of age. Would it not seem likely, Mr. Speaker that some study be given to the theory that perhaps in the life span of the Indian, he reaches that 60-year life situation much earlier than a total of 60 years chronologically, and that perhaps some consideration for a rest home type of operation rather than a home for the aged would be of more assistance to them.

**Hon. Mr. Yaremko:** Mr. Speaker, in speaking to the principle of the bill, I could take advantage of the opportunity and yet be completely within the rules of the House, and describe to the House the full scope and meaning of our home for the aged and rest home programme across the province. But I have come to the conclusion that if there is

one programme which is intimately and thoroughly known by all members of the House it is that relating to homes for the aged. I know of no other government programme in which the member has been, through the course of his service in the Legislature, in such continuous touch as with this particular segment.

This has been a very popular programme and I do not hesitate to say again, as I have said in relation to other programmes, that I believe the homes for the aged programme of the province of Ontario is one of the finest, if not the finest, on the continent. I think those members who have the privilege, as the hon. member for Parkdale had, of serving on the committee on aging did discover that so far as the problems of aging and the care and shelter of the aged are concerned we have come a long way. Indeed I may say that this has taken place in the last decade and a half and those of us who have been privileged to have been in the House have seen the continued development during that period.

Up until the early 1950's homes for the aged were the old concept of a home of refuge where you took a person out of the winds of the outdoors and provided him with a bare minimum of care and shelter. The programme has gone far beyond that. The hon. member for Parkdale made a comparison between a home in Montreal and one in Toronto. I had the privilege three weeks ago of opening the extension to the Baycrest hospital, which encompasses the Jewish home for the aged, and in my opinion it is without a doubt the finest of its kind on the continent.

This is a very popular programme. I have seen its extension across the breadth and length of this province. The only thing remains, of course, is how do we improve on what we have; and that is what we are attempting to do.

In relationship to the point raised by the hon. member for Parkdale, and the course of instruction, my giving to him of an answer in that respect will have to await the discussion of the department's estimates. I must say that I am familiar with most of the other courses arranged by and for the department, but this is one with which I do not have familiarity, although I do have knowledge of other courses relating to homes for the aged, such as the adjuvant course.

**Mr. Trotter:** I do not think you have one—

**Hon. Mr. Yaremko:** This is a matter which I will check into immediately. I do know this, that since it has been my responsibility to approve since assuming this portfolio, I have invariably directed the question to my advisers, and asked them before I signed the approval, "Has this matter been checked out? Does this man in effect have the qualifications which he should have to run a home?" I have been assured on all occasions that this is so.

I have not had the opportunity of visiting every home in the province, but I have visited a goodly number of them and I may say this, that I have always been very much impressed by the capability and devotion, the combination of those two features in the people who have to do with the administration of the homes, right from the top echelon to those who serve in the ordinary routine capacities of service to the residents. With those that I have met, Mr. Speaker, I have been without a doubt very much impressed that they are men of capability and do have those qualities. But in respect of the course of instruction, I will check, because I am one of those who believes that there is always an opportunity to learn, and as a matter of fact, we will go into this in great detail.

This very week, the senior members of the department are on a course for a week, as they listen to each other, at a high level, being instructed in the whole ambit of the department that they may have this breadth of knowledge and so more skilfully discharge their duties. And this is another matter which we will go into at some length, the whole matter of training and provision of staff, both within and without the department, which is the keystone of social service.

When it comes to the care of Indians, Mr. Speaker, I do not intend on this occasion to go into a full discussion. I may say that Mr. Speaker quite rightly brought to the attention of the hon. member that he had strayed to some degree from the ambit of the principle of the bill when he went into the whole range of the problems and the tragedies and the evils that beset those Canadians of Indian background.

The hon. leader of the Opposition knows the broad range of problems, but there is one saying which I learned from an Indian, and he said, "Mr. Yaremko, no matter how long the journey there must be a first step." This is the first step within this field. We are taking many first steps, and indeed second and



third steps in other directions, and they will be unfolded to this House at the proper time. But Mr. Speaker, I commend to the consideration of the House this bill, that our citizens of Indian origin will be entitled in the same way as all citizens to the broad range of our services, including the provision of homes for the aged.

**Mr. Braithwaite:** Mr. Speaker, may I ask a question of the hon. Minister?

I asked two questions, I did not get an answer. First of all, I had asked previously what provision was made for Indians prior to this bill? The second thing that I would like to ask the Minister at this time, Mr. Speaker, is—

**An hon. member:** We are not on a question period.

**Mr. Speaker:** Order. Order, please.

**Mr. Braithwaite:** Well now, Mr. Speaker, we commented on—

**Mr. Speaker:** Order. It is my understanding that the debate has taken place on this particular bill. The Minister has wound up the debate and I think it is not proper at this time to direct any further questions to the Minister. The motion has been put. Every member has had the opportunity to rise and speak and the Minister has wound up the debate. The motion is for second reading of Bill 85. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 10th order; resuming the adjourned debate on the motion for second reading of Bill 64, An Act to provide for provincial courts and judges.

## PROVINCIAL COURTS AND JUDGES

*(Continued)*

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, I was discussing this bill earlier and seeking to make some sort of analysis of it. May I say, sir, that it is a mighty complicated document with all kinds of niceties in it. If one compares it to the recommendations in the McRuer report, in some ways it is a half-way house, in some ways it is an improvement, and in some ways a dereliction. The bill is rather curious in some of its aspects as to what may be regarded as internal consistencies in it. In any event, if they are not really internal consistencies then I am sure

that the hon. Attorney General (Mr. Wishart) will straighten me out.

I had got to the point of speaking about juvenile and family court judges—the new provincial judges—and I will refer to them hereafter as “the family judges”, in contradistinction to “the criminal judges”. The family court judges, under McRuer’s recommendation and somewhat in line with the bill before us, need not be, and perhaps even ought not to be, lawyers. McRuer, at page 562 says:

A good layman is likely to make a very much better juvenile and family court judge than a poor lawyer who has obtained the appointment as an expression of gratitude for political services rendered. On the other hand, it is an unjustified encroachment on the civil rights of an individual to have his civil rights determined by a judge who is not adequately trained in the law. It is likewise an unjustified encroachment on the civil rights of an individual to have the social rights of children determined by too many legalistic trappings. A juvenile and family court judge should be specially trained for his duties.

In continuation of that, the particular kind of training that is set forth by McRuer is rather an elaborate and lengthy process. These judges—the family judges in the future, as he sees it—will go to a university to study a very special course in, I suppose, sociology, psychology and what-not, and this is as it should be, to become qualified judges in this regard. Then having graduated from the university they will then go as probation officers only, for a period of five years, prior to becoming judges. Having achieved that, before they can try indictable offences under part 16, they have to be provincial judges for another five years, since they need not be lawyers in the first instance and to begin with.

So this is a magnificent course of training. They will be erudite old men by the time they became judges, but something of this quality and kind may be necessary in order to get the people who can deal with juvenile and even adult offenders before these courts in an equitable way. What I find anomalous, Mr. Speaker, is the curious distinction between this type of training for family court judges, and so far as I can see under the Attorney General’s bill, no training whatsoever necessary for the criminal court judges. And the range and type and degree of social impact and the derelictions that may take place with this sort of judge could be very weighty.

Since they deal mostly with adult offenders and they have enormous powers such as imprisonment for life and yet these judges still emerge and there are no proposals whatsoever within the ambit of this bill, no indeed within the McRuer report, for qualifications for this sort of judge. Perhaps the single, most important judge, as I indicated the other day, are these judges in our province and they will increasingly be so.

So there is one internal contradiction which I find rather curious and in respect of which I would like to hear the remarks of the Attorney General.

The second matter which I find internally questionable arises out of Mr. McRuer's remarks on page 554 where he points out the wide range of jurisdiction that is exercised presently by the juvenile and family court judges. For instance, Mr. Speaker, they have trials of young persons; secondly, trials of adults for offences in respect of young persons; and trials of adults for criminal offences in which young persons may or may not be involved—that is, section 186 of the code, for trials of civil matters involving young persons, for example maintenance and custody matters—and finally trials of civil matters in which young persons may or may not be involved, for instance the question of the maintenance of a wife.

In any event, one third at the present time of the load of cases coming through that court are juvenile cases. In order to distinguish the juvenile cases from the range of cases involving adult offenders before this court, a rules committee is being set up. The rules committee has two functions, as I see it, and perhaps the Attorney General will agree or correct me in this, because it is not really too clear.

One of them is to separate the federal from the provincial types of cases and charges coming before that court in future or the new court as it will be. And the second, to set up differing procedures in the handling of juvenile cases over against adult offenders. It is conceded that the question of guilt is not foremost there.

I recommend to every member of this House the long chapter of McRuer when he gives the Harvard report and a number of other documents—some of them I found particularly delightful because they emanated from the labour government of Great Britain—as to the treatment which might be and has to be given to juvenile offenders by way of special procedures where the adversary sys-

tem is not stressed and where a more informal atmosphere reigns. The aim is the redemption of that offender and not retaliation and not even deterrence. So this is a reparation.

But now what I find inconsistent arises out of the curious passage on page 561 in which a sitting magistrate says that in a letter to the commission a magistrate who is required to perform these dual functions said, and I quote:

A separate judge for juvenile and family court should be appointed.

That, of course, is because the county court judges at present also exercise this jurisdiction. I continue quoting:

I sometimes find that there is a conflict of interest arising in this manner: A husband and wife will appear before me in the morning in magistrate's court, possibly where the husband has assaulted the wife, and in the afternoon in the family court the same people are there again with the wife making application for maintenance under *The Deserted Wives' and Children's Maintenance Act*. This happens quite frequently, and I sometimes feel that the position of either the husband or the wife is prejudiced by advance knowledge that I would have sitting as judge of the family court gained earlier while sitting as magistrate.

Now, what I am precisely after in this heading is in what way does your bill prevent this overlapping jurisdictions? While it takes out the county court judges, the set of judges within this court may themselves have overlapping jurisdictions. I would say that a family judge may try an assault case between husband and wife in the morning and the maintenance claim in the afternoon; there is nothing, certainly as far as I can see, to prevent that. Or he may try a juvenile case in the morning and a family case concerning the same family in the afternoon, again on problems of separation or maintenance or custody.

Perhaps these possible conflicts could be clarified; they appear to me to be presently overlooked. Perhaps it is the job of the rules committee to straighten all this out, perhaps specific recommendations might be made to them by the Attorney General to see that this sort of thing—which is objected to and which is being eliminated, I would have hoped, by setting up these courts—to see that the very thing or evil you are seeking to cure is not reinstituted within the court itself.

Under the same heading or arising out of the same kind of thing, and dealing particularly with adult offenders, at the bottom of 553 the erstwhile judge said:

The wisdom of conferring on all juvenile and family court judges the jurisdiction of magistrates is questionable. But on informal direction from the Attorney General, certain criminal charges against adults are proceeded with in the juvenile courts. These involve charges of failing to provide necessities for children, common assault, and corruption of children. The intention of the directive is that insofar as these offences relate to the family relationship, they should come before the juvenile court judges in their capacity as magistrates. It is questionable whether this indirect means of conferring jurisdiction on juvenile court judges to try indictable offences with the election of the accused, or, in the alternative to hold preliminary hearings, is wise.

In other words, McRuer comes down quite heavily against this particular so-called informal practice exercised by the Attorney General's office and my problem is that the bill appears to go just in the opposite direction. It does remove the informality; it makes the jurisdiction formal. It grants the jurisdiction to the family court judges and extends it, as far as I can see.

A far wider range of criminal matters may now be tried if they have any loose relation to the family as such before the juvenile courts. Particularly, of course, before what I will call again the primary judges of those courts—those who have the required qualifications under section 9; that is, those who have been lawyers, say, for five years or the two other alternative situations. They exercise an extremely wide jurisdiction. I suppose it is the intention of the Attorney General to make it so, and one of the purposes of his bill is to see that they do have this ambit of authority. I would just like him to spell it out a little for me if that is really the case.

To sum up this particular portion, we have two classes of judges cutting across the two different divisions. There is junior—what I would call primary—and secondary judges in both types of court and both of these sets of judges may exercise similar jurisdiction within the family and criminal areas as I see it.

The uniformity of structure which Mr. McRuer wants is being replaced by a two-tier system of far greater complexity, I would think, considering the things I am saying as to the internal problems that are being

generated by this bill. Nevertheless, it is a highly beneficial thing into which has gone a good deal of thought by your staff, who should be commended—almost brilliant in some ways, in the working out of lines of complexity that is involved in setting up these new courts, and is far less simplistic than what has been recommended by the good judge.

Now the courts of course, are going to be extremely costly if the intention is to bring the present magistrates up to a level of—I understand the county court judges get close to \$22,000 a year—up to that level. I think some discrimination is going to have to be made between the two tiers of judges as to what their salary situation would be too. I think we may as well face the fact that this is going to involve a good deal of cost and I would like to know if the Attorney General has any estimate of what this cost might possibly be.

Now as one who has a little experience in these courts, I am concerned about the problem of removal of these men and to some extent it is not so much the problem of the appointments—although I will come to that in a moment—it is the problem of men deluged with work, trying 50 and 60 cases a day. Trying the common drunk cases, getting going in the morning and cleaning out the cellblock.

What happens over a period of time, and some of my best friends have fallen into this pit, is that after three or four years sitting as magistrates they become calloused, indifferent men. I would think that if some measure can be devised to avoid this; for they do not treat the counsel before them with any degree of courtesy; and the accused without counsel is a pawn in the game, an inhuman cipher sitting before him.

These men seem to lose all contact with humanity. It is well understood how they do this, but this is not the way of justice; it must be tempered with mercy or it is not justice to begin with. If this is the case some measure should be devised of putting them out to pasture for a while.

I made a little joke the other day, which fell flat on its face in this House, about putting them under probation officers; but I do not suppose that has too much merit.

On the other hand I would think, and again I am being slightly flippant, that to lock them up for two or three weeks under some pretext in one of the reformatories of



this province might bring back a speck of decency.

**Mr. E. Sargent (Grey-Bruce):** Now you are talking; now you are talking!

**Mr. Lawlor:** Then they will realize what they do to human beings when they sentence them, particularly first offenders or particularly those who appear not to have recidivist characteristics.

They should be able to judge this. It seems to me they lay down these sentences with an easy hand, not taking proper cognizance of how they afflict those, indeed condemn them, by placing them in an environment which is beyond recall—and such are the penal institutions of this province, or by and large many of them.

Something must be done with respect to the generation of some sensitivity in these men. I would ask the Attorney General, in his forward moments, which are happening more and more often, to take this matter under advisement and see what we can do about it.

Now there was mention the other day as to the problem of removal. Mr. McRuer has some interesting comment on this which I think is worth reading into the record. On page 541, he says:

Section 3 of The Magistrates Act makes provisions for the removal of a magistrate who has been in office for two years.

That may fall more in line with my hon. friend from Downsview's view of a probationary period. Actually, at the present time under The Magistrates Act they are—under section 3 I believe it is—appointed at the pleasure of the Attorney General for a period of two years. After that they gain status.

Perhaps that should be preserved. Perhaps the—what is wrong with that—has it worked well in the past? Is there any reason why a period of pleasure might not just be the answer to the appointment of men, at fairly substantial salaries, who just are not qualified for this task?

I would request that it be taken under advisement in any case.

**Mr. McRuer** goes on:

To give greater powers of removal than are contained in this section would be an unwarranted interference with the independence of magistrates.

And that is what I felt at the time. **Mr. McRuer** continues:

However, there should be some clarification of what is meant by misbehaviour,

inability to perform his duties properly. There should be some practical means of invoking a provision of the section.

Members of the bar and members of the public and even some members of the judiciary, are most diffident and careful about exposing misbehaviour of members of the judiciary.

Likewise, the Attorney General jealously avoids any appearance of supervision of the judiciary and the course he adopts is a proper one. There should be some body to which members of the bar and members of the public could present grievances with respect to the conduct of members of the judiciary, and this body is being set up under this Act.

It is a novel move, and for those people who pretend to be realists in this House I will not mention names, **Mr. Speaker**, but cynicism often masquerades as realism as to the mode of these things. If such a member will read the passages in **McRuer** where he is trying to make a breakthrough into objectivity, into some measure of taking political appointment of judges out of the hands of the Attorney General, to provide him with a shield against the pressures of numerous people who are desirous of obtaining the judgeships, this is the first step in that direction.

It is a goodly step. I can see nothing wrong with it at all. I do not think it is a smoke screen. I think that these men, having been appointed to this task, with a layman sitting there too, need not simply be themselves political appointments, appointing in turn other political appointments and just used as a stalking horse to hide in a second layer the role of the political power in appointing men to judicial office. Everyone who has touched on **Montesquieu** as to the division of powers knows that the judiciary simply must be kept separate and distinct in its operations. And that applies as much and as often as possible in the appointment of these men.

It was misunderstood in this House the other day, I believe, that I was opposed to politicians being appointed to these offices of judgeships. Not at all, not at all. I would very much like to see the hon. member for **Downsview** appointed to the judiciary. He then could vent his sardonic temper on the litigants and save us a good deal of his tongue on occasion, and this applies to other hon. members of this House.

The fact of the matter is that it is a flagrant and has become so for some time past, a flagrant abuse of the process of the independence of the judiciary to have them appointed in this way.

And Mr. Justice McRuer has his own biting comment to make. Here he says:

The appointment of a magistrate on the basis of political qualifications cannot be justified on any ground. It is not consistent with the elementary concepts of justice that one who has attained office merely by political service should have the right to preside over the liberty of any subject. On the other hand, no one should be excluded from the appointment because he has taken an interest in public affairs.

With those thoughts in mind—I have pretty well finished, except for two relatively minor matters which I would like to bring to the Attorney General's attention. One of them is—and it will come more in subsequent bills that the Attorney General will be bringing before the House—this business of The Summary Convictions Act and the numerous fees and levies and costs against accused persons and against convicted persons which were wiped out in 1954 for indictable offences under the criminal code, just wiped out, but retained in this province and curiously, by a twist of the pen, brought back in a body into The Summary Convictions Act in section 1. Nothing is said, in the government's bill here, as to the elimination of this peculiar form of inequity. I do not think it is particularly relevant and so I will pass it over now, but simply mention that it is going to come up, as far as I am concerned, in subsequent bills.

Every time we run into this sort of thing, where a prosecuting counsel derives benefit and usufruct from the fact that he is prosecuting and attains a conviction, it is in his interest to attain the conviction, he loses his objectivity. This is the law of the dark ages; it is the law of Mississippi. We got rid of the poll tax, let us get rid of this sort of thing too.

The only other thing I wish to bring to the Attorney General's attention and ask him a series of questions on concerns section 21, for instance, where mention is made of detention and observation homes—about possibility of establishing them. What are the Attorney General's plans? What does he envisage will take place here? Is he going to open more of these homes? Has he got anything specific in mind in this regard?

The same questions apply to section 22—no, that is detention homes—section 23, concerning diagnostic clinics. A diagnostic clinic may be established, maintained and operated as part of the provincial court. It sounds as if something is going to be done, and it moves me to inquire as to just what is going to be done—what the Attorney General thinks would be in order here. The same thing applies to subsection 2, the professional person's status.

And finally, in section 24—oh, not quite finally, I do not give up that easily—section 24 on probation officers. I know that the province has been handling most probation officers and paying their salaries for many years. I see nothing, in all the legislation we have got before us on these courts—and I think you are trying to cover the field—as to taking over the cost of the payment of probation officers in the municipalities, in the metropolitan family courts system; I understand that is paid by Metro and not paid by the Attorney General's office. There is nothing here, that I can see, in any of your bills—I cannot hear you—

**Hon. A. A. Wishart (Attorney General):** Did I understand the hon. member to say that Metro paid the probation services?

**Mr. Lawlor:** That is what I understand to be the case.

**Hon. Mr. Wishart:** No, that is not the case.

**Mr. Lawlor:** That is not the case?

**Hon. Mr. Wishart:** That is not the case.

**Mr. Lawlor:** Very well. I am being straightened out already.

The final thing that I want to mention, is to commend the Attorney General in this regard, and mention that in section 25, alimony and maintenance orders now may be switched over to the family jurisdiction. This is a much cheaper, more efficacious and faster method of enforcing these orders than we have had previously at our disposal. I am sure that the lawyers of the province at least, and the many wives who cannot get paid, will appreciate that move.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, there are certain principles in this Act to which I would like to refer, and I will commence my remarks with the contents of section 4.

In the county of Waterloo, as my colleagues are well aware, we at the present

time have three magistrates who will become judges of the provincial courts. Each is legally trained, is efficient, and I believe, is quite highly thought of by his fellow magistrates and by members of The Attorney General's Department. No doubt with the increase of population in which our county is now progressing, we will soon have a fourth magistrate—a fourth man who will become a judge of the provincial court system. I suggest that it is fair for us to ask of ourselves what will be this man's terms of reference when he is appointed. A term of probation, which has been previously referred to, might well be fair to both the appointee, in such a situation as this, and to the government.

Without question, dismissal without cause on the whim of whoever might be the Attorney General of the day would not be acceptable either to someone who accepted an appointment like this, or to this House at large. But a three-year term might well be useful to allow both sides to assess the situation. If the appointment is not mutually satisfactory, then both sides could, peradventure, gracefully withdraw from this situation. In the terms of an academic tenure in the university, such a precedent of an initial term could be acceptable. The ancient principle of tenure by judges was clearly required in its own day to protect those who sat on the bench from political whim or from revenge on the occasion of some of their decisions. But surely, Mr. Speaker, we have moved beyond that point in Ontario today.

Within this Act, section 6 informs us that a judge may resign at any time in writing, and this allows the judge a certain amount of freedom in this area. But this section does not seem to give quite the balancing provision which the Attorney General might prefer to have, or which this Legislature might have looked for. When we look further into sections 4 and 8 of this Act. The practical scope which should be available, does not seem at the present to be with us. My colleague, the hon. member for Downsview, has shown the House that there is indeed a narrow line to be walked between removal for cause and political interference. But surely this line can be successfully negotiated—especially, I suggest, by an Attorney General who is as well thought of by the members of this House as is the hon. Minister from Sault Ste. Marie.

If the Attorney General is, however, not prepared to put some form of probation into effect, then he must accept the consequences of the occasional unfortunate appointment. It may well be that a capable person will

not take on this heavy job if clear tenure is not there from the start. If that is so, then all appointments must then be most carefully screened and must be taken out of the realm of political rewards. This is not to say, Mr. Speaker, that someone who has been active in politics and in the political service of this province or of the nation at large, should be excluded from further service to the province by the holding of a judicial office. Public service is certainly to be applauded in anyone who may be suggested for preferment to the bench. It must not, however, be the major criterion which might overshadow either competence or diligence. In this area I suggest, Mr. Speaker, that the contents of section 8 are troubling—troubling to me, troubling to some of the other members.

The judicial council referred to in this bill is to consider appointments. But as we not only “at the request” of the Minister. The Attorney General is therefore still able to appoint such political judges as he may consider necessary without reference to anyone else. I suggest that this Minister is reserving this right to bypass the council, and therefore appointments based solely on political activity may still be with us. As my friend has already mentioned, the McRuer report tells us that the tradition of selecting judges according to political considerations can adversely affect the civil liberties of citizens. And this Act unfortunately does not relieve us of this rather murky tradition.

Another misconception that is present in this piece of legislation, and that is now apparently with the general public, is that all new appointments under this Act will be of persons with legal training. As the Attorney General will no doubt agree, this is not the correct interpretation of this section. I refer in this circumstance to a portion of section 9. There will still be laymen on the bench who will be dealing with trials and sentencing under the criminal code and under other statutes. Mr. Speaker, a lay appointee from the disciplines of either social work or of the ministry may be most suitable to be a member of the family division of this system, but I think that five years' service in this division is not a valuable training on which to allow criminal trials to be based.

This is a possibility—and indeed in many areas, depending on the appointments and the availability of persons to carry out these tasks, can be a probability in the future. I suggest Mr. Speaker, that persons may well sit in judgment for serious offences who have not had any real training in these areas of



evidence and procedure or of sentencing. It may be that it is the Attorney General's intention not, in fact, to allow these appointments to interfere with the line which he might choose to draw between the family division and the criminal division, but if that is the case, that is not how the section in fact appears. It would appear that the powers of sitting in judgment, by someone who does not have legal training, will automatically accrue after the simple passage of this five-year term.

It may well be that as I have said, the hon. Attorney General's intention is only to have summary offences tried by persons of some background but of no legal training. That is not the wording of this Act. In this, the Act is clearly deficient, and the principle, I suggest, must surely be stressed that this ability to sit in judgment by an untrained person, is wrong. It is simply not fair to call upon a provincial judge without legal training to judge the more serious offences, even after a five-year term, and this is especially true when there is no guarantee that during that five years, the judge will have had any exposure to learn the law which he is then going to have to enforce. Indeed, being barred in effect from acting in this area would preclude the judge serving this five-year term from ever being able to learn the task.

Mr. Speaker, portions of this Act have existed since the revisions of the statutes in 1960 and earlier, and it is to two of these areas that I would like to refer—first of all, the area dealing with detentional and observation homes, and secondly that dealing with diagnostic clinics.

With respect to detention homes, there is certainly a real need for these facilities, and especially, I might add, is this need apparent in Waterloo county. The facilities which are needed to hold children who are to appear in juvenile court or who may be awaiting assessment treatment, or transfer to some other institution, are simply non-existent. These facilities which we do require in a detention home, would only be used, of course, for children who it might be believed would run away or do serious damage either to themselves or to the community. But up to the present time, these children have either first of all been entrusted to the local children's aid society, or secondly they have been locked up either in police cells or in the county jail. In the first of these alternatives, the children's aid cannot be really responsible for the child's appearance or safety, although the chances are better than if the child happened to be left on his own.

The other facilities to which I referred are clearly for adult prisoners, and should be used, if at all, only for those persons. The police cells are intended to hold adults for only a few hours. They do not have the facilities in the ordinary case for feeding. On occasion they may be crowded to the point where segregation is virtually impossible. The county jail might often find the problem of segregation even more difficult, to such an extent that on occasion the child may be in with an adult prisoner in a common jail that is considered by modern standards to be barely acceptable even for adults. It has been felt previously that the number of such children was not sufficient to make the operation of homes in many areas economically practical. However with the increasing population, especially in our county, and the numbers before the courts, these needs on occasion are very urgent.

I would trust that the hon. Minister will in fact use the terms of this section, if the Act is approved, to increase the provision of detention and observation homes. Similarly, diagnostic and assessment facilities, which are referred to, are lacking as well, certainly in our part of the province. Work in the juvenile courts has underlined a grave problem in obtaining an adequate and quick assessment for children who seem to the average lay observers—which many of these probation officers are—to have problems.

The psychiatric services which are available on occasion in our twin city area of Kitchener and Waterloo can assist the courts, and their help is no doubt appreciated. But the case loads are very heavy, and the facilities are overcrowded. Furthermore, such psychiatric examinations, when they are obtainable, are only part of the answer. It seems to me very unlikely that clinics within the municipalities will ever be capable of providing the full assessments desirable for many of the children who come before the courts. In addition, there is of course the considerable number of children who come to the attention of school authorities, parents, and workers in the child welfare field, and who want to have the benefit of these facilities.

These diagnostic and assessment facilities are vitally needed, and should be improved upon and developed, if for no other reason than to assure many worried adults, many worried parents, that no serious problems may exist. The proper identification of children with problems such as these, as well as the problems that the children have, must be an imperative first step in order that we can help them. At the present time anything done in

this area is largely done on a catch-as-catch-can basis. Surely in these portions of the Act dealing with detention and observation homes and diagnostic clinics, the Minister can greatly improve upon the facilities available in the province if he moves to implement these Acts, these sections.

With respect to treatment facilities, which seem to go hand in hand with these other two areas, of course these are also needed, but they are properly to be discussed in the estimates of another department. It would seem that an area such as the riding which I have the honour of representing, with a population currently reported to be the fastest growing of any urban area, must have facilities like these. These facilities should commend themselves to all of the members of the House.

It perhaps should be noted that while we are able to separate the kind of things which children can benefit from in detention and observation homes, diagnostic clinics, and treatment facilities, they all deal with the same kind of child, and usually with the same child. Therefore it would appear to me, Mr. Speaker, that all the needs could be met by one set of facilities and staff which might have fairly broad terms of reference dealing with children who simply have problems. It would appear to me that it is a matter of greatest urgency that some effort be made to arrest this financial, brain and labour drain in our communities. I trust that the hon. Attorney General, by the provision of these facilities, will proceed with as great haste as possible in developing these kind of facilities, and in making in fact the whole structure of the provincial courts work through the provision of this basic requirement upon which the rest of the courts can be built.

I would commend to the Attorney General the bringing of these sections into this Act, to the point where they can in fact be used strongly to benefit the children of this province who have great problems. Of course I would invite him further to develop this programme immediately, and encourage him to create a really co-ordinated project of this work. If he needs a location for this project, I certainly suggest to him the city of Kitchener, where it can serve the whole of our area, as these projects can serve many other needed areas across the province.

**Mr. Speaker:** Is there any other debate before the Minister closes it?

**Mr. G. A. Kerr (Halton West):** Mr. Speaker, I would like to add a few words in dealing

with this bill and particularly clause 8, in relation to the McRuer recommendations in chapter 39. I do not agree with some of the remarks that have been made regarding the appointment of magistrates. I do not think that the political affiliation, certainly in recent years, has been of that much importance in the appointment of magistrates. I do not think it has been anywhere near as bad as indicated by the hon. member for Lakeshore.

**Mr. Lawlor:** What do you want, Sodom or Gomorrah?

**Mr. Kerr:** I believe, Mr. Speaker, that there has been a problem in appointing qualified people to act as magistrates. I think this has been the problem of The Attorney General's Department and of the chief magistrate, and this has resulted in the appointment of a number of lay magistrates, many of whom have turned out to be very excellent magistrates in various parts of the province.

I do not agree with the previous speaker that a magistrate should necessarily be appointed for a stated term. He mentioned three years, and I think he indicated that this would be a term of probation. How would you decide whether or not that man or that woman has been a good magistrate? Would you base it on his decisions, on his general decorum? Would you compare acquittals with convictions? Would you listen to disgruntled accused who feel they have been wrongly convicted? I feel, Mr. Speaker—

**Mr. Lawlor:** You have got it under the present Act.

**Mr. Kerr:** I feel that under clause 8, and with the setting up of this council, that there would be certainly sufficient consideration prior to appointment that a person who had a good reputation as a lawyer, who was qualified, who had a certain number of years as a practising lawyer, who was considered a good citizen, and who is considered by the members of the bar association to be in high repute, of high character, I feel that we have done away with a certain amount of risk-taking prior to the appointment of such a man or woman as a magistrate.

I also agree with the bill, Mr. Speaker, that the final decision should rest with the Minister. As I mentioned before, I do not agree that political affiliation has been that much a factor in appointment, certainly up to now, and certainly with this present Minister. The trouble has been to find qualified people.

I do agree with the remarks of one of the previous speakers that there are some magistrates whose attitude is not, shall we say, conducive to the best form of the administration of justice. Possibly some of these are in our courts in our main urban areas, where their dockets are continuously overloaded. They do become rather cynical, they do become partial, rather than impartial. And we, particularly out in the boondocks, notice this particularly when a magistrate is filling in for someone else. His whole attitude is not the same as those magistrates who serve in courts where they are not so busy, where the dockets are not so heavy and where they are not necessarily so known, or so attached to the constabulary.

As I mentioned, I feel that the increase in salaries alone will make a great difference in the task of appointing qualified people to serve as magistrates and I would agree with the other recommendations of the McRuer report in this regard, in chapter 39, particularly recommendations 1, 2, 5, 6, 7, and 14.

I agree particularly with the paragraph on extrajudicial employment of magistrates. I do not feel that they should serve on police commissions or on conciliation boards, and certainly with the elevation of their status, the increase in the salary, this type of moonlighting certainly would not be necessary.

**Mr. Speaker:** Does any other member wish to speak?

**Mr. Lawlor:** May I ask the hon. member a question, Mr. Speaker?

**Mr. Speaker:** I would not think it would be either advisable or within the rules.

The Minister?

**Hon. Mr. Wishart:** Mr. Speaker, I am much indebted to all the hon. members who have taken part in the discussion of the bill on second reading, for the serious consideration they have given to its provisions and the constructive suggestions and criticisms which have been offered.

I would like to say at the outset that this bill is an attempt to achieve a very full approach to the matter of the provincial courts, of what are known now as our magistrates' courts and which, sometimes, certainly not to my approval, are called police courts, and to bring our juvenile and family court into a system of provincial courts whose status would be raised and would be recognized as being an important court in the land. I will not say that we have achieved everything

that the hon. members might wish, as has been pointed out here, but I think we have taken a long first step.

As I gathered from the remarks which were made there is a general approbation and approval of those things which we have done.

And as I look at the report of Mr. McRuer—and I think if I direct the attention of hon. members to the recommendations which appear on pages 543 and 544, those which need to be carried into legislative form are practically all accomplished in this bill. I will not say they are all fully carried out. I think I would be inclined to say that with all of the recommendations, as they were very carefully set forth by the very respected gentleman who prepared this report, I could not find it possible to incorporate them all at this time, but we have gone a very long way in the examination of those recommendations to see that this is done.

I might say, I think I did say, Mr. Speaker, in presenting this bill, introducing it to the House on first reading, that we had prepared it over a period of time, some months prior to the opening of this Legislature. And when the report on civil rights was received, we then delayed the introduction of the bill as we had it prepared and attempted to incorporate into it the recommendations which are set forth in the report of the commission on civil rights, and we had not a great deal of changing to do, which gave us some satisfaction.

In dealing with some of the specific points which were raised, I will not undertake that I have them all in order. But I note the hon. member for Downsview, who, I believe spoke first on this matter, and the member for Kitchener both had something to say about the probationary period of practice as a judge of this court before final appointment. And I may say that was considered and rejected. I think that when one stops to consider it, as has been pointed out by my colleagues on this side of the House, the difficulties which stand in the way of doing that are really insuperable.

You first of all want to get an eminent, capable lawyer, a barrister, who is practising, who has had experience. You want to bring him away from his practice and appoint him as a judge in the provincial court. And you say, if you pan out in three years' time or less, then you will get a permanent appointment. But first of all the difficulty arises, who would take such an appointment? Who would leave a busy, remunerative prac-



tice and accept an appointment under those circumstances?

I would think the incidence would be small. For, were such a man to fall by the wayside and have to back to his practice, having left it for three years, how could he contemplate picking up anything like where he left off? What damage would have been done, or loss would he have sustained? So the probationary idea, I think, is not practical at all.

I asked the hon. member for Downsview, "do you know anywhere that is tried?" And his answer was, "well, just because it has not been tried, there is no reason why you should not attempt it." I do not think that is a good enough justification. You must have reason, not just do something because it is something novel or new. We considered that and we rejected that idea, and I think rightly so.

**Mr. Lawlor:** But this is done at the present time.

**Hon. Mr. Wishart:** I cannot believe that we entice somebody onto the bench and then dismiss them.

**Mr. Lawlor:** But they are under your pleasure for two years.

**Hon. Mr. Wishart:** Yes, I cannot think of anyone that approaches the status of the judge that I want to establish in this court that I would do that with. So I would dismiss that suggestion and I must say I do not think it is a proper one. I noted that Mr. McRuer in this report—perhaps this has been mentioned—at page 540 mentioned the training of lawyers as judges. From the beginning they approach the profession of a judge. When I was in Russia last year I had occasion to talk with some members of their bar, who were trained in that way and simply came into the legal profession. They approached it in no other way than that they were going to train as judges and when they come out they go on the bench without going through the practice of law for clients.

**Mr. R. F. Nixon (Leader of the Opposition):** Were they political appointments too?

**Hon. Mr. Wishart:** Perhaps I should not, in reply to that, put anything on record. They are trained professionally to approach the matter of the court as a judicial person and they do not take practice or they do not take the opportunity to practise. They seem to think there that this works very well,

because they are training people for this approach.

Mr. McRuer, while he does not pass an opinion on it, refers to it in two or more places in his report and thinks it might perhaps be considered. I think he is referring particularly, perhaps, to the training of juvenile family court judges, although he has not got his first reference to training under that section. But on page 562, again, when he is speaking of the juvenile and family court system, he says:

Legal training is not enough; this is an area in which the continental system of appointing judges should be followed. There judges are trained as career judges; they are not appointed from the bar as in Canada. Experience in the actual practice of law is not likely to be of much value to a juvenile and family court judge, nor will years of training in commercial, corporation and property law assist him.

If I might take a moment, Mr. Speaker, on that point. I see some difficulty—while I appreciate the comment the hon. Mr. McRuer has made—that if you take a young man and you start to train him for a juvenile and family court judge—and I would think that perhaps at this point he may not have shown the quality or the character, the approach, the sympathy that you would want in a person who is dealing with family matters, children, wives and husbands—if you train him into that field for five or six years, say, and then put him on that bench, I have some doubts as to whether, as Mr. McRuer says, "Legal training is not enough." I have some doubt as to whether that kind of training is enough to get the quality of judge you need in the juvenile and family court and I must be frank to say so.

We could have inserted in this Act a section spelling out specifically the training that would be required. But I think I must say to the members of the House that I think if we approach it in this way, we are moving from a system which is established and which will take a little time for transition. If you will allow that we move from that present system to the new status, this will work itself out and we can, as we move along, find means to amend or establish, not necessarily by legislation even, some forms of training, some programme which will assist us in getting the persons we want.

The hon. member for Lakeshore spoke of the overlapping jurisdiction which now exists in the juvenile and family courts, and

I have to admit that and I think the Act indicates it. Mr. McRuer referred to it. It is a situation I think we cannot cure overnight. It is one that does not happen too frequently, where in the example given here, a judge or magistrate sitting in the morning tries someone on a criminal charge and the same afternoon has that husband before him on a family court matter. This can happen and, I suppose, occasionally does, but it is not one that is of great frequency and I do not, frankly, know at the moment how you might avoid such a situation, unless the magistrate trying the case were to say, "I will withdraw on one side or the other. I have heard one side; I do not think I should deal with it in its other character."

**Mr. Lawlor:** Lay down a rule!

**Hon. Mr. Wishart:** Yes, we could do this, but what I am pointing out is that we do not need to do that. I think it would be not proper to spell out that specific in a bill. There are some things which have quite properly been mentioned and drawn to our attention which we can do. I am glad to have those suggestions but I think they would be worked out by the rules committee or by practice as we move along.

There are two classes of magistrates. On the question of appointment—perhaps we should start with appointment—I would again refer to Mr. McRuer's commentary. We have the judicial council nominated, set up exactly as he has suggested, the same personnel, and then you will note that he says on page 541:

The Attorney General could consult with such a council, secure its recommendations as to the qualifications of those considered for appointment. The Attorney General and the Lieutenant-Governor in council must take the final decision and responsibility, but the judgment of such a judicial council would do much to mitigate the power of political influence and reduce the risk of unfortunate appointments.

I think the important thing there is that the government must take the responsibility for its appointments and cannot and should not—I think should not—delegate to some other body, such as the bar association or committee of the bar or some other body no matter how competent they may be, the matter of appointment to the bench. I think perhaps counsel, yes, and I may say to you that I take a great deal of counsel now in the appointment of magistrates, but I think the responsibility must remain, as Mr. McRuer says, with the government, the Lieutenant-Governor in

council. This judicial council is the first of its kind in Canada, certainly—

**Mr. Lawlor:** Why does the Minister not want to do it unilaterally? Can he assure us he will consult with the judicial committee before appointing judges?

**Hon. Mr. Wishart:** Mr. Speaker, I can only give the hon. member my personal assurance. I might not be here tomorrow so that would not be much good to him.

**Mr. Lawlor:** That would do. None of us might be here tomorrow.

**Hon. Mr. Wishart:** We have to speak of the office, not the individual who presently occupies it. Once this is established it will become a practice to consult, and to obtain, the advice of the judicial council and it will be followed. As I say, we are first in Canada and it is perhaps some satisfaction to feel that we, at least in this new court we are establishing, will be using a method which is not used in the appointment of the highest courts in our land by the Parliament of Canada.

**Mr. Kerr:** Judicial council will be all NDPers, all right?

**Hon. Mr. Wishart:** The hon. member for Lakeshore had one or two questions about probation services. Perhaps I did not answer him very fully in the course of his remarks. All probation services are paid for, carried on by the province.

**Mr. Lawlor:** Mr. Attorney General, I am sorry to interject. Would the Attorney General care to look at page 564 of McRuer? He says in the second paragraph—and this may have been altered since McRuer's report and I have not checked it—

The fact is, the only expenses which the municipality does not pay in connection with juvenile and family courts are the salaries of probation officers appointed by the province under The Probation Act and the expenses of clerical and other assistance. These are paid by the province. On the other hand, where probation officers are appointed by the province under The Juvenile and Family Courts Act, they are paid by the municipality.

**Mr. Kerr:** Not now. Not any more.

**Hon. Mr. Wishart:** I do not believe that is correct now. We pay all probation services, and there was a fairly recent change in that respect in certain areas.

I do not think it is necessary for me to deal specifically with diagnostic clinics. The Act makes provision for them. We work in close co-operation with The Department of Health and perhaps I might refer the hon. member for Kitchener to the white paper which was published. You have it, and we are aware of that and I think we will be able to carry out under the terms of this Act the recommendations which are there made.

I have a note, I would point out to the hon. member for Lakeshore, that in the take-over of the cost of the administration of justice in any event, we certainly have picked up every cost, so that the reference in the McRuer report is no longer apt.

I was asked as to the cost of raising the salaries. Now this is something which will be transitional. We will move as quickly as possible. It is not something that will be done overnight. There are at the moment roughly 100 judges involved and there would be perhaps an average increase—I am speaking of an average because there are different levels within their salary range—the average increase would perhaps be \$4,000 if they were all to move to the salary we had in mind, namely the same salary as the county court judges, of \$21,000. So that the cost, if you were to do it all tomorrow, would be \$400,000, or thereabouts.

This is not intended to be done at one swoop. There are certain of our magistrates who are legally trained, some not legally trained, and they are in different levels within the salary range. They will move with experience and time to that salary, we hope. New appointments, if we get the people of quality and character we expect, could very well be appointed at that level of salary. That was one reason why a firm salary amount was not set forth in legislation and leaves us free to do it in the way I have outlined.

I do not think I will deal with the matter of summary convictions and costs. The hon. member for Lakeshore said he would raise this again. It is a matter which is covered by the criminal code. I could tell him we have had discussions about it, but I do not think it concerns us within the principle of this bill, which is what we are debating on second reading. But I could give him information on it; I would be glad to discuss it again.

Mr. Speaker, the last point I would care to mention would be the question of removal of magistrates and that is set forth in the Act.

It would be for misbehaviour or neglect of duty, and Mr. McRuer makes comment on those words and says—what is misbehaviour or neglect of duty? He says it should be spelled out. Again, I would say it is very difficult to be specific about what is misbehaviour. Once you attempt to delineate it and define it and bring it down to a fine line, I think you hamper yourself in that area.

The provisions of the Act contemplate that the judicial committee would bring a magistrate before it, could discuss his conduct, I presume on or off the bench, as to misbehaviour or neglect of duty, could consider the seriousness of it, could perhaps reprimand, could direct, could require, could at least ask for a resignation. And I think if the situation were serious enough, perhaps the judicial council would do so. If that were not forthcoming and it were required by the judicial council, there is in section 4 of the provision for the inquiry which is then empowered to deal with the situation.

So I think any question of political interference, as mentioned by the hon. member for Kitchener, is completely out the window. I cannot recall and I certainly do not know of any case where a magistrate was dismissed by means of political interference; I think we are fortunate to be able to say that. But certainly there is no opportunity for that under the arrangement set forth in this present Act.

I will no longer take the time of the House, Mr. Speaker. The bill will be debated, I presume, in committee to some extent, but since it has generally received approbation, perhaps that is all I need to say at this time.

**Mr. Speaker:** The motion is for second reading of Bill 64. Is it the pleasure of the House that the motion be carried?

Motion agreed to; second reading of the bill.

#### ADMINISTRATION OF JUSTICE

**Hon. Mr. Wishart** moves second reading of Bill 69, An Act to provide for the administration of justice.

**Mr. Nixon:** Mr. Speaker, as I understand it, this is the main bill which implements the transference of the costs of the administration of justice from the municipalities to the province of Ontario, falling in line not only with the recommendations of the Smith report, but with the undertaking that the



Conservative Party made at the election last fall.

We heartily support this transference in that it is going to provide a measure of relief at the municipal level at least to the extent of what is estimated as a cost, I believe, of something in excess of \$25 million, so that any assistance is going to be appreciated by the hard pressed taxpayer in our municipalities.

However, the government has gotten into the transference of costs, root and branch. There was some thought at one time that only the regular recurring yearly costs having to do with salaries and this sort of thing would be the instrumental part of the transference. But these bills transfer title to buildings and the land and everything associated with the administration of justice and with all of the problems that are inherent in that change.

We know that many of the buildings, the courthouses, and so on, are very ancient. The member for London South (Mr. White) is not here, but I am sure if he were he would have an opportunity to tell us again how seriously in need Middlesex county is for new courthouse facilities. The Minister of Agriculture and Food is here but he is never so concerned about those matters as long as his farmers are happy.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): They are pretty important.

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Farmers never use them.

**Mr. Nixon**: Good. I agree with that. Mr. Speaker, the transferees of these parcels of land and the buildings thereon are surely going to be of some considerable difficulty, because they are different ages, in different states of repair. While we can look at the grand palatial courthouse down the street on University Avenue, if we are going to take over responsibility for that there is going to be a heavy charge indeed to meet the payment that Toronto has undertaken and York county has undertaken, but if you are going to equate that, say with similar facilities for Brant county and some of the others, there is going to be a problem in assessing just what these costs are going to be so that equity is going to be achieved for all concerned. It may be that the administration has bitten off a problem they are going to have some difficulty in solving to everyone's satisfaction.

Nevertheless, the list of 18 bills which I would think would follow directly from the one that is before us accomplishes this transference and this is something we in the Opposition have been urging for some years. We are gratified not only that the Smith commission agrees with us, which is one fair way of putting it, but the government has acceded to this as one position that they could substantially occupy in giving some assistance to the municipalities. There may be some specific matters associated with this transference in the bills as they come before us, but I thought this was an opportunity to point out the problem that surely the government is facing when they are getting into the mechanics of actually transferring the title to some of these properties.

**Mr. Lawlor**: Mr. Speaker, this bill purports to take over the facilities of the administration, and the first question I have and the first comment I wish to make is with reference to section 4 on fines. Is it the intention of The Attorney General's Department to take over the fines which may be levied with respect to convictions under local bylaws?

**Hon. Mr. Wishart**: No!

**Mr. Lawlor**: No; fine!

In the terms of this bill, Mr. Speaker, I may as well make my remarks on The Summary Convictions Act now because it will cover the field from here in and there about ten of them coming up, so we may as well get it out into the open.

On page 533, Mr. McRuer says:

However, the power to award costs with respect to the trial of summary offences was retained in an altered form. The tariff of fees set out includes, among other things, fees payable to justices for issuing the information, summons, warrant or subpoena; fees payable to the justices hearing the case; constables' fees for arresting the accused; mileage for serving summonses or subpoenas at ten cents a mile both ways, and other mileage allowances; witnesses' fees for attending summary conviction court for each day attending trial at \$4.00 per day, together with travelling allowance each way at 10 cents per mile; fees for interpreters of \$2.50 for each half-day attending trial and living expenses while engaged away from their ordinary place of residence—

**Mr. Speaker**: Order!

**Hon. Mr. Wishart**: Mr. Speaker, I always enjoy listening to the hon. member for Lakeshore—

**Hon. C. S. MacNaughton** (Provincial Treasurer): You do?

**Hon. Mr. Wishart**: Yes, I do.

I think, Mr. Speaker, we are debating here the question of principle of whether we take over the costs of the administration of justice from the municipalities. Now I am very much interested in this business of costs which are attached to summary conviction proceedings, but they are set forth, I think, generally in the criminal code. Whether they are right or wrong is another matter; a matter which we could debate and a matter which we might, if we have any influence at Ottawa, move to. But I think here the question we are debating, Mr. Speaker, is whether it is right and proper, whether this House agrees, that we take over and lift from the shoulders of the municipalities the burden of the cost of administration of justice. I would like to suggest to the member for Lakeshore that he is out of order on the question of summary convictions.

**Mr. Lawlor**: Mr. Speaker, with respect, I rather anticipated this particular kind of comment; I felt it would come somewhere along the line but not quite so soon.

**Hon. Mr. Wishart**: I am fast.

**Mr. Lawlor**: The Attorney General is really on the bit today.

I would suggest that it is not out of order and I would ask for your ruling. My reason for saying so is that the costs being borne here are within the ambit of the costs that are being saved, in effect by the province; and those costs which are being levied against accused persons. An Act which covers the whole field, or purportedly so, to provide for the administration of justice, to take over costs to municipalities, would seem to me to directly affect, and to be deficient if it does not affect and does not contain, clauses *hic et nunc* with respect to the levying of fines and to where you are going to get your resources and to how you are going to take over these costs. In other words the whole amplitude of the assumption of the expense connected with the operation of justice in this province.

**Hon. Mr. Wishart**: If the hon. member is saying these costs should be left with the municipalities or not taken by the province or divided he would be in order, but he is talking about the question of the equity of this whole business of costs; and that is out of order.

**Mr. Speaker**: The member is also endeavouring to deal with the provisions in the law as it now exists with respect to the recovery and imposition of costs, which of course is entirely out of order. I would rule that the member must speak to the principle of the bill; and that is the principle that the costs, however they are ascertained now by the present law, which is not being changed as far as I know, that the payment of the cost is being taken over by the province from the municipalities.

**Mr. Lawlor**: I bow before you, Mr. Speaker.

With respect to subsection 6 of section 1, special services—I could ask this in committee of the whole, but I think I may as well get it clear now—what are they—

**Mr. Speaker**: May I point out to the member that a debate on principle is not a question and answer period, that is permitted in either the committee of the whole or the standing committee of the House. If the member wishes to ask rhetorical questions of principle on which the Minister, when he carries the bill, will make note and reply in due course, that is perfectly in order; but he should not ask questions the answers to which he wishes to use later in his remarks on second reading.

**Mr. Lawlor**: Mr. Speaker, this is an area of darkness to me. A certain range of services are being taken over. I cannot discuss the principle unless I know the nature of the beast and—

**An hon. member**: He has been in the dark for a long time.

**Mr. Speaker**: Order!

**Mr. Lawlor**: Fine, I shall abide.

**Mr. I. Deans** (Wentworth): Mr. Speaker, in dealing with the principle of this bill, I have one comment to make. Under section 3 of the bill, and in the explanatory note, it says, "provision is made for the transfer of employees and for the assumption of accommodation by agreement." I would hope that the Attorney General will offer to us during committee of the whole House an explicit documentation of how he intends to adhere or not to adhere to the existing collective agreements of those people who are presently employed in the field of the administration of justice, that will be taken over by the province. It is very important that the collective agreements that have been hard fought for

and hard won are maintained. I would certainly hope that either now or during committee of the whole House the Attorney General will document how they intend to deal with this matter.

**Mr. Speaker:** Is there any other member wishing to speak to this?

**Mr. Bukator (Niagara Falls):** Mr. Speaker, I hope I can stay within the principle of the bill. It is a bill, I believe, that is going to answer a purpose, that county people have been arguing for for quite some time. Municipalities and cities have been bearing the brunt of an expenditure that they ought not to have borne in their taxes. This is a step in the right direction.

I can recall coming over to meet with the former Attorney General, Mr. Dana Porter, on this very problem. We were then discussing the county jails and administration of justice on the county level. Even though agreements have been satisfactory—such as in the area of Welland and Lincoln where they have now a new county jail going up—it is not clear in my mind whether that type of institution will also be taken up by the province through this new bill. If it will be, it is a step in the right direction.

People who are having to pay the taxes on small parcels of property have done this for many years. Administration of justice was one account that they could not bear. If this bill relieves them, as I understand it will, then we are on the right track even though it be the McRuer report. With the municipal people who for many years have come to this government requesting this type of legislation, I find myself in complete accord, and I would like that recorded.

**Mr. Speaker:** Before the other member for Hamilton speaks I would like to compliment the member for Niagara, in view of recent precedents in the House, to say that I have never heard anyone speaking on the principle of the bill be so brief and so much to the point in his remarks as the member for Niagara.

**Mr. R. Gisborn (Hamilton East):** It is not a very handy way, Mr. Speaker, to get the kind of information necessary when we are dealing with a bill of this nature. Of course we realize that it rose out of the Smith report. Most of the members of the House were pleased with the government's decision to take over the cost of administration, on the premise that the municipalities were getting

to the point where they just could not face some of the costs, and of course this meant a drastic increase in the municipal taxation for the property taxpayer. We could have continued to have been very happy about the government's takeover of the costs of administration if we had not been faced with that barrage of tax increases in other fields. We have spoken about some of them on first reading and second reading of other bills—the increase in OMSIP, the increase in the Ontario hospital insurance programme, and of course the whole range of progressive taxation.

The point that my hon. friend from Wentworth raises is an important one. I would hope that the principle enunciated in the bill in this regard would be more clear when we come to the committee of the whole House, so that we can have a clear picture, at this point, of what is going to happen to the employees in this field of administration of justice. The only part that refers to it, where we will have any avenue of discussion, is section 3, and it is pretty vague. So it will leave us out on a limb.

Then we go on to section 7 where the principle is enunciated of having those responsibilities left to the Lieutenant-Governor in council. It is going to be done by regulation, and there again, the members of this House will have very little to say about the kind of principle enunciated and adhered to with regards to the rights of the employees in the transfer of their contracts, or provisions similar to those they have enjoyed over the years.

**Mr. Speaker:** Any further discussion? The Minister has the floor to close the debate.

**Hon. Mr. Wishart:** Mr. Speaker, I think that I will follow the example of the hon. member for Niagara Falls and be brief. I would say that when the government announced that it would adopt the recommendation of the Smith report with respect to assuming the cost of administration of justice, I feel quite certain that at that time, almost without exception, any municipality would have said that if it left the cost of salaries, staff and maintenance, that would have been a very well regarded undertaking by the government, and perhaps a feeling that that was the extent of its responsibility and that was perhaps as far as it should go. We have gone further, as this bill indicates, and have attempted, as the hon. leader of the Opposition points out, to assume the provision of the buildings and all those facilities that go



with the administration of justice, and that are necessary to carry it out.

This is a very mixed situation in that in some municipalities you have the most up-to-date and recent buildings, and the burden no doubt would be debenture debt, as those are. In other municipalities you have very good buildings built perhaps 10 or 12 years ago, where they have through their own initiative, established fine facilities, still quite adequate, and they have perhaps paid off all or most of the debt that was incurred to establish them. Then you have other municipalities where the facilities are old, outmoded, out of date, and the municipalities whose obligation it was and is—up till we pass this legislation—to provide this facility have done nothing about carrying out their obligations.

So we have a problem—and I quite frankly admit it, and my colleague the hon. Provincial Treasurer will certainly support me in this. It is a difficult problem, and it is one that needs a great deal of study, and one to which we have given much study, in how to meet with and satisfy in a reasonable way the demands of the municipalities to acquire these facilities, or to have the new facilities established, when you perhaps have to make some priorities for some municipalities and neglect another municipality, or perhaps a number of municipalities. But I am happy to say that The Department of Public Works has had its task forces working with the municipalities and meeting with municipal officials.

The hon. Provincial Treasurer has likewise dealt with this matter, and hon. members are aware of the very full and clear statement that he made on April 3 in this House. We are approaching that problem and working hard at it; it does pose many difficulties, but I am confident that they will be worked out, and that is the reason why in section 2 of this Act—and this is the only section of the Act that I wish to specifically refer to at this time, Mr. Speaker—it is provided that the Minister of Public Works may at any time enter into agreements with the council of any municipality for the acquisition or assumption by Ontario of property, accommodation, furniture or equipment, or contracts heretofore provided or entered into by the municipalities in the administration of justice.

In that section, we provide that agreements may be entered into, the thought being that as we work towards those agreements, the responsibility remains with the municipality for that part of the cost of the administration of justice. If the facilities are there, many of them are glad to give them to the province,

particularly the jails; they are of little use to a municipality. Many say, "We have a valuable building." Many say, "We have a debt on our building; we will be glad to have you take it." It is a problem, as the hon. leader of the Opposition pointed out, but we are making progress towards solving it. We leave that situation in this legislation with the responsibility resting there, in the hope that it will not take long to reach the necessary agreements to lift this entire burden from the shoulder of the municipalities.

Motion agreed to; second reading of the bill.

#### THE CORONERS ACT

Hon. Mr. Wishart moves second reading of Bill 70, An Act to amend The Coroners Act.

Motion agreed to; second reading of the bill.

#### THE COUNTY COURTS ACT

Hon. Mr. Wishart moves second reading of Bill 71, An Act to amend The County Courts Act.

Motion agreed to; second reading of the bill.

#### THE COUNTY JUDGES ACT

Hon. Mr. Wishart moves second reading of Bill 72, An Act to amend The County Judges Act.

Motion agreed to; second reading of the bill.

#### THE CROWN ATTORNEYS ACT

Hon. Mr. Wishart moves second reading of Bill 73, An Act to amend The Crown Attorneys Act.

Motion agreed to; second reading of the bill.

#### THE JURORS ACT

Hon. Mr. Wishart moves second reading of Bill 74, An Act to amend The Jurors Act.

Motion agreed to; second reading of the bill.

### THE CROWN WITNESSES ACT

**Hon. Mr. Wishart** moves second reading of Bill 85, An Act to amend The Crown Witnesses Act.

Motion agreed to; second reading of the bill.

### THE DIVISION COURTS ACT

**Hon. Mr. Wishart** moves second reading of Bill 76, An Act to amend The Division Courts Act.

Motion agreed to; second reading of the bill.

### THE JUSTICES OF THE PEACE ACT

**Hon. Mr. Wishart** moves second reading of Bill 77, An Act to amend The Justices of Peace Act.

**Mr. Lawlor:** Mr. Speaker, Mr. Justice McRuer has a lot to say about justices of the peace. He goes so far as to say you should abolish the whole system and start over again. When I first read it I thought it was a shocking statement for a man of his eminence to make, but if you read the chapter, go through it, you can see very good reason why this should be so.

Only 89 of these men are on salary and the rest are on fees. I take it that one of the reasons for bringing this Act into being is that they will go on to salary. Of these numerous men—there are 925 of them, out of whom only 620 replied to his questionnaire—59 are over 75, and 25 are over 80; a vast number of them are inactive, incompetent, of no use at all, and take this on as a political dignity, which it has been through this particular system. I welcome the coming into being of this Act. Again perhaps greater perusal of the McRuer report will broaden its scope.

**Mr. Speaker:** Is there any further debate on the second reading of Bill 77? Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

### THE LAND TITLES ACT

**Hon. Mr. Wishart** moves second reading of Bill 78, An Act to amend The Land Titles Act.

Motion agreed to; second reading of the bill.

### THE PARTNERSHIPS REGISTRATION ACT

**Hon. Mr. Wishart** moves second reading of Bill 79, An Act to amend The Partnerships Registration Act.

Motion agreed to; second reading of the bill.

### THE JUDICATURE ACT

**Hon. Mr. Wishart** moves second reading of Bill 80, An Act to amend The Judicature Act.

Motion agreed to; second reading of the bill.

### THE PROBATION ACT

**Hon. Mr. Wishart** moves second reading of Bill 81, An Act to amend The Probation Act.

Motion agreed to; second reading of the bill.

### THE SHERIFFS ACT

**Hon. Mr. Wishart** moves second reading of Bill 82, An Act to amend The Sheriffs Act.

Motion agreed to; second reading of the bill.

### THE FIRE MARSHALS ACT

**Hon. Mr. Wishart** moves second reading of Bill 83, An Act to amend The Fire Marshals Act.

Motion agreed to; second reading of the bill.

### THE REGISTRY ACT

**Hon. Mr. Wishart** moves second reading of Bill 84, An Act to amend The Registry Act.

Motion agreed to; second reading of the bill.

### CONTROL OF FOREST TREE PESTS

**Hon. R. Brunelle** (Minister of Lands and Forests) moves second reading of Bill 95,

An Act to provide for the control of forest tree pests.

**Mr. Speaker:** Is it the pleasure of the House the motion carry?

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I think the hon. Minister of Lands and Forests is to be commended for implementing a bill such as Bill 95. It is going to provide a very useful and necessary service this summer in northwestern Ontario to control the budworm infestation where 220,000 acres of prime forest and timber land has become infested with the budworm. I do not want to spend a great deal of time on it; the Minister indicated in a press release that he put out a couple of weeks ago how he intends to tackle the problem by bringing in aircraft from New Brunswick with people who are experienced and qualified to carry on such a programme.

There are only two or three minor points that I would like to have cleared up. I would like his assurance that the type of pesticides that will be sprayed in this project, will not be unduly harmful to fish and wildlife in the area. I understand that it will be sprayed under controlled conditions where the wind and weather conditions are favourable, but the anglers and hunters association in various parts of the province have expressed some apprehension about the control and what detrimental effects the pesticide that will be used might have on the fish and wildlife in that particular area.

I think you will notice this programme has been outlined by the Minister to control this infestation, that it is going to cost in the neighbourhood of \$500,000 to control. I have maps where they have charted the spread and the migration of the budworm infestation, and it is my understanding that this could have been controlled some two or three years ago when it was confined to some five or six acres in a particular grove of jackpine.

I find it hard to believe that this could be the case, because it does not seem feasible that this department would allow that to spread over an area of 220,000 square acres in a period of two years while it was under observation. And I think it is absolutely essential that this kind of legislation be brought in to cover that type of pestilence, particularly in northwestern Ontario where the economy of the area is almost totally reliant upon the forest products industries.

It is equally essential that we do everything possible to preserve our heritage from

a recreational and fish and wildlife point of view, as well as from an economic point of view insofar as the woodlands are concerned. And I would like the Minister to assure me that the pesticide that will be used in this particular instance will not be to any great extent, at least, harmful to the fish and wildlife in the area and if, in his opinion, the money that is being spent is well worth it, having regard to the fact that it might have been possible to contain it at a much earlier stage.

**Mr. Nixon:** Mr. Speaker, the Act provides for the control of forest tree pests, and if it controls the elm bark beetle it will have accomplished something more valuable than the control of the spruce budworm, economically important though that is. The Minister is no doubt aware that from any single point in southern Ontario one can usually find within one's view a dozen stark, dead elm trees that are victims of the elm bark beetle.

There is some means of control, very expensive, dangerous and, as yet, really unproved as far as preserving this particular tree type in our province. And all the expert opinions so far point to the complete obliteration of this type of shade tree in the forests or standing singly in the part of the province upon which the tree can grow.

Really, the devastation that this insect has caused is almost unthinkable unless you are in the areas where the insect has swept through, carrying with it the spores of the fungus which destroys the elm tree within three years. There are many areas in the province where all the elms are dead and only their skeletons remain and it is going to be many years before these skeletons disappear as wind and the ravages of time and rot gradually break them down.

It is quite beyond the economic possibilities of the land owner to even undertake the cutting and burning of the trees. In my view, it is long past any sort of control measure to even attempt to do this. The trees are a terrible eyesore. On the other side of the scale is the loss of the elm tree, which is probably the most beautiful of all. It is something that we can only deeply regret and I suppose that in the future when we talk about the tree and its beauty and its usefulness from pioneer times, it will be something like the chestnut trees which were all obliterated by a similar blight back in the early 30's.

Now it may be that the Minister, with the powers that are given him under Bill 95,



can accomplish the preservation at least of some of these trees, hoping that by a miracle of nature some sort of natural protection against the fungus and the beetle will emerge. In my view, this is very doubtful. But it is possible, I believe, under careful professional supervision to maintain the strengths of the chemical bidrin in the sap of the tree—in the xylem cells of the tree, to prevent the spread of the fungus infection.

So I hoped that under the provisions of the Act or somewhere else in the Minister's responsibility, we can be assured that at least some stand of elm trees will be preserved during the time that research is going on which may result in the breakthrough which will see the re-establishment of the tree before it is completely lost, and surely this is an area of responsibility as well.

Beyond the direct principle of this bill, however, Mr. Speaker, there is a tremendous problem associated in cleaning up the countryside of the relics of the elm trees which are going to be here for some years. And this is a problem that the Minister, with his colleague the Minister of Agriculture and Food and perhaps the Minister of Municipal Affairs (Mr. McKeough), will have to look into and the provision of alternative shade trees which are well established is something also that must be considered, because there are many fencerows, bushes and forests, I suppose in one sense, that are going to be completely obliterated by the result of the action of the elm bark beetle.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, well I want to reiterate a little of what my leader has said so ably and I am sure I will not be able to do quite as well.

I have had much to do with this in our local area, the county of Essex and I would like to make a remark or two with regard to the destroying of these trees. In some of our municipalities, under the winter works programme which is financed 50 per cent by the federal government and 25 per cent by the provincial and the balance by the local municipality. Over a number of years, each winter we hire a number of people to do this work.

But this is quite a burden on some of the municipalities and I was wondering if there should be an investigation into this. By leaving these trees standing in their diseased form, I am wondering if this encourages the disease to continue on or if there is any method if they were destroyed, say inside of a year or two and were cleaned up all at once, whether the disease would continue. I am

wondering if there has been any investigation with regard to that.

This is a really serious problem in western Ontario. It is a shame when you drive down by any of the beautiful streams, where there are river banks and so forth, and there is just nothing left as far as trees are concerned.

Of course, I understand the elm tree, when people settled in this country, was not considered very good for lumber but it is a great tree for shade, and anything that the department could do with regards to this, I am sure, would be a great step forward in keeping our country beautified.

I would certainly like to have some thought given to having the ones that are contaminated destroyed at an early stage and then go on from there with any treatment that might be available.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I might address a few comments to the Minister, in relation to the outbreak of cottony maple beetle that occurred in my particular riding last year.

I must, first of all, compliment the Minister and his staff for moving very quickly in my riding and attempting to take remedial action and give advice to the local council who initiated this project. We, of course, in the southwestern portion of Ontario were quite alarmed at this outbreak. Some ten acres of land well covered with maple trees, were being attacked by this bacteria or disease and, in fact, it appeared that Ontario might lose all its maple trees such as we have lost the chestnut and other varieties or species of trees.

One of the real problems to the local council, at that time, was raising sufficient funds to hire the men and buy the chemicals to do the work. This was carried out through a co-operative effort by the local council—Colchester South specifically—and the advice and help from The Department of Lands and Forests in the area, and the federal research station.

Unfortunately, I have had to report to the Minister again this year that apparently many of these trees have actually been killed and that there is recurrence of this disease in the area. I know that his officials and the other officials, who acted so quickly last year, are watching this problem closely in the hope that we can prevent the extermination of the maple tree in this great province and country of ours.

I compliment the Minister for bringing this bill which rights the financial problems and

gives him the right to move in quickly, helping the prevention of the spreading of this particular disease.

**Mr. Speaker:** Does any other member wish to speak to this before the Minister?

The Minister.

**Hon. Mr. Brunelle:** Mr. Speaker, in reply to the hon. member for Thunder Bay, I wish to assure him that we have made sure that the pesticide that will be used will not be injurious to fish and game and other wildlife. Our own people in game and fish and in the forest protection branch have been working closely with other jurisdictions and it will be very minute quantities of these pesticides which will be used. These pesticides have been used in other jurisdictions—in New Brunswick as well as the United States—and we have the assurance that they will not be injurious to the fish and game.

With reference to his comments about whether the huge expenditures of somewhere about \$500,000 is justified, we strongly believe that they are because this is a huge area. Offhand, I cannot remember how many square miles, but it is a tremendous area and the timber value of that area is very, very high and so we feel that these expenditures are fully justified.

I would like to mention, in reference to the hon. leader of the Opposition, and members for Essex-Kent and Essex South that this Act will apply only to those diseases and insects that are specified by regulations. In other words it will be applied only to those insects and diseases that our people feel can be controlled. We appreciate your concern.

I would like to mention, with reference to the Dutch elm disease, for instance that our people in co-operation with The Department of Agriculture and Food and also in co-operation with the Toronto University and the Ontario shade tree council, are working very closely to try and replace those trees that had been killed by other shade tree species.

**Mr. Paterson:** I wonder, for the purpose of clarification, if the Minister would say just how the cottony maple scale would be covered under the regulations specifically.

Would the Minister advise if the cottony maple disease or scale will be covered under the regulations?

**Hon. Mr. Brunelle:** I cannot answer this now, Mr. Speaker. I will be glad to let him

know tomorrow. I would think if this is the type of disease that can be cured, it would; but I will have a definite answer.

**Mr. Nixon:** But the elm bark beetle definitely would not be included under this bill.

Is that what you intend to say?

**Hon. Mr. Brunelle:** Well, it will be—by regulations. Those that can be remedied will be set aside in the regulations, and I am not knowledgeable enough to tell you now which type of infestation can be treated.

**Mr. Nixon:** I have got a feeling this will not be included.

**Mr. Speaker:** I am sure the Minister will tell the leader of the Opposition after he has had a chance to check it with the member for Essex South.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 35th order, second reading of Bill 96, An Act respecting the northerly boundary of lot 19, concession 14, in the township of Tay.

#### TOWNSHIP OF TAY

**Hon. Mr. Brunelle** moves second reading of Bill 96, An Act respecting the northerly boundary of lot 19, concession 14, in the township of Tay.

**Mr. Stokes:** Mr. Speaker, I have gone over this bill and I cannot make head nor tail of it. I do not even know where it is, to be absolutely frank about it. But I am interested. It is out in the boondocks, as one of the members says.

I would like to know why this bill is being introduced and whose rights are being affected. If it is as simple as it would appear, why do you not revoke the letters patent or why do you not just get a quit claim on it? And I would just like a brief word from the Minister on it.

**Hon. Mr. Brunelle:** Mr. Speaker, that is a very good question from the hon. member for Thunder Bay, because this is a unique situation. The purpose of this bill is to confirm the northerly boundary of lot 19, concession 14 in the township of Tay and the non-existence of lot 20. And if you bear with me for a second, I would like to give you the background of this.

This bill is to secure a mistake that was made in 1878. In dealing with principle of this bill I may say that—

Interjections by hon. members.

**Hon. Mr. Brunelle:**—I may say that this bill does not establish any principle of general application, but merely deals with a particular situation. The purpose of this bill is to resolve a matter of title to a point of land on the Severn River. The original survey of the Township of Tay included in lot 19, concession 14, all the land lying between lot 18 and the Severn River. Lot 19 was granted by the Crown on July 9, 1868, to George Lount. Notwithstanding this grant,, The Department of Lands and Forests by a grant dated December 26, 1878, purported to grant lot 20, to Archibald C. Thomson. This lot did not exist, according to the original plan, and it is doubtful whether the rules of surveying would permit a lot 20 to be established, even though lot 19 would have been wider than the average width of the lots in the township.

There has been no dealing with lot 20, and over the years the owner of lot 19 has occupied and paid taxes in respect of the whole area. On preparing a plan of subdivision, the existence of the grant for lot 20 came to light, and the registrar of deeds rightly refused to

register the plan of subdivision. The purpose of the legislation is to confirm that there is no lot 20, and that the owner of lot 19 owns the land that was purported to be granted by the second grant, and also provides for the amendment of the records in the registry office.

This bill also fixes a period during which any person having a title under the grant of lot 20, shall make his claim. And now as to the reasons why this is a public bill. You may wonder why this is not a private bill instead of a public bill. There are two reasons: First, it is a departmental mistake made in 1878. And two, no existing procedure in the legislation today exists to correct the abstract titles. So it is to correct a mistake made years ago; our own fault in 1878.

Motion agreed to; second reading of the bill.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow we will continue with the estimates of The Department of Agriculture and Food.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6:00 o'clock, p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 9, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 9, 1968

The House met at 2:30 o'clock, p.m.

Prayers.

**Mr. Speaker:** Again this afternoon we have students from several schools with us now and others will join us later. Presently in the east gallery we have students from Fairmount senior public school, Toronto; and in the west gallery, students from St. Gregory's separate school, Islington, and Dixon Grove senior public school. Later this afternoon in the east gallery we will have students from John Cahill school, in Windsor, and still later from Monarch Park secondary school, Toronto.

Petitions.

Presenting reports.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, it is my pleasure to table the report of The Department of Reform Institutions for the fiscal year ending March 31, 1967, copies of which are on the desks of the hon. members.

This report details the operations of the department and the progress which has been made over the last year. In the pocket at the back of the report are the classification charts. I am certain that members will find the report both interesting and informative. The charts have been reprinted this year; the major change is that we now have separate charts for the male and female programmes. These charts, showing the different types of classification and institutions, are the only ones, to our knowledge, available in the correctional field on the North American continent.

Over the last few years we have developed our annual report into a medium for more fully communicating our work. The report is sent out to other jurisdictions and to universities and other interested groups throughout the world. As a result, many of these bodies have been responding by sending annual reports and other valuable material to us. We have had a particularly large response from all over the United States.

Frequently we have received letters complimenting Ontario on the extent of its programme and on the concise manner in which our work is set out in the annual report.

I might add that our report contains more detailed information than any other of the many which have come to our attention from other jurisdictions. I would like to pay a special tribute to Mr. Arthur Nuttall, of our department, for the very capable job he has done in compiling the information contained in the report and for the manner in which it has been put together so that it is easily readable and understandable, thereby assuring a greater interest in its contents.

**Hon. R. S. Welch** (Provincial Secretary and Minister of Citizenship): Mr. Speaker, I beg leave to—

**Mr. Speaker:** Order! Order!

**Hon. Mr. Welch:** I have a less controversial report, Mr. Speaker. I beg leave to present to the House the report of the Provincial Secretary of Ontario, with respect to the administration of part 9 of The Corporations Act for the fiscal year ending March 31, 1967.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

**Hon. D. A. Bales** (Minister of Labour): Mr. Speaker, before the orders of the day, I said yesterday in reply to the member for High Park (Mr. Shulman), that I would produce a declaration concerning the claim of Mr. James Lynch and his wrist watch which was lost in the unfortunate fire at the workmen's compensation board rehabilitation centre. I propose, Mr. Speaker, to read this declaration into the record and to table a photostatic copy.

Before doing so I would like to state that in my statement of March 26, of which the member for High Park, I believe, is fully aware, I pointed out that the release, though of a general nature, related only to the loss of a wrist watch. I also said that the workmen's compensation board had made gratuitous advances equal to compensation benefits totalling \$2,454 to Mr. Lynch pending the outcome of his personal injury claim.

In addition I said at that time that the board had also taken care of his medical costs since the fire and that the costs to date were

\$4,965. Today I have been advised by the workmens' compensation board that the total paid to, or on behalf of, Mr. Lynch to date in compensation and medical aid is \$10,462.

Mr. Speaker, the declaration that I have before me is by one Donald Hurst Kiefer and I would just like to read it into the record.

I, Donald Hurst Kiefer, of R.R. 1, Hagersville, in the county of Haldimand, do declare that:

I am employed by Underwriters Adjustment Bureau Limited, 135 St. James Street South, Hamilton, Ontario, and as such have knowledge of the matters hereinafter referred to.

(1) That on or about the 26th of February, 1968, I received a telephone call from Mr. James Lynch whom I know as a claimant arising out of a fire which occurred at the workmen's compensation hospital and rehabilitation centre, Malton, Ontario, on March 31st, 1967.

(2) That I am aware that this man had placed himself in the hands of Mr. Paul Philip, solicitor and barrister, of this city.

(3) That this man had requested settlement for his watch which he described as a Chevon and that he purchased same from the Peoples Credit Jewellers for the sum of \$49 approximately one year previously.

(4) That I made the suggestion to Mr. Lynch that we would recommend settlement for the sum of \$30 for his watch. but that the settlement should be approved by his solicitor and we would only deal through his solicitor.

(5) That on the same date i.e. February 26, 1968, Mr. Lynch came to our office, and picked up a release form from my secretary, Mrs. Dorothy Lambert, and stated to Mrs. Lambert that he intended to seek legal advice from his solicitor.

(6) That at no time did anyone from this office, including myself, suggest to Mr. Lynch that he should not consult his solicitor before signing the release form which pertained only to his wrist watch and not to his personal injury.

(7) That later on February 26, 1968, Mr. Lynch called this office and asked what consideration would be given to his injury claim and at that time he was emphatically informed by the undersigned that the final settlement in this regard could only be discussed with his solicitor, because I had already met with Mr. Philip and discussed the Lynch claim with him.

(8) That Mr. Lynch had never since that time been into my office or spoken to me, nor has he or his solicitor ever delivered to me the release in return for a cheque in the amount of \$30 for his watch.

I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of The Canada Evidence Act.

Declared before me at the city of Hamilton in the county of Wentworth, the 22nd of March, 1968.

Signed by Mr. Kiefer and sworn before a commissioner whose signature I cannot decipher.

Mr. Speaker, I table the declaration.

Mr. M. Shulman (High Park): May I ask the Minister a question please?

Mr. Speaker: No, that is a Ministerial statement and the rules of the House provide that there is no questioning. However the member can ask the Minister if he would accept a question and then I will rule on it.

Mr. Shulman: Mr. Minister, will you accept a question?

In connection with your original statement on this matter in connection with four workmen's compensation cases that you discussed—I believe it was March 26—has it since been brought to your attention that certain of the information that was presented by you was incorrect and, if so, would you care to correct that information?

Hon. Mr. Bales: Mr. Speaker, I am dealing with one particular case at this time. I would want to be fair in reference to this matter. The hon. member is dealing with another matter in reference to certain letters that he sent to the board. I said at that time that, to the best of my knowledge, those letters had not been received by the board. I wrote to him subsequently saying I was advised that they had been.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question for the hon. Provincial Treasurer.

What progress has been made in the negotiations with Department of Highways employees regarding wage scales? When will the new wage scales be announced?

Hon. C. S. MacNaughton (Provincial Treasurer): Mr. Speaker, in answer to the hon. member's question, I believe the classes to



which he refers and is inquiring about are included in the cyclical review which came due on January 1 and which has been in the process of negotiation for some time. It has now been referred to mediation and Dr. John Crispo of the University of Toronto has been appointed mediator by the hon. Minister of Labour. Dr. Crispo has already conducted several meetings. Obviously I can give no indication of when settlement will be reached.

**Mr. Speaker:** Yesterday and previous days there were several questions placed with my office directed to the Minister of Trade and Development, who has not been in the House. He is in the House now and I wonder if the member for Windsor West would place his question and then the member for Scarborough Centre.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, my question to the Minister of Trade and Development: When will the Ontario housing corporation undertake comprehensive studies of housing needs for municipalities which will determine total effective demand, as recommended in the corporation's study of Hamilton's housing needs in February 1967, in place of its present practice of surveying only actual applications on file with the local housing authority?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, in answer to the hon. member's question, it is the normal practice of Ontario housing corporation to conduct full socio-economic surveys to determine need and effect of demand in a municipality. However, the scope of such surveys depends upon the request received from the municipality in question. The municipality may request a survey to determine need and demand for family housing only, or for senior citizens of land assembly. Or it may request a complete survey of the type recently carried out in Hamilton and carried out some time ago in the city of Windsor.

Since January 1, 1967, Ontario housing corporation has carried out a total of 95 need and demand surveys in various municipalities across Ontario and many more are underway at the present time. Of this total, nine were based only on a review of applications on file with the housing authority. And where this technique is used, it is usually because the authority has a substantial number of uninvestigated applications on file which, when verified by OHC's research staff, may provide the necessary demand for an immediate additional programme.

**Mrs. M. Renwick (Scarborough Centre):** I have a question of the Minister of Trade and Development.

Why did the Ontario housing corporation placement officer allot the Gray family unit 57, 25 Driftwood, York Woods, for occupation as of April 27, 1968, when a North York Catholic children's aid social worker was assured by the placement officer prior to Easter that the family could go to the Thistletown development where an emotionally disturbed child could conveniently attend the out-patient clinic at the Thistletown school, thus precipitating the illegal entry into an empty OHC unit at the Thistletown development and bringing adverse publicity to the OHC and to the Gray family?

**Hon. Mr. Randall:** Mr. Speaker, I will take notice of that question and get the information for the hon. member.

**Mrs. M. Renwick:** Another question of the same Minister, Mr. Speaker: How many families had to be contacted in order to rent unit 2 at 30 Orpington Crescent, Thistletown, since the vacancy of this unit was raised in the House on April 30?

**Hon. Mr. Randall:** Mr. Speaker, the house in question was offered on May 1 to Mr. R. Lavoie, who advised the Ontario housing corporation in a matter of hours that he did not wish to accept the offer. It was then offered to Mr. J. McPherson, who indicated his acceptance and entered into a lease with OHC for immediate occupancy.

**Mrs. M. Renwick:** Mr. Speaker, would the Minister accept a supplementary question?

**Hon. Mr. Randall:** Yes, I will.

**Mrs. M. Renwick:** Could I ask the Minister, is there some reason for the apparent inefficiency whereby two families were contacted in the period of one day, when prior to this five families were contacted over a period of four months?

**Hon. Mr. Randall:** I do not have the answer, Mr. Speaker. I suggest to the hon. member I would be glad to take that as notice; I will be glad to look into it and find out. I think she already has the answer before I do the research, but I will do it anyway.

**Mr. G. W. Innes (Oxford):** Mr. Speaker, I have a question of the hon. Minister of Highways. In some provincial departments

in Quebec, contracts are not given to companies outside that province unless the out-of-province bid is 5 per cent less than the nearest Quebec company bid. In view of this, does the government have a similar policy with respect to highway contracts? Also, in the case of highway contracts 68-03 and 68-567, what were the Ontario company bids which were unacceptable to this department?

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, the answer to the first question is no. For contract 68-567 the bids were: Trim Painting Ltd., \$17,403 and Harrison-Muir, \$13,600. For contract number 68-03: King Paving and Materials Ltd., \$4,673,662.70; C. A. Pitts General Contractors, C. A. Pitts Engineering Construction Ltd., and Atlas Construction Ltd., \$4,753,001.50; Bot Construction Canada Ltd., and Clarkson Construction Ltd., \$4,760,622.11; The Carter Construction Company Ltd., \$4,945,816; MacNamara Corporation Ltd., \$4,964,908; Standard Paving Ltd., \$5,304,592.83; Warren Bituminous Paving Co. Ltd., \$5,508,441.76.

**Mr. E. Sargent** (Grey-Bruce): Mr. Speaker, will the Minister accept a supplementary question on this?

**Mr. Speaker:** Well, I think perhaps the Minister would accept a supplementary from the member who placed the question—

**Mr. Sargent:** It is on the same subject.

**Mr. Speaker:** Well, I will rule that the supplementary may only be placed by the member who placed the original question. I have no objection to the member speaking for a moment to the member who placed the question.

**An hon. member:** Oh no! Oh no!

**Mr. Speaker:** Oh yes indeed. Does the member for Oxford wish to place a supplementary question?

**Mr. Innes:** Yes, thank you.

**Mr. Speaker:** If there is information which the Opposition wishes to have, I have no objection as long as the proceedings of the House are not held up through the Opposition getting it.

**Some hon. members:** Hear, hear!

**Mr. Speaker:** Order! Order! The member for Oxford has the floor.

**Mr. Innes:** Mr. Speaker, I would like to ask the Minister if the department feels that they would implement a similar clause in their contracts; an addition of 5 per cent, as is the case in Quebec.

**Hon. Mr. Gomme:** Mr. Speaker, I have already said that it was not policy to do it.

**An hon. member:** He asked if the Minister was going to.

**Hon. Mr. Gomme:** Hon. members will know in due course.

**Mr. J. L. Brown** (Beaches-Woodbine): Mr. Speaker, I rise on a point of personal privilege.

The leader of the Opposition, the member for Brant (Mr. Nixon), yesterday gave notice of intention to place on the order paper a resolution which will appear on the order paper tomorrow as a private member's motion, with which we are all acquainted. I consider that this is a direct attack by the leader of the Opposition on me as a member of this Legislature and is a breach of my privilege as a member of this institution. In giving notice of this motion, the leader of the Opposition has—

**Mr. Sargent:** Why do you not prepare your position on the matter?

**Mr. Brown:**—attacked this assembly as an institution and no member of this House can escape the fact that this is an attack on each member of the House.

**Hon. Mr. Grossman:** You should hear some of the things your leader has said in the last ten years.

**Mr. Brown:** One of the major privileges of a member of this Legislature is the privilege of freedom of speech. It is a privilege to take part in the proceedings of this assembly, in all its aspects, including, of course, the ultimate right to vote on any matter which comes before this House for a decision.

The leader of the Opposition has anticipated that there will be a breach by me of the rules of this assembly. He has given no grounds for any such imputation to me, that I would act, at any time, contrary to the rules of this assembly.

The presumptuousness and offensiveness of the proposition that the leader of the Opposition can predict my future behaviour, or the behaviour of any other member of this Legislature, in this House, is a strange belief.



The leader of the Opposition has phrased his motion in such a way as to endeavour to becloud the attack on me by a general reference to other "possible members" when they find themselves in a similar position.

I am simply saying to the leader of the Opposition, through you, Mr. Speaker, that whatever his motives may have been, I demand to know—and to know clearly and unequivocally—whether the leader of the Opposition is attacking my right to sit in this Legislature; is attacking my right to take part in the proceedings of this Legislature; is attacking my right to vote generally in this Legislature, or on any particular matter.

I cannot stress too strongly, Mr. Speaker, the gravity of the charges which have been made by the leader of the Opposition against me. It is an attack on me personally and I intend to deal with it as such an attack. It is a matter which has shocked me. It was irresponsible when it was first introduced in the Legislature by the member for Grey-Bruce (Mr. Sargent). It was irresponsible when it was supported by the member for Downsview (Mr. Singer), the member for Sudbury (Mr. Sopha), the member for London South (Mr. White).

In my judgment, there was no quicker way to destroy this assembly as an institution deserving of the respect as the supreme governing body of this province, than by such reckless, irresponsible and groundless matters being introduced into the assembly in this way.

I need only refer you, Mr. Speaker, to the rules of the assembly and the proceedings of the parliamentary system of the British House of Commons. Mr. Speaker, I have taken the first opportunity available to point out to the assembly the gravity with which I view the method adopted by the leader of the Opposition in making this personal attack on me, on my integrity, and my privilege as a member.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, if I may speak to the point of privilege.

**An hon. member:** Of course!

**Mr. Speaker:** If the leader of the Opposition has a point of order or a point of privilege then he has the floor. Order!

**Mr. Nixon:** A point of order, if I may, sir, and that is that there were no charges made in my statement yesterday; there was no imputation of motive. I made both of these points abundantly clear.

For the good of this House and for the good of the two hon. members concerned, I put it to you, sir, that the House should act on the motion that I have given notice of, or in some other way to have the matter cleared up once and for all before the standing committee on privileges and elections.

I believe that the hon. member can react in any way he chooses, but in my view, he has reacted inordinately in this regard and it is the responsibility of this House to clear the air by the means which I have suggested.

**Mr. J. H. White** (London South): Speaking to the point of order, sir, you will not likely be aware of it, but when this matter was raised in committee, the leader of the NDP drew a parallel between the relationship between these two members and the government and the situation that took place in 1957, which involved Messrs. Fishleigh and Sutton, who were members at the time.

I looked into that and I think the debate at the time will be very informative to you and to other members. At that time the leader of the NDP—and this is from *Hansard*, March 28, 1957, page 1798—said as follows:

The point I want to draw to the attention of this House and which I want to draw to the attention of the hon. Prime Minister, is that whether or not there is any violation of the law of the province may be questionable but it is a violation of ethical practices, and therefore it is dragging down the public morality on this issue. There is no doubt in my mind about that at all.

On page 1820, March 29, 1957, the leader of the NDP said, and I quote:

I have said the tradition is that individuals who are involved with companies who are personally interested in these payments normally do not participate in the sponsoring, in the passing, in the voting, either in the committee or the legislative level.

On page 1982, the leader of the NDP said:

The questioning of the impropriety of an honourable member voting under the circumstances covered by Ontario Rule No. 16 in no way imputes dishonesty or questions the integrity of the member.

**An hon. member:** That is a fact!

**Mr. White:** On page 1983, April 3, 1957, he quoted the Hon. George Drew as follows:

There must not only be an absence of conflict of interest but there must be no appearance to the public that there could be any conflict.

And that is the end of Mr. Drew's quote. The leader of the NDP then said: "That is an admirable statement of the principle I am enunciating."

Mr. Speaker, in my heart I firmly believe that this is the very principle the leader of the Opposition and myself are now enunciating. And I think if the leader of the NDP



is to be consistent and honourable, as I expect him to be, he will do as the Premier of that day did, which was to insist that his two members pass a resolution putting the problem before the committee on privileges and elections.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, in speaking to the point of order. First, the issue was raised after the vote had taken place in accordance with the traditional rules, not in anticipation of something that might happen, a very important point—

Interjections by hon. members.

**Mr. MacDonald:** —a very important point, Mr. Speaker—

Interjections by hon. members.

**Mr. Speaker:** Order! Order!

**Mr. MacDonald:** You cannot anticipate what somebody is going to do. Secondly, Mr. Speaker—and this is the point that the hon. gentleman chooses to ignore. It was a bill that authorized direct payment to the people involved and, indeed, when we went to the committee, they admitted they were involved.

**Hon. Mr. Grossman:** From whom?

**Mr. White:** That relationship was far more remote and far more tenuous—

Interjections by hon. members.

**Mr. Speaker:** The Minister has the floor.

**Hon. Mr. Grossman:** The hon. leader of the NDP is deliberately misinforming this House because, as a matter of fact, that particular bill—I was here on that occasion; he highly incensed everyone who was present—because that bill had nothing to do with the expenditures of funds passed by this Legislature, or anything to do at all with money spent by the government of the day. It had to do with a bill in which expenditures of a municipality were involved and which the municipality had asked permission to pay the money out because they had overlooked a certain legality. That had no bearing on this at all.

Interjections by hon. members.

**Mr. MacDonald:** The money could not legally be paid until that bill had been passed by this Legislature.

**Hon. Mr. Grossman:** There was no money in which the government or Legislature had jurisdiction.

**Mr. Speaker:** Order! Order!

**Mr. MacDonald:** The money could not be paid and therefore it was a direct payment, because without the bill passed in this Legislature, these gentlemen could not be paid.

**Mr. Speaker:** Order! The member for Sudbury.

**Mr. E. W. Sopha** (Sudbury): Mr. Speaker, on the point of order. I want to say to you, sir, that I was utterly shocked that the member for Beaches-Woodbine should, in this manner, single out the leader of the Opposition and make him the victim of a personal and vituperative attack for the courageous act that he did yesterday in putting this notice of motion.

Last Friday, one of the leading newspapers in this country had an article on page 1 which spilled over to another page and almost occupied the whole page, in which every detail available to the press was reviewed in respect of the transactions in which these two hon. members are involved. In those circumstances, it has become a matter in the public domain, and it ought to be cleared up at the earliest time possible.

Two things come to mind immediately. The one is that instead of indulging in an abusive attack upon the leader of the Opposition, either one or both of these two members ought to themselves advocate that the matter go to the committee as speedily as possible. The other is that it is the government of this province—the Treasury board—that is paying out these public moneys that are under review—moneys being paid to the children's aid society. Then why, I ask, are we met with such stony silence from the Treasury benches? What does the government intend to do about it? They are the protectors of the public purse.

This is an issue where it is either conflict of interest or it is not. It has nothing whatsoever to do with the adequacy of care of emotionally disturbed. It has nothing whatsoever to do with the conduct of these two members. It is simply a question whether their right to sit and vote in this assembly, insofar as they are the ultimate recipients of public moneys, sets up a set of circumstances where they are in conflict of interest and that the public is entitled to have determined.

So my plea to the government is to let us hear from the first Minister what steps he intends to take as the chief protector of the public purse and the chief guardian of the rights of this assembly.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, I presume I am speaking to the point of order.

I would say the last speech was a speech in favour of the notice of motion which only appeared on the order paper today. However, the hon. leader of the Opposition placed this notice of motion yesterday. One of the members involved has made his contribution and, of course, the government is aware of this entire situation and, in due course, we will decide how we are to handle it.

I would simply point out to you that this present discussion arises through a notice of motion put on the order paper by the leader of the Opposition yesterday, and replied to. It is in the votes and proceedings of yesterday; it will not actually appear on the order paper until tomorrow. Then, of course, it prompted a reaction from one of the members concerned and that reaction must be taken into consideration as well.

So these matters will be considered by the government.

**Mr. S. Lewis** (Scarborough West): Mr. Speaker, on a point of personal privilege, and in the light of what has been said thus far this afternoon, I merely wish very simply to associate myself with the remarks of my colleague from Beaches-Woodbine and the remarks of the leader of this party, and to say to you, sir, that I as one member of the House, and an involved member of the House, will have something rather more precise and elaborate to say about this subject and how it affects the Legislature. This will be in the very near future, at the appropriate moment.

**Mr. Speaker:** I am sure that all the members would join me in welcoming back the member for Humber (Mr. Ben) who has been away ill for some considerable time.

**Hon. A. A. Wishart** (Attorney General): Mr. Speaker, yesterday the hon. member for High Park asked a question regarding an inquest to be held into the death of Charles Dovolle, which occurred April 19 on Highway 10. I would advise that the matter has been investigated by the Ontario Provincial Police and by a coroner, and it is not intended to hold an inquest.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 28th order; House in committee of supply; Mr. A. E. Reuter in the chair.

## ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD (Continued)

**Mr. M. Makarchuk** (Brantford): Mr. Chairman, being a socialist member representing a riding that is about four-fifths rural in area and has about 2,000 farmers, I am rather happy to be able to speak for the NDP on the agricultural estimates.

Before I go into the main portion of my speech, Mr. Chairman, I would like to examine the Minister's concern regarding the threat that farming in Ontario will be taken over by large corporations. The result of this of course will be that family farms in Ontario will eventually disappear and the farmers will undergo great hardships. Earlier in the session I had asked the Minister if he was concerned about the large sums of money being spent on anti-egg marketing board advertising and whether he would consider a public inquiry.

In my view the people who supported the advertising knew that it is easier to knock off individual egg producers than it is to take on an organization that could bring some economic stability to the egg producing industry. Anyway the Minister said that this was a free country and disclaimed any governmental concern as to the source of the money.

The suggestion of the public inquiry originated with Mr. James Boynton, secretary of the hog producers' marketing board. I sent a copy of the Minister's reply to Mr. Boynton, and here is Mr. Boynton's reply. I will ignore the first paragraph of the letter, but the second paragraph says:

Further to the subject, I have friends in two different feed companies who admit that their company was approached for funds but that their company did not respond. In considering that the province-wide advertising campaign against the egg marketing board would cost more than \$25,000 and very close alliance is common by some large egg producers and their suppliers, there is a reasonable certainty that much more than farmers' money was used in financing the effort.

However, it is very difficult to prove anything and this is why I suggest a public inquiry where witnesses could be subpoenaed and books inspected. There would still be no real insurance that the relationship could be revealed but it could deter a too ready willingness for a non-farm business to be meddling improperly in what is the farm operators' own affair.

In my opinion, Mr. Chairman, Mr. Boynton's suggestion of a public inquiry into the affair merits a great deal of consideration. Also, in view of the concern that the Minister has shown in his speech regarding corporate takeover—if this is a genuine concern and not a usual Tory smoke screen—the Minister will heed Mr. Boynton's suggestion and launch an investigation into the source of funds. In fact, Mr. Chairman, it is a case where the Minister should either put up or shut up. If he is sincere he will start investigating the corporate encroachment now.

Further investigation of the Tory farm policy indicates: 1. The Tories have a farm policy. It is also the same policy that they apply to housing, to health, to economic development; you name it—they have a farm policy for it.

2. Each Tory farm policy consists of eye catching announcements and empty performances.

If we examined the Minister's speech from last year we find, and I quote:

It is the responsibility of our department to encourage this attitude and to introduce programmes which support the farmer in his efforts to move forward to profitable objectives.

A cursory examination of the Ontario farm scene would indicate that the farmer is moving, but hardly towards profitable objectives. The greenhouse operators are facing bankruptcy. The milk producers are at each other's throats as they fight over a share of the market. The hog producers are slowly being squeezed out of operation. The corn growers are talking about withholding their produce because of low prices. About 1,000 sugar beet producers have seen their industry move towards a more profitable objective for the company and not the farmers. At the same time more and more evidence is accumulating of widening income disparity between urban and rural areas and the persistence of rural poverty.

More and more of the younger people are leaving the farms, in many cases ill-equipped to find jobs in urban centres, and the farmers that are left are getting desperate. A recent survey carried out by The Department of Agriculture and Food of 299 farms in eastern Ontario revealed that only one out of five farms surveyed was considered as an economically viable unit. These viable farms had an average of \$3,000 net income a year, or less than \$60 a week. The other farms,

or 80 per cent, had a net income of \$1,500 or less.

The point I want to emphasize here is that despite the loud protestations from the Tory benches and from the Minister as to how well things are going on the farm, the fact is that farm income is dropping. The farmer is faced with the choice of slowly being squeezed out of operation because he cannot make ends meet, or he has the other option of moving into an urban area and attempting to find a job in industry for which he is generally not equipped, nor does he have the desire to become a member of our industrial working force.

The Ontario statistical review demonstrates some of the income disparities that exist in Ontario between the rural and urban population. And I would just read some of these statistics. As an example, in Bruce county 36.7 per cent of the people have an income of less than \$2,000; 60.4 per cent of the people have an income of less than \$3,000.

In comparison, in some of the more affluent counties like Halton, Ontario, 34.3 per cent of the people have an income of less than \$3,000. In other words, the people in the wealthier counties make roughly about twice as much, have an income twice as large as the income in the rural areas. A good example is the poverty of Glengarry county—42.7 per cent of the people in this particular county have an income of less than \$2,000 a year; a total of 65.6 per cent of the people in the county have an income of less than \$3,000 a year.

There are few here that would deny that low incomes represent not only a gross form of economic waste but also, in human terms, an immoral waste. I wish to point out that today, in an affluent society, we cannot afford to have pockets of poverty or economically depressed farming communities. The low incomes and the social waste are, to a great part, a product of the failure of the government's social policy and not because of lack of individual effort, as some of the hon. members opposite would think.

The problems of economic inequality and opportunity will continue as long as we have a government in this province and in Ottawa that refuses to plan the provincial and the national economy to provide for a rational and scheduled adjustment of all our resources, not only in the agricultural industry, but also in the nonagricultural segments of our economy.



The limited efforts in the field of provincial and national economy could be described as miserable economic tinkering, the results being about equal to the efforts of a couple of eunuchs trying to produce a child.

Here I would like to stress and stress again, particularly to the members opposite—and I noticed when the Minister was making his speech on agriculture they were not in, but now I wish to welcome them back—to the members opposite that the sole and naive reliance on the private enterprise system or the invisible hand of market mechanism has not, and will not, solve the problems in the agricultural sector of our economy or any other sector of our economy.

If anything, in substantial measure, the social inequalities and economic disadvantages suffered by the agricultural industry have their origins in the nature of the existing market relationships.

The market place, although indispensable, cannot unaided correct this maldistribution of income. We see, on the one side, large labour organizations and industrial segments of our economy who have what can almost be considered as invulnerable bargaining positions because of the administered pricing of their product.

On the other side, Mr. Chairman, we have the agricultural segment saddled with a confused collection of policies, many of which were created in times of emergency and have been patched up and perpetuated long after the original crisis has been replaced by a new crisis.

We also have the problem that, with the exception of the last couple of years, dominant farm organizations failed in their duty as spokesmen for the farmers. The elected representatives that come from the farm areas can, in great measure, be held responsible for the plight of their constituents. In most cases, they think that the farmer is poor because he is indolent or that there is a certain virtue in poverty. At the same time, they have a vested interest in keeping the people poor, for as long as they are poor, they cannot see or understand the possibilities that are open to human beings and, as a result, they continue to vote and act as they have done for years.

It is significant to note that the ferment and protest from the farm areas are not coming from the depressed rural areas, but areas that are relatively healthier economically. It is in these areas that the "revolution

of rising expectations" is starting to make an impact in the minds of the residents.

And I can assure the hon. members opposite that it will spread even to their constituencies, and they will start questioning you as to what you are doing now and what have you been doing in all the long years that you have been sitting here. Of course, the hon. members will come through with a variety of answers, Mr. Chairman, about the great things done for the farmer, which leaves the farmer wondering why he has all the problems. At the same time, they will also, as they have in the past, blame the labour unions for the farmers' problems and thus try to divert the farmers' attention from the true culprits who are responsible for the continuing sorry state in agriculture.

At this time, I would like to digress a bit and discuss some of the problems associated with the farm implement industry and try to put forward on record a few facts which the government chooses to ignore. As usual, they are protecting their corporation friends. Earlier in the month the Premier spoke on television supporting Massey-Ferguson in the current wage parity dispute that is going on in Brantford and Toronto.

A Canadian labour congress study of the farm implement industry points out that between 1962 and 1965, output per man hour—this is in the agricultural industry—rose by 35.4 per cent, or 10.6 per cent a year, while output per employee increased by 44.3 per cent or an annual rate of increase equal to 13 per cent a year.

Between the same years, real output in the industry increased by 99 per cent and value added in manufacturing increased by 95.9 per cent. However, wages and salaries during this time were up by only 54.6 per cent. At the same time profits and other non-labour costs were nearly tripled, increasing by 195.9 per cent.

As a result, between 1962 and 1965, unit labour costs, this including wages and salary, actually dropped by more than one-fifth, while profits and non-labour costs per unit increased by one-half. I would also like to point out that the workers' share of the sales dollar has gone down. In 1962, the worker received 21.6 per cent of the industry's sales dollar. In 1965, this dropped to 17.2 per cent. Meanwhile, profits and other non-labour costs increased their share of the sales dollar from 12.5 per cent in 1962, to 18.2 per cent in 1965.

During this time while productivity was going up and the unit labour cost was going down, the unit price of equipment went up by 1.8 per cent. This, of course, went for added profits and was paid for by the farmers who, during this time, saw the return for their produce dropping.

Currently the federal government is holding an inquiry into the cost of farm machinery. This, of course, is the usual method used by the old parties when they are more interested in evading and confusing an issue than in solving it.

We had a demonstration of the effectiveness of commission activities about a year and a half ago. At the time the federal government was investigating consumer prices. There was some temporary relief. Food prices did go down, but as the noise and the publicity died down, food prices went up, and have continued to rise, so, in reality, nothing was solved. The same thing will happen as a result of the farm machinery investigations.

Then we have the problem of parity and the strike on our hands. Earlier in the session, I had asked the Prime Minister if he would consider setting up an impartial commission to investigate conflicting claims on the impact that that wage parity may have on the farm implement industry. Naturally, in true Tory fashion, he did not want to get involved. It makes you wonder what the purpose of the government is, if it does not want to help resolve some of the disputes that plague our society.

Of course, Mr. Chairman, the ex-Premier of Ontario, the Hon. Leslie Frost, QC, who now, among other things, sits on the board of directors of Massey-Ferguson, would hardly appreciate some objective economist examining the books of Massey-Ferguson. It may reveal some rather embarrassing profit figures. At the same time, Mr. Chairman, I wonder just how much these people really care for Canada and its people.

Here we have a company which is prepared to leave the country and throw about 5,000 people out of work, many who have spent most of their lives working for the company, and very likely will be unable to get other jobs. Yet do we hear a sound, or an expression of concern, from the ex-Premier of Ontario? And I submit, Mr. Chairman, that the present Prime Minister has shown about as much concern as the last one.

**Mr. E. Sargent (Grey-Bruce):** He has got to go.

**Mr. Makarchuk:** Earlier, Mr. Chairman, I have mentioned that the market forces—the invisible hand that is supposed to disperse largesse to the deserving many and, of course, this government and the Minister still insist, against all evidence, that somehow the farmers' problem will be solved through the market. There is no doubt that the market is indispensable. However, a great deal of concern should be shown as to who controls the market, and for whom. Before we go into marketing, I would like to comment on this government's fetish regarding agricultural productivity.

Mr. Chairman, there is nothing wrong with increasing agricultural productivity; it is one of the basic essentials in a healthy industry. However, the main beneficiaries of the productivity gains have been the consumers and not the farmers. Here is what the late Professor Vernon G. Fowke has to say on this, and I quote:

The view that agriculture can best be assisted by measures which increase agricultural productivity is so widely and uncritically accepted that it requires comment. The highly competitive conditions under which agricultural products are brought to market have particular significance at this point. Under competitive circumstances the inevitable tendency in any period other than a very short one is toward equality between selling price and costs of production. Improvements in cultural practices, in methods of controlling pests or obtaining a greater variety of seeds or animals, which result from public research, are therefore accessible to all producers on equal terms, will consequently tend to reduce costs of production and selling prices in equal measure.

Cost reductions in agriculture are quickly passed on to consumers by way of price reductions. The farmer shares with other consumers in the advantages of cheap and abundant foodstuffs, but he gains as a consumer instead of a producer and in proportion to his consumption of foodstuffs rather than in proportion to his productive efforts.

Here is what another noted farm authority has to say about the productivity gains, and I quote:

In the quest for increased returns, which the average farmer hopes to achieve through adoption of some new technology, he runs faster and faster on the treadmill. By running faster he does not reach the



goal of increased returns; the treadmill simply turns over faster. And as the treadmill speeds up, it grinds out more and more farm products for the consumer.

The point is that unless this government takes some new and, for them, radical approaches to the farm problems, the farmer will continue on that treadmill. Even the government's own commission on farm income agrees with this. Perhaps the problem is that like the Minister in the previous estimates, who does not read the papers that cross his desk, the Minister of Agriculture and Food also does not read. Anyway, here is what the committee says, and I quote:

Modern technological agriculture cannot be saddled with laissez-faire approach to its problems. If government, society and farm organizations do nothing the problem will gradually resolve itself.

If I may interject here, Mr Chairman. This is known as a head-in-the-sand approach, but seeing as we are dealing with agriculture perhaps it would be more appropriate to describe it as the head-in-the-manure-pile approach. I will resume and I quote:

This is not good enough. We would like to emphasize that this laissez-faire approach assumes that excessive production would drive down prices. Farmers will respond by leaving the industry, and prices will move up, and a reduced number of farmers will produce adequate supplies of food and make a reasonable living for themselves. It is worth noting that the laissez-faire approach leads almost inevitably to corporate control of agriculture. The individual farmer is unable to compete with the massive corporation unless he is supported by an enlightened public policy.

In the absence of such support, corporations will deeply penetrate the industry. One hundred years of experience in this country and even longer experience in other countries, confirms that this hands-off policy simply does not work. It assumes that there is no serious handicap to the movement of human and other resources out of industry. It assumes that the shift of resources needed to restore income is relatively small, and it assumes that there are plenty of alternatives for labour and capital that are moved. None of these assumptions are true today.

I wish to add here that none of these assumptions were really true in the past at any time.

In all fairness, Mr. Chairman, we cannot put all the blame on the provincial Minister of Agriculture and Food. Because of the nature of the industry, many of the problems in agriculture can only be solved by action on a national basis. However, there are areas where the provincial department can act to benefit farmers. The Minister should do all in his power through his office, through public pressure, and via the media to force the federal Minister to act in areas of agriculture that are of a national concern. The problem now is that both cannot see, and will not see, the existing difficulties in the agriculture industry. So actually any action by either one would be the case of the blind leading the blind.

On the provincial scene, the emphasis should not only be on productivity but also on marketing. The farmer's share of the consumer dollar has fallen from 60 cents in 1946 to something like less than 40 cents today. Farm prices are dropping and consumer prices are rising and the men in the middle, or the supermarkets and processors, are making an excessive profit. This was pointed out in the Batten report, the study that was done in the western provinces. Most if not all of this profit in the middle should go to the farmer. This government should do everything in its power to develop farmer owned and operated processing plants, packing and canning plants and food terminals.

For example, the Ontario greenhouse operators, in their brief to the government, point out that the markup in fresh vegetables is anywhere from 100 to 150 per cent, between the price to the grower to the price the consumer ends up paying. In many cases the consumer price of the vegetable or fruit is not in any way related to supply and demand, but is the product of administered prices set by an oligopoly whose only interest is to maximize its profits, or as it has been more simply described, "buy cheap and sell dear."

There is no reason, Mr. Chairman, why the food terminal located on the west side of Toronto should not be operated for and by the farmers, and the middleman's profit channeled into the hands of the individuals who produce the produce, and not into the hands of the sharpies who know all the angles.

I would like to quote from an article about a speech made by Richard Loftus, and I must say that the member for Huron-Bruce (Mr. Gaunt) discussed this earlier. However, seeing as the Opposition members were not in the House at the time when he was discussing



Mr. Loftus, I will go ahead and discuss it for their benefit.

Hon. W. A. Stewart (Minister of Agriculture and Food): You should be pretty proud of the four members of your party in the House listening to you right now.

Mr. Makarchuk: They are busy at other things but they have copies of my speech.

Mr. O. F. Villeneuve (Glengarry): They are not missing!

Mr. R. T. Potter (Quinte): They are ashamed to listen to that drivel you are using.

Hon. Mr. Stewart: There were only four of your party here at 3:30.

Mr. Makarchuk: I will now quote Richard Loftus, an executive with Ross and Partners Limited, a Toronto firm of business consultants. This was carried in *Farm and Country* and some of the members have heard this before, but as I said earlier, the members opposite were not here so it is for their benefit.

Unless Ontario's marketing industry boards move closer to the consumer they face a bleak future, predicts Richard Loftus, an executive with Ross and Partners Limited.

Also, all like commodities should be handled by one marketing agency, he added. While there is still room in the market place for the small producer, there is no room for the small seller, Mr. Loftus told the conference of marketing boards directors in Orillia late last month.

He cited the Sunkist growers co-operative in California, which handles oranges in that state. This is a strong well planned marketing organization. It has maintained a strong position in the market place. The growers have not suffered from vertical integration.

Mr. Loftus implied that the traditional middlemen should be phased out by farm marketing groups. Farm boards should deal directly with chain store buyers and wholesalers.

Ontario's marketing boards today are not marketing boards in every sense of the word, he said. They do not go close enough to the consumer. He noted that buyers are highly organized. The answer to this is organized marketing. Farmers need "marketing marketing boards," he emphasized.

Mr. Loftus said "marketing marketing boards" should have these objectives: Adoption of definite short and long-term planning. Farm production geared to consumer demand; farmers must produce only what the market can absorb. Use modern merchandising techniques. Employment of professional managers.

Farmers can no longer afford a variety of marketing boards for groups of allied products. The greatest need for a "marketing marketing board" is in the produce sector, he urged. "One sales agency should handle all tender fruits, such as strawberries, cherries, peaches, pears, plums, grapes, apples. In addition it should market all fresh vegetables, such as asparagus, spinach, lettuce, celery, carrots, beets, beans, cabbage, cauliflower, potatoes, turnips, hothouse vegetables and mushrooms," he said.

Also, sales of processed fruit and vegetables should be handled by the same board, he said.

There are only two major buyers of these products—the processor and the retail store. Also, a handful of chain store and group store buyers account for most of the market. The produce buyer is not interested in just celery, he wants "a balanced complete selection for the produce departments of his chain or group," he declared.

Mr. Loftus said all poultry products should be sold by one "marketing marketing board"—broiler chickens, broiler turkeys, ducks, geese and game birds. All grains and seed crops should be handled by one agency. Also, all meats should be marketed in the same fashion, he added.

However, the success of any "marketing marketing board" would hinge on production, he stressed. The agency must plan production and marketing for the actual market—not [allow farmers] to produce and expect the market to conform to production.

There is more to this article, but, Mr. Chairman, the idea of consolidating the marketing boards is not new. It has been broached to the government before.

However, this government seems to have pathological fear of the idea that marketing boards should also be marketing agencies in the true sense of the word. We saw the government's reaction to this idea in the bean board fiasco.

**Hon. Mr. Stewart:** What are you talking about?

**Mr. Makarchuk:** Perhaps since then they have acquired—

**Hon. Mr. Stewart:** You do not know what you are talking about.

**Mr. Makarchuk:**—a sense of social responsibility. But after listening to the Minister's speech I do not think so.

**Hon. Mr. Stewart:** Now the bean board has agency powers.

**Mr. L. C. Henderson (Lambton):** Wrong speech, Mr. Chairman.

**Hon. Mr. Stewart:** You do not know what you are talking about.

**Mr. Makarchuk:** This government—

**Hon. Mr. Stewart:** You should get a better speech writer.

**Mr. Makarchuk:** This government should take immediate steps to consolidate existing marketing boards. Separated as they are, they are powerless when compared to the giant food oligopolies with whom they have to bargain. About five boards, handling grain crops, poultry products, meat, dairy and fruit and vegetables are all that are required in Ontario.

A consolidated board, similar to the one mentioned by Mr. Loftus, can afford to hire top notch executive personnel. It would have the financial resources to operate its own food terminals. With larger financial resources, a consolidated board can embark on major promotion projects at home and particularly in the export field. It would be able to afford and hire capable staff that would carry out market research and forecasts. The board would certainly be in a better position to predict future requirements. This information would be passed on to farmers, quotas would be worked out and prices negotiated before the crop is planted, or cattle or hogs bred or purchased.

The ideas I have expressed, Mr. Chairman, are not new. Every corporation uses them and it is a matter of applying modern technology to agriculture.

The reason I believe that they should be used by a consolidated board, is that in this way the benefits would flow to the farmers. Under existing conditions, the farmer is being squeezed out and the giant food processors using these techniques are taking over, with

the benefits accruing to a few socially irresponsible individuals.

Consolidated marketing boards that are actually involved in marketing, of course, by themselves will not solve all the farm problems. There are many others and I will deal with some of them later. However, if this government is seriously interested in coming to grips with the problems in agriculture, it can start by integrating the boards. This is within the jurisdiction of the province. All we need is the willingness and the audacity to tamper with the workings of the so-called free enterprise system.

I would like to dwell for a while on research. The department carries on a great deal of research; according to the report of the agriculture institute of Ontario, over a thousand research projects are being carried out. This, Mr. Chairman, is commendable. It is one of the reasons why our agricultural industry is efficient in productivity. At the same time, Mr. Chairman, this government can be criticized for concentrating all its research resources into producing food more efficiently, but doing next to nothing in researching how it can be marketed to the benefit of the farmer.

Of course, this can be explained by considering the philosophical bias of the Tories—the unseen but beneficent hand of the market mechanism will reward the farmer.

Besides, Mr. Chairman, some conscientious economist might point out to the farmer—this is if he looked into these things he might point out to the farmer—that he is being taken; and this may be embarrassing to their friends that sit on the board of directors of various corporations. However, they can console themselves with the fact that their friends in that other old party have the same problem.

Earlier I mentioned that consolidated boards would be in a position to carry out their own market research. Until such time as this comes about it is this government's obligation to provide the farmer with more information on market developments. There should be a considerable amount of research going on now on the impact that artificial foods will have on the dairy industry and on agriculture in general.

How is this government going to cope with the threat of dairy substitutes? I would suggest, Mr. Chairman, that the government consider this as an emergency situation. Considering the precarious state that the dairy

industry is in, a loss of about 5 to 10 per cent of the market could cause chaos.

One possible solution to the problem would be to impose a cent or two of tax on existing and new dairy substitutes. The money from this would be used to phase out existing dairy farms or provide the necessary financial support so they could switch to other than dairy farming.

This is in a sense the Freedman formula applied to agriculture. In labour, the benefits of automation should be passed on to labour; in agriculture the benefits from new products should be passed on to the farmer.

I believe, Mr. Chairman, that a great deal more research can be done to develop new specialized equipment in certain agricultural fields. This would make some of our industry more efficient and highly competitive in relation to foreign producers. We have managed to produce some of the most efficient cows in the world. There is no reason why we have to depend on foreign sources in developing equipment to handle the milk from these cows.

Another sector of agriculture where the government should provide more equipment research is in tobacco. Here we have a high labour content industry that is starting to feel the pinch of rising costs. Development of new equipment which would help the farmer reduce his labour costs would be very welcome. In view of the fact that about a third of the crop is exported, new, efficient methods of harvesting the crop would place Canadian—and particularly Ontario—tobacco farmers in a more competitive position relative to producers in other parts of the world.

From research, Mr. Chairman, I will now move to the food part of The Department of Agriculture and Food. The food part, of course, is the silent service of this department. It does not matter how outrageous a fraud is perpetrated on the consumer, or the exorbitant prices he is forced to pay, this department remains silent.

It is significant to note, Mr. Chairman, that the department was aware of the operation of the discount meat stores in this province some two years ago. But it was only in March that the department decided to go after these quick-buck pirates. One also wonders about the administration of justice, when we read in the paper that four of the culprits involved managed to skip to the United States, forfeiting their bail, but at the same time avoiding prosecution.

On January 6, 1964, the *Toronto Daily Star* carried a story—it had a nine-column head, so it could hardly be considered inconspicuous—about the questionable practices going on in the fruit and vegetable trade in this province.

Among the unethical dealings reported in that story was one that—and I quote: “. . . payments of various sorts were made by suppliers to retail representatives on a personal basis—payola”. Another quote said:

The food council is presently considering reported discriminatory trade practices whereby growers and suppliers of fresh fruits and vegetables have been cut off from supplying certain retail stores unless compulsory contributions of various types are made to the trading stamp programmes and other gimmicks which are so prevalent in the retail business today. We have been made aware of even more serious contributions which have reportedly been made on a personal basis to individuals by suppliers in order to facilitate sales to particular organizations.

Well, four years later, Mr. Chairman, as the *Star* heading says, and I quote again: “Bad smell in fruit and vegetable trade hits Queen’s Park after four years.”

Mr. Chairman, I submit that any government department that can for four years ignore serious allegations of payola, kickbacks and other questionable trade practices, has serious defects. At the time when the cost of living is rising, or, for the matter, at any time, we cannot sit back and allow somebody to maliciously tamper with the production and sale of food.

It is also time, Mr. Chairman, for this province to have a thorough investigation into the whole field of retailing practices, monopoly control in the food industry, and vertical integration in agriculture.

The Batten report on retailing, a study done in the Prairie provinces, alleged that excessive profits were being made by large grocery retailers in the three prairie provinces. I believe that a study of Ontario retail practices would indicate similar situations.

The Department of Agriculture and Food should also concern itself with—in fact make it a point to provide—protection for the consumer from misleading advertising, deceptive packaging, and many of the other questionable practices that have crept into the food field.



Consumers should be warned about the many instant food products that are coming on the market.

Sidney Margolius, one of the leading consumer experts on this continent, has this to say about instant breakfasts:

One of the leading brands of instant breakfasts—a dry powder you mix with whole milk—is merely non-fat dry milk, sugar, thickeners, egg yolk solids, artificial flavour and added vitamins. In fact, if you buy some of the flavoured varieties, you actually get sugar as the leading ingredient. For this combination, you pay at the rate of \$1.10 to \$1.65 a pound. That's what a box of six envelopes weighing 7.2 ounces comes to at the 59 to 75 cents charged by the stores. The claim is that instant breakfast makes milk a meal. But you get more protein—the expensive nutrient—in a glass of reconstituted non-fat milk, an egg, and a slice or two or toast, at a cost of eight to nine cents than in instant breakfast with the added milk at a cost of 18 cents.

Another example of deception foisted on the consumer is diet margarine. It costs about three times as much as ordinary margarine, although the leading ingredient is water—which is what makes it lower in calories. At 47 cents a pound for a product which is 50 per cent margarine and 50 per cent water, you end up paying for the margarine at the rate of 94 cents a pound. You can achieve the same effect, Mr. Chairman, by using half the amount of ordinary margarine on your bread and taking a sip of water with each bite.

The two examples I have quoted, Mr. Chairman, are some of the many types of practices that are designed to fool the housewife. There must be protection for the consumer from high-pressure merchandising which sells to the mass market at prices which have little relationship to its original cost or nutritional value. It should be the responsibility of this department to advise and inform the consumer regarding the sale of relatively useless food products.

The problems that may develop as a result of vertical integration, Mr. Chairman, should also be thoroughly investigated by The Department of Agriculture and Food.

The report to the special committee on farm income, prepared by Hedlin Menzies and Associates, says that:

Supermarkets have apparently completed their expansion phase and can be

expected horizontally and vertically to expand backwards and outwards into food processing, and in all probability into production itself. This could hurt and may be hurting the bargaining position of the farmer.

In another portion of the report, it says:

Change is inevitable and inescapable. If it is not made by farmers and their government in a planned way, it will happen as a result of the efforts of corporations to achieve growth and higher profits. To do this, they will attempt to co-ordinate agriculture with their operations. Such a plan would undoubtedly result in: (a) very few large farms in Ontario, and (b) sharply higher food costs.

Mr. Chairman, this is the view not just held by Hedlin Menzies but also by just about every knowledgeable authority concerned with agriculture. So what is the government doing?

**Mr. Sargent:** Nothing!

**Mr. Makarchuk:** Right, Eddie, you are right. After all, they are the authority in which all power is supposed to repose. The prediction for the future is higher food prices and serious social and economic dislocations in agriculture.

Despite all the prognostications, despite a serious current problem in agriculture, this government is not prepared, or willing, or even making plans to cope with the developing situation.

The Minister of Agriculture and Food, I suggest, Mr. Chairman, is like Nero, who fiddled while Rome burned.

Interjections by hon. members.

**Mr. Makarchuk:** Now, I do not know what became of Nero but it is time that the province had a new government which would be willing to challenge the corporate power structures in this country and let some of the economic largesse go to the people who really work for it.

**Hon. Mr. Stewart:** I doubt that that speech will make much contribution to your objective.

**Mr. Makarchuk:** Mr. Chairman, there are many other aspects of agriculture which should be considered. Some of these are the matter of providing financial assistance for farmers to move out of farming and still allow them to remain on the land. This could mean a form of guaranteed annual

wage, plus large and comprehensive work projects in rural areas aimed towards developing park lands, building water control dams and reforestation, creating new recreation areas and pollution control. Ideas towards this end have been advanced by the economists.

Another problem that should be seriously investigated is the matter of food imports. We import something like \$800 million worth of food into Canada. Surely a lot of this could be produced locally. There are many more problems in agriculture that should be looked into. We have a situation in Ontario where about 20 per cent of the population is paid something like 47 per cent of the income and the remaining 80 per cent of the population gets about 53 per cent. This is a situation that has to change and one, I submit, that will change, because the people of this province are becoming aware of the possibilities open to them. Just as I said earlier, Mr. Chairman, they are even becoming aware of it on the farm. Of course, it was to the advantage of the Tory party to keep the people in the rural areas poor. In ensures their re-election. Although the Tories, and the same applies to our Liberal friends—the two capitalist parties—can and have—

**Mr. Sargent:** How come you call us capitalist parties?

**Mr. Makarchuk:** Pardon me, the two squalid capitalist parties can and have been affecting the economic welfare of the people. Mr. Chairman, they cannot suppress a technological revolution. Change is being forced on all of us and through that change comes the sophistication and the understanding of the economic forces and the power structures that exist and control the lives of all but operates to the advantage of a few.

The handwriting, Mr. Chairman, is on the wall, and any action by either of the two parties, no matter how beneficent, is really the historic death throes that every social system or nation undergoes before it succumbs, and that is the way you are heading.

**Hon. Mr. Stewart:** Mr. Chairman, it is customary for the Minister, I believe, in the presentation of estimates, to make some reply after the speeches of the Opposition parties have been made. In this case I do not intend to delay the House at all, other than to compliment the member for Huron-Bruce on what I thought was an excellent speech the

other night. He enunciated many very fine points that I felt had a great deal of merit. I believe, it fitted in extremely well with the speech that I made in the 20 minutes of the time of the House I used to enunciate the concern of the government with the present structure of agriculture in the province and what we are trying to do to meet the competitive nature of the industry in the future.

There was one point which my hon. friend from Huron-Bruce mentioned, which had to do with the insurance that is offered through the milk marketing board by two different companies. I share his concern. I wonder if it would meet the approval of the hon. members of the House, Mr. Chairman, if I were to suggest that the Ontario milk commission, of which Mr. George McCague is the chairman, review thoroughly this insurance in co-ordination with the milk marketing board, so that we might be better appraised, from a professional standpoint, as to the validity of the policies and their effectiveness to those who have purchased them?

I feel that this would be probably a suitable way to deal with this at the time and I think it would put the milk marketing board in the position that they would know a lot more about the effectiveness of the programme that they have inherited from the organizations that made up the former milk producers' co-ordinating board.

Mr. Chairman, I have nothing really to say about the speech of the hon. member for Brantford, other than to say that I regret exceedingly that the farmers of Brantford—and he says that four-fifths of his riding are farmers—heaven help those four-fifths if that is the kind of representation they have in the Ontario government, because of all the drivel I ever listened to—that was the worst.

**Mr. D. C. MacDonald (York South):** Deal with some of the substance of his comments.

**Hon. Mr. Stewart:** Might I suggest, Mr. Chairman, that there have been times when I felt the New Democratic Party made some contribution to the debates on agriculture in the initial instance, but this is not one of them. I will be prepared to deal with the rest of the estimates as we carry on.

**Mr. MacDonald:** Deal with the substance.

**Hon. Mr. Stewart:** There is no substance to that speech, absolutely none. Not a thing.



On vote 101:

**Mr. Chairman:** Is it agreed by the committee that we deal with these votes in this estimate item by item? Agreed.

Vote 101, item 1.

The leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, since you are dealing with these estimates item by item, this is probably the only place where we can question the Minister in some detail on the matter that he brought up in his introductory remarks, having to do with the problem of American interests moving into the agricultural industry of Ontario.

Not only were the papers very interested in this, but farmers that I have spoken to felt that this has been the sort of a menace that is replacing what used to be the vertical integration bogey man of maybe five or six years ago. Under those circumstances we urged the government to do something more than study the problems associated with vertical integration. We felt that—and some of us had direct experience of the fact—we felt that the whole face of the farming industry was being changed by the tendency toward vertical integration but, in some aspects or areas of the industry, has now been virtually completed.

Now we hear from the Minister that he is concerned, as are we all, particularly following his statement about the emergence of large moneyed interests, which have to be American, I suppose, if they are going to be as large as he has indicated they would be. They are now looking at the agricultural industry as an area which requires low labour input and which can, if properly organized, give the kind of monetary return that they are looking for and this would I suppose be in the order of 10 to 15 per cent. We know that the farmers who are engaging in the industry in the more traditional methods do not get anything like that sort of return and yet the threat of the emergence of corporate takeover in something other than just the vertical integration field is something of grave importance indeed.

I would like the Minister to tell us if this has, in fact, begun to take place in Ontario; what the extent of this "buying out" by American interests might be—and I suppose this is accompanied by consolidation of large areas under corporate direction—and what his experts are predicting for the five years that immediately follow; and what he believes

would be our best defence if, in fact, there is one.

**Hon. Mr. Stewart:** Mr. Chairman, first of all, I would like to say that I did not indicate that this was a problem today. My speech, I believe, to quote it, suggested that there were large corporations, many of them engaged in the manufacture and sale of goods and services used in agriculture, or depending on agriculture for their raw materials, that have an eye on the industry as an investment. I referred to the fact that in the United States some of these industries have moved into the farming field and that, because some of these industries operate on both sides of the border, that it was possible, or it might be reasonable to assume, that they might have ideas about moving into the province of Ontario.

I cannot give the hon. leader of the Opposition specific instances at this moment, but I do know that there are certain illustrations of this in the United States. I refer to a periodical, that I take at home, by the name of *Doane's Agricultural Report*. In the January 8 issue of this report, the business issue, there is quite an interesting article "Big Corporations Invest More in Agriculture". From reading this article at some length and from visits that I have made to the United States to see some of these plants in operation, I am concerned.

I am concerned, because I believe that the family farm is not in a position to compete with the efficiencies that can be inculcated into such a large development. Thousands of acres of land are put together for specific purposes, operated with mechanization and virtually very little labour is involved.

There are several illustrations of these that are given here. One of them is a typical illustration of a subsidiary of the Heinz Company owning a 10,000 acre potato farm in the state of Oregon. Now this, I think, is an illustration of many others.

When I was in the United States I saw several plants or farms of 10,000 to 12,000 acres devoted to the production of cash crops in a specialized way. Some of these crops were crops that were not at all foreign to Ontario production, but they were being produced so efficiently in that type of an operation that the return would be much more attractive than it would be on a smaller family-type farm.

I have nothing against corporate family farming whatever; I frankly think that it has many good possibilities. There are many



illustrations of this here in Ontario today and there are more coming about every year. This is good, because it resolves to some degree the problem of the transfer of ownership from one succeeding generation to the next.

**Mr. Sargent:** Mr. Chairman, may I ask the Minister a question?

**Hon. Mr. Stewart:** Yes, of course.

**Mr. Sargent:** For the record, is the Minister in favour of this type of vertical integration?

**Hon. Mr. Stewart:** No, I did not say I was in favour of vertical integration at all. I am in favour of corporate family farming, where a family, a father and sons or relatives or what-have-you, go together to handle or to establish a type of operation.

I think there is great merit in this, because they can spread the capital investment of equipment over a much larger acreage and cattle, all in the same operation and none of the things that I think we could do in Ontario, and I alluded to this in my remarks the other evening, is that to me there are opportunities for farmers to consolidate, in an organized way, some of their operations.

For instance, I visited on one feed lot in the United States where in one area there were 32,000 head of cattle on feed. Across the road there were another 8,000 head of cattle, all in the same operation and one of those cattle were owned by the operators of that feed lot; they were being fed on a custom basis.

**Mr. Nixon:** Any pollution problems there?

**Hon. Mr. Stewart:** I must confess that there was some air pollution, but after all when you have cattle around this is just something one can expect, it is just a fact of life.

**Mr. Nixon:** We are talking about the other kind.

**Hon. Mr. Stewart:** So this is something that I think people have come to live with and expect in these areas. But I point out that in my opinion there are opportunities for custom cattle feeding.

**Mr. Sargent:** Who did own the cattle?

**Hon. Mr. Stewart:** They were owned by farmers who in some instances raise them on their individual farms. They put them in there on a custom basis and this company

fed the cattle out for them in a very highly efficient manner. When they were ready for market, then the farmer marketed them wherever he decided to market them.

**Mr. Sargent:** Mr. Chairman, would the Minister clarify if he is in favour of the giant chains having their own operation for beef and for all these different commodities?

**Hon. Mr. Stewart:** I do not know of any illustrations of that, either over there or here. I asked several people where I was and there may be illustrations of it, but I never found anything.

**Mr. Sargent:** In Ontario?

**Hon. Mr. Stewart:** Not that I know of—feeding beef in Ontario under feed lots—no large chains that I know of.

**Mr. Nixon:** Mr. Chairman, the point in raising it under the first vote is that there is a matter, I suppose, of philosophy as well as policy in this matter that the Minister himself raised in his introductory remarks. I was quite struck by two recent comments made by experts in different fields, one made by Norman Pearson at the agriculture committee just a few days ago. And I quote from page 3 of his prepared statement, in which he says:

There are reasonably accurate guesstimates from a variety of sources to the effect that by the years 2000 to 2020 there will be virtually none of the good farm lands left in Ontario.

And the second comment was made to a gathering of medical practitioners in British Columbia, which was concerned with population problems, and it was a prediction from a Canadian official at the United Nations that by the year 2000 the world population would have quadrupled. Now it is not our responsibility to feed the world, but we do have some residual responsibilities beyond the province of Ontario to see that our agricultural community is maintained in an economically viable situation and that land, the basic raw material for the industry, is not entirely frittered away in urban sprawl and the economic development of the southern part of the province.

This is a matter of great concern and it is one which extends far beyond the responsibilities of this Minister. It is associated, really, with a tendency on the part of the Minister and many other people in the provincial jurisdictions to recognize that the government

of Canada is having more and more responsibility for matters agricultural and, in fact, the provincial jurisdiction is contracting considerably.

In matters of crisis this Minister is very quick to point out that his counterpart in Ottawa is the man who carries the main load of responsibility and resolution. The Minister might not agree with that, but that is certainly the way it appears to our particularly subjective assessment. But time and again in reference to marketing boards and in the general overall planning for the industry, we are treated to the Minister's views that federal jurisdiction is preponderant and paramount in so many of these particular emerging problems.

Really, if there is something that is left to this Minister it is to convince his colleagues and his own departmental officials that we have to have a planned approach to these problems, which is more than just recognizing them in American publications. It is a planned approach to the strengthening of our industry now and beyond that to see that it is going to have viable resources; not only for the next five years but for the next 30 years.

I do not think there are any planners now who are considering their work in light of periods much shorter than the year 2000. Everybody has to plan for the next year and the next five years, but we want to know the state of our community and our economy after the 30 years that will elapse to take us to the end of the century.

So the fact that one expert who was well recognized—in fact, he was invited to address the members of the Legislature in their capacity as members of the standing committee on agriculture—is predicting that under our present mode of growth, and there is every indication that it is going to accelerate and become less planned in the future, we will run out of good farm lands, to use his very words, by the end of this century.

This, of course, is a very serious matter and one that I do not believe will come about, because eventually the government of the day, whether it is this group or some other, will take on the responsibility of seeing to it that these agriculture resources are protected to some reasonable extent. These steps must be taken now, not when the emergency arises. The fact is that the population of the world is going to quadruple in this 30 years. The somewhat lesser rate of growth in Ontario is going to face us with the possibility,

in fact the probability, of food shortages and price structures which are going to be completely out of gear with the economy even to a greater extent than they are now.

Perhaps it is not necessary to end these remarks with a question but I would like to know what agency under the Minister's control is concerned with long-range planning and how he fits into the horizontal committees of the government, particularly the design for development, which will assure us that the farmlands which competent authorities predict will disappear within 30 years are in fact going to be maintained and are going to support a viable agricultural industry.

**Mr. Chairman:** Order, please! May I just say that I have heard references to vertical integration, horizontal integration, marketing boards, and so on. I see nothing whatsoever in vote 101 pertaining to these topics. However, the Minister did reply to some extent to the earlier remarks of the leader of the Opposition. Does the Minister concur that we should cover that particular topic under this vote at this time?

**Hon. Mr. Stewart:** Well, I think we could deal with it under main office. If someone else wants to speak on the same subject—

**Mr. Chairman:** I think before we get onto the items we will deal with this particular topic already discussed. The member for York South.

**Mr. MacDonald:** Mr. Chairman, perhaps it is just as tidy that we do deal with it now. I want to relate it to what will be a later estimate. But in any case I will be saying now what I was going to say at a later date.

My query is, what is the Minister going to do about it? I commend the Minister for his raising alarm on the threat of vertical integration, and the takeover of a growing proportion of the agriculture in this province by those big companies which either buy from, or sell to the farmers, and most of which are subsidiaries of American companies. Indeed, the Minister's statement of the other night produced what I think was an almost unique achievement. Yesterday he got front page coverage in the *Globe and Mail*. Maybe I am wrong, but I think that this is the first time in the last 15 years that a Toronto daily newspaper has given front page coverage to a major agriculture problem.



Agriculture get short shrift in the Toronto dailies, if any mention at all. And to get front page coverage, I repeat, was a rare achievement and I commend the Minister for it. But what is he going to do about it? What is the government going to do about it? What government agency is going to do anything about it? That, it seems to me, is the important question. There is no point in lamentations.

I recall a year ago, for example, when the price of farm machinery went up, the Minister was credited in the press with lamenting that this was going to make it tougher for the farmers. Now that is about the equivalent of saying "boo", because nothing else happened, and the Minister did not do any more. So what is the Minister going to do? I put that question and, Mr. Chairman, in reference to a later estimate. I put it to him in the terms of the Ontario food council—my recollection is that the Ontario food council in the first instance was set up to deal with the problems of vertical integration in agriculture.

I was always a bit puzzled as to how that agency was going to tackle the problem, particularly when it became the body that was representative of management, farmers and consumers. It seems to have gone off to another tangent now, but vertical integration certainly was one of its major objectives when it was set up, some years ago. Does the Minister consider that this is the agency to make a study of the threats of vertical integration which he himself has raised? If not the Ontario food council, what body? Or is the Minister just saying "boo" once again?

**Hon. Mr. Stewart:** Mr. Chairman, the Minister is not saying "boo".

Let me say this, first of all, in answer to the question of the leader of the Opposition: Where do we fit into this picture? There are several ways. First of all, the federal land inventory under ARDA, which is paid for by the federal government and with which we co-operate as individual provinces, will determine the type of the land—that is, the quality of the land of all Canada.

This, to me, is a very important step—to determine whether or not this agricultural land is available, and in what provinces and in what quantity. We have had an opinion expressed by one professional. Perhaps tomorrow we might have an opinion expressed by another professional that would be quite different.

As a layman, and as a farmer, with some knowledge of the enormous ability to produce food that we have in this country, there is a potential to produce food the surface of which has not even been scratched. When one considers the quality and the quantities of food, and the different variety of foods that can be produced, there are many, many opinions concerning this.

There is a committee concerning this, set up under the Ontario government, known as the regional development committee, of which we are members. Represented on this committee are The Department of Highways, The Department of Lands and Forests, The Department of Municipal Affairs, The Department of the Provincial Treasury, and The Department of Trade and Development. We are active members of this committee, and all of these matters are being reviewed as we go along.

But my hon. friend, the leader of the New Democratic Party, asks what we are going to do about it—and this is a good question. Sure we recognize it, there is a problem here; I recognized this the other night in my speech. I must confess that I did not expect that it would reach the degree of publicity that it seemed to generate, but it is a matter that we are concerned with. The farm income committee are working on this very thing right now. We as farm people recognized at the Vineland and the Kemptville conferences that it was a problem. We asked the Ontario government to put up half a million dollars to get the best brains that could be hired to go about trying to find the answer to these very problems, and within their terms of reference is this whole matter that we refer to today.

**Mr. MacDonald:** Is the income committee really dealing with the problem of vertical integration?

**Hon. Mr. Stewart:** This is a part of it, certainly they are taking a look at this whole thing. The matter of a federal task force, that has been established by the federal Minister of Agriculture. All of these studies are going on today, and I would frankly like to have the benefit of their advice as how this can be best dealt with.

But let me suggest an idea of my own if I may. And I have not discussed this with my staff; I do not know if they agree with me or if they do not. I would just like to suggest this—to me, an effective way to handle this situation is to have our various



marketing boards consolidated into various types of marketing agencies within one strong organization.

There could be some type of—for want of a better word—production control, marketing control, quotas, what have you? Something similar to what exists now in the milk industry under the national dairy commission. Because if we do not have this type of control somewhere along the line—if we do not rationalize this matter of supply to the market requirements, then we are going to have such heavy production that we cannot use it.

There are few people who realize that, in Canada today, we have 128.5 million pounds of skim milk powder on hand. This is 109 million pounds more than we had on hand one year ago today, even with the controls which the federal government has attempted to implement. It is little wonder they are implementing controls on production, as far as industrial milk is concerned.

**Mr. MacDonald:** That would be one week's supply for India or China!

**Hon. Mr. Stewart:** Of course! And this is the point that I feel that we can do a great deal about, and that is in trying to make these products available to our foreign programmes.

The government of Canada, to me, has done a great deal along this line. There is more that can be done, but it is not as easy to give away products as it might appear to be on the surface, because of the trade agreements that exist between nations. In my opinion, there is a way of handling this, but not if we are going to have no controls at all, permitting a farmer to go out and produce all he can possibly produce. Then there is no reason why a corporate industry could not get into the market and produce just as much as they wanted to and dump it on the market.

**Mr. Sargent:** Then you just have to block it.

**Hon. Mr. Stewart:** Of course, this is one of the reasons, but I want to point this out to my hon. friend from Owen Sound, or for Huron-Bruce, that it would seem to me—

**Mr. Sargent:** Grey-Bruce!

**Hon. Mr. Stewart:** Grey-Bruce—but, sir, it would seem to me that perhaps one of the ways to do this is for the farmers themselves, in their commodity boards, to agree that this is one of the ways that they should go about

doing this. The hog producers have done this extremely effectively, because every hog that is produced in Ontario has to go through that board, as a single agency. It would seem to me that another illustration—

**Mr. Sargent:** You are passing the buck. What will you do?

**Hon. Mr. Stewart:** You are suggesting—and this is news to me if you are representing the views of your party, as was the member for Brantford representing the views of his party—to suggest that the government should step in and take hold of 20 marketing boards in this province and say, "Look, you go together like this!"

**Mr. Sargent:** No, no, no!

**Hon. Mr. Stewart:** This is what you are suggesting. That is what he suggested.

**Mr. MacDonald:** Mr. Chairman.

**Mr. Chairman:** Is the member rising on a point of order?

**Mr. MacDonald:** Well, Mr. Chairman, if I may—

**Mr. Chairman:** The Minister has the floor. Has the Minister completed his remarks?

**Hon. Mr. Stewart:** If the hon. member has something to say, I am willing to listen.

**Mr. Sargent:** On the vertical integration factor, the Minister previously said that, to his knowledge, there was no integration of such as these, beef, underlined, by the big corporate firms, but we do have almost complete vertical integration by the poultry industry and by the feed companies. You must know about that, and if you do not, you are the only one who does not know about it. So he is right down the line because—

**Hon. Mr. Stewart:** That is not what you said at all, and this is not what I replied in the negative to at all.

**Mr. Sargent:** I want to find out where you do stand on this, because it is very important.

The thing is that the beef improvement association had their convention here approximately six weeks ago, and their keynote speaker said, without a doubt, within ten years, there would be complete vertical integration in this country and the United States, by the corporate firms, into beef.

**Hon. Mr. Stewart:** That was not vertical integration to which the speaker referred.

**Mr. Sargent:** Mr. Chairman, these are—I will provide the clippings for you, of these—

**Hon. Mr. Stewart:** Those comments are being taken entirely out of context, it is not vertical integration.

**Mr. Sargent:** No, sir, these are not his statements. The feeling of people is that this is coming within years, and the member for York South says, "What are you doing about it?" I suggest to you, that I am not as knowledgeable as a lot of people, insofar as the commodity groups and marketing Acts are concerned, but I do suggest that to fit in a lot of people, he could give them protective legislation on the books of this province to make it illegal for these firms to invade the agricultural industry—that cash crops and what have you, to give some protection to the farming industry and this you refuse to do. You pass the buck back to the farmers all the time.

In the meeting the other day, your very able Deputy Minister, Mr. Biggs, told the committee that he was concerned, under the present conditions in agriculture, about the advisability of loaning \$40,000 to a young farmer. The great folly would be that, in my words, they would have more nerve than brains to do that. So with conditions as they are now, you talk about control of vertical integration. I think the control would be legislation on your part, to find out some way to give this industry the protection it needs. Because, it is going to happen and you are just doing nothing about it.

**Mr. Chairman:** Before we leave this topic—we have been discussing an item that does not specifically appear in this vote—does any other member wish to speak about vertical integration before we proceed with the items?

The member for Wentworth.

**Mr. I. Deans (Wentworth):** Yes. I wonder if I might ask for guidance at this point. While vertical integration is a part of what I want to talk about, I was not going to refer to it specifically. I want to discuss the fruit farmers' problems in southern Ontario. Would this come under this particular vote?

**Mr. Chairman:** Well, we were speaking about vertical integration. I suggested it is not specifically in this vote but we do not want to leave it—

**Mr. Deans:** Yes, I cannot find a spot in the proceedings for this particular problem.

I am not too concerned about the marketing. I am concerned more with the outside effects on the farmers in southern Ontario.

Let me go ahead and tell you anyway and you can rule me out of order in ten minutes.

**Mr. Chairman:** Well, does any other member want to talk about vertical integration? If so, let us clean it up.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, I want to say something about imports which I suppose could be indirectly related to it, but I will abide by your ruling. I think it comes under the first vote—

**Mr. Chairman:** Let us deal with vertical integration.

**Mr. Nixon:** Well, if you are going to pick on vertical integration as such I want to make a further comment.

**Mr. Chairman:** The leader of the Opposition has spoken twice. There are three other members who have indicated they would like to speak about that.

**Mr. Nixon:** Right.

**Mr. Chairman:** The member for Wentworth was speaking about vertical integration. Right?

**Mr. Deans:** Well, we will say we are for the time being.

**Mr. Chairman:** All right.

**Mr. Deans:** So, we will begin by saying vertical integration so that I can tie it in. What I want to talk about—

**Mr. Chairman:** If you do not tie it in, it will be ruled out of order.

**Mr. Deans:** What I want to talk about is the effect of the large corporate growers in the United States—the effect their practices are having on the southern Ontario fruit growers.

Now it is pretty wide, but it may just fit in.

What I am concerned about is this. Some time ago I discussed, with the Minister's department, the problem that the cherry growers were facing and I do not intend to go back into that today. But I understand that the Minister did receive a letter—and I have a copy of it here—in regard to the problem that is confronting those people who are presently taking part in the grape-growing industry of southern Ontario. Now they are

facing a very grave problem. Because of the climatic conditions of this area, they are being forced very rapidly out of business.

I recognize that the provincial government does not have the jurisdiction over the imposition of excise tax at the border. But it is necessary that the provincial government make representation at the federal level to ensure that, just because the growers of the southern states are able to have their product on the market earlier, we do not face the problem of the southern Ontario fruit farmer being completely wiped out.

At the present moment this is happening, and it is gaining momentum daily. The grape growers have faced a great problem. They cannot compete on the local market because they are unable to have their product ready in time to compete with the American product. In the letter, the farmer suggested some kind of restriction should be imposed upon those who are importing goods into Canada to ensure that they will not be bringing them in between the months of August and October, thereby opening the home market for the home product. He suggested this government take some action in assisting the grape marketing board of southern Ontario—

**Mr. Chairman:** Order please. Order please.

I think that this could more properly be discussed under the vote 104—marketing and special services division. Does the member not agree?

**Mr. Deans:** Well I was trying to find that out and I really just did not see the place. Where would it come?

**Mr. Chairman:** Page 13.

**Mr. Deans:** Under what number of item would you suggest this might be discussed?

**Mr. Chairman:** Well, the items do not appear on page 13, but I would think that under items 1, 2, or 3. The other items in vote 104 are specific. I think we could cover this under vote 104.

**Mr. Deans:** Well, provided that it fits in there some place. I would not want to miss the opportunity of presenting the case. Thank you.

**Mr. Chairman:** I just want to clear up this matter of vertical integration so that we do not keep going back to it.

Now can we deal with vote 101, item 1. Is there anything under item 1?

**Mr. Nixon:** Mr. Chairman, just before you leave it, there is one point I wanted to make since, somehow or other, you have got it in your mind, and no doubt you are correct, that this is vertical integration and nothing else. In order to co-operate with your view of this, I would just like to say that since 1962 when vertical integration became an issue with this department, at the policy level, there have been at least three separate definitive studies with no action—other than the sort of sympathy that the department has been able to extend. Now we have been very much aware of the problem of the possibility of legislation that would, in fact, control the industry to the extent that vertical integration would become illegal. We have had that debate before. But, to spend \$500,000 partly on another study of vertical integration does not seem to be using public funds in the best interest, because they are just going to tell us how far this disease has progressed. It does not appear that, since it began, the Minister of the department had any solution in mind for it. Certainly it has gone its full course in some areas, as the Minister well knows. The memory of an individual family farmer being able to grow cash crops and make a profit is fading into the past. We are, of course, turning to products we can grow that have not been vertically integrated—with all the economic pressures associated with them.

My hon. friend the Minister certainly put his finger on something that is correct when he said we had just begun to scratch the surface of our ability to produce food in this province. This is one reason why we are concerned with the goal of the year 2000, relating to the loss of good farmland and the increased world wide requirements for food. I always remember John Diefenbaker saying to the farmers of the west some years ago: "You grow all the wheat you can because the selling problems are over and I will sell it at a good price and—"

**Hon. Mr. Stewart:** But the present Ottawa government is not selling it.

**Mr. Nixon:** —I almost voted for him myself. Mind you, his promise was completely unrealistic but this is what the farmers have been suffering from under this Minister and this administration.

There are all sorts of restrictions. Farmers are always looking for some sort of a market for what they can grow and we regret all the restrictions that have been placed on the agricultural industry. At the same time, we



accept the impossible situation that the Minister faces in so many of these areas where the best minds—even the minds of the Opposition—have not been able to provide the light at the end of the tunnel that would see agriculture moving into that bright prospect that is certainly in the future, where the demand for food will provide the pressure to change our industry dramatically.

The Minister's efforts have been interesting ones. They have been successful in some areas and we have been severely critical of his efforts in others, but the ability to produce food in this province is tremendous. The frustrations of the farmers in not being able to come anywhere near their potential, to produce the food and turn it into income for themselves and their family, is the sorest point that is associated with these estimates.

Mr. Chairman, you say you want to get discussions of vertical integration out of the way; we have talked about it for many years. There has been no solution forthcoming from the Minister. In all honesty I can say that, while we have provided some thoughts on legislation requiring industry to come under the marketing board more directly than it did at one time, and certain prohibitions associated with industrial control or corporate control of the ability to produce food, these have never been attempted by any other jurisdiction, let alone this one. So, it is a continuing problem only in the sense that, in the profitable areas of farm production, it is almost reaching completion.

They will still let us milk the cows and work the long hours that many farmers still do. They will still let us try to work on the investment we have in our farms, with a negligible return. That was reported in most interesting detail in today's issue of the *Toronto Telegram*, where a farmer with a \$65,000 investment was reporting an income of less than \$1,500 a year with all his family working tooth and nail for many hours a day.

The Minister is aware of these problems. If, as a farmer, he does not suffer from them himself, maybe some of his neighbours in Middlesex are able to tell him about them on a more personable basis than I am here.

So, Mr. Chairman, as far as vertical integration is concerned, you can consider the order discharged as far as we are concerned; the Minister has not been able to come up with a solution. There may not be one.

Mr. Chairman: There has been quite full discussion on that and it is not in the vote that I called.

Mr. Sargent: I have one further point in this integration—

Mr. Chairman: It is not in the vote that I called. I called item 1 of vote 101; we have permitted fairly wide and broad discussion on a topic which is not even mentioned in the votes so I will proceed with the votes. And, as I suggested to the member for Wentworth, his topic could probably come under vote 104 more properly.

On vote 101, is there anything on item 1? The member for Brantford.

Mr. Makarchuk: Mr. Chairman, I notice that the Minister has sort of latched on to the idea of consolidated marketing boards—

Mr. Chairman: Item 1, salaries, vote 101?

Mr. Makarchuk: Right, I have been talking about that. The questions I would like to ask the Minister are: Could he tell when the report of the income committee is going to come in?

Mr. Chairman: Salaries, item 1, vote 101.

Mr. Makarchuk: I am talking about the administration. I presume that administration would come—

Mr. Chairman: I am speaking of item 1 in vote 101, salaries \$543,000. Are there any questions on that particular item?

Mr. Makarchuk: Yes, Mr. Chairman, last year the government spent \$306,000 in salaries. This year it is \$543,000. Could the Minister tell us why?

Hon. Mr. Stewart: This is not under vote 101.

Mr. Chairman: Vote 101, item 1, page 8. The Minister is getting the reply.

Hon. Mr. Stewart: I am told that the \$500,000 that was voted to the farm income committee to complete their study is included in that vote. Is this in salaries you are talking about? What is the member for Brantford talking about, anyway?

Mr. Chairman: I put the question, Mr. Minister: Is there anything pertaining to item 1 in vote 101 on salaries of \$543,000? The member has suggested that the previous salaries were three hundred and some odd thousand dollars.

Hon. Mr. Stewart: That includes the money that has been paid to the farm income committee this year.

**Mr. Makarchuk:** I note the actual figure last year was \$229,000 instead of \$306,000 and this year it is \$543,000. This is a 100 per cent increase—could the Minister explain the reason why?

**Hon. Mr. Stewart:** It co-ordinates the information branch with the main office which is consolidated in main office vote this year and was not last year. This is why there will be a difference all through these estimates, because there is a consolidation of the various branches of the department into special sections. In fact, we have five sections this year whereas I believe there were 20 last year. And I think you will find that that is where the difference comes in.

**Mr. Chairman:** Item 1, the member for Huron-Bruce.

**Mr. Gaunt:** Mr. Chairman, I mention this under salaries simply because salaries are paid to the people within the Minister's department and presumably they are paid to develop policy. And I want to talk about one policy matter which my hon. friend mentioned in his opening statement, and that had to deal with the imports that had been coming in.

I think the Minister said something about the fact that the federal government has not seen fit to do all that they should have been doing in protecting the various segments of the farming industry against imports which are coming in from other countries. I can think of some fruit-canning companies in this province who have found themselves in very difficult financial circumstances; I think some of them have indicated publicly that they will be forced out of business if steps are not taken to stem the so-called—

**Hon. Mr. Stewart:** With great respect, this does not come under vote 101. Production and rural development division, vote 103, if you want to talk about production because this is definitely a factor of production. You can talk about it in that vote, or vote 104.

**Mr. Chairman:** Yes, I want to point out—

**Hon. Mr. Stewart:** Vote 101 is simply main office and the grants that are paid out in main office. One of the reasons for the increase in salaries is because of the amount paid to the farm income committee for the Hedlin Menzies study so far.

**Mr. Chairman:** Yes, I think the member should recall that we did agree—and I think it was at the suggestion of members of the

Opposition parties—that we take these estimates, item for item, in each vote, instead of the whole vote as we had done on a former department we considered. So, we are simply taking item 1, vote 101, which is the salaries paid to the people under departmental administration in the main office vote.

The Minister has explained to the member for Brantford that the estimates are presented in a somewhat different manner than they were in previous years so that there is a consolidation, which will explain the increase in the amount of salaries paid. So can we stick strictly to the salaries paid to the people in this department?

**Mr. Gaunt:** May I just make a comment, Mr. Chairman? The consolidation of the estimates, I suppose, is the root of our problem. I find some difficulty in sorting out exactly where I can get my comments in, and one of the problems I had was in dealing with imports. There is not an item listed in the estimates for imports, and I had some difficulty in sorting it out and fitting it in, if I may put it that way.

**Mr. Chairman:** The member for Brantford has been trying to get the floor.

**Mr. Makarchuk:** Mr. Chairman, again on vote 101, item 1, the Minister said this is a consolidated figure in comparison to what it was last year. Can you tell us what department this was consolidated from, or was it an increase in people in the administration department?

**Hon. Mr. Stewart:** It was the bringing together of the salaries for the information branch along with the salaries of the main office; this is where the difference is.

**Mr. Chairman:** Is item 1 carried?

**Mr. Sargent:** Mr. Chairman, do I understand you are spending a figure of \$281,000 more?

**Mr. Chairman:** No, I point out to the member that the Minister explained that this year the estimates are in five votes only instead of some 20. There is a consolidation; the total salaries include many of the items that were formerly in the 20 votes.

**Mr. Sargent:** He explained it was for information.

**Hon. Mr. Stewart:** Let me explain this to you. The salaries in main office—\$247,300, and information branch—\$295,700; those two

items are together to make the salaries which appear here as \$543,000.

**Mr. Sargent:** A quarter of a million dollars for information?

**Hon. Mr. Stewart:** I beg your pardon?

**Mr. Sargent:** A quarter of a million dollars more for information branch?

**Hon. Mr. Stewart:** Yes, in total.

**Mr. Sargent:** In total.

**Mr. Chairman:** Items 1 and 2 agreed to.

On item 3. The member for Grey-Bruce.

**Mr. Sargent:** The increase in this department of \$449,750 for maintenance costs—what would that be for?

**Hon. Mr. Stewart:** Part of it is for increased salaries and increased expenses in travel.

**Mr. Sargent:** Is this under maintenance?

**Hon. Mr. Stewart:** Yes, under maintenance.

**Mr. Sargent:** You increase it \$500,000 and you say it is done for increased salaries? It cannot be that.

**Hon. Mr. Stewart:** Hedlin Menzies information was \$443,600; this is what the amount is.

**Mr. Sargent:** I am sorry, I did not get that.

**Hon. Mr. Stewart:** Hedlin Menzies information is \$443,600. What the actual amount of the increase in maintenance is, I am not quite sure, but I will get that information for you.

**Mr. Sargent:** That is quite a chunk, \$500,000; a 100 per cent increase.

**Hon. Mr. Stewart:** No, that is not really it.

**Mr. Sargent:** How do you spell it out, for that is what it amounts to, a 100 per cent increase.

**Mr. Chairman:** The Minister is going to provide answers to the member for Grey-Bruce.

**Mr. Sargent:** I am sorry Mr. Chairman, it is \$700,000 more for maintenance.

Last year, you spent \$127,000 on maintenance on your vote and this year you are asking for \$899,000 on the same section, section 3.

**Mr. Chairman:** That is the consolidated—

**Hon. Mr. Stewart:** The increases in this main office farm income committee is \$350,000; the information branch is \$443,000, which is added into the main office that was not there last year. That gives you \$793,600.

**Mr. Sargent:** And in the first vote you had another \$250,000 for information, so you are doing pretty well.

**Hon. Mr. Stewart:** It is the consolidation.

**Mr. Sargent:** The Minister admits that he is confused. What do you think we feel like? We are trying to read this bunch of figures here and he does not know the answer. How are we supposed to know the answers?

**Mr. Chairman:** I think it is fairly clear that the estimates for last year had 20 different items and 20-odd different departments.

**Mr. Sargent:** Mr. Chairman, may I say most respectfully that it is an insult to the Opposition to ask us to sit here and read estimates like this, because certainly the government never looks at them and we have to analyze these estimates and we cannot make head nor tail of it at all; it is ridiculous.

**Mr. Chairman:** Does the member want any further explanation; is he satisfied?

**Mr. Sargent:** Oh, Mr. Chairman, you cannot justify \$700,000, but we have got to take his word for it.

**Hon. Mr. Stewart:** Mr. Chairman, I told the hon. member what it was. I told the hon. member there is nothing here that we are trying to hide or cover up. The farm income committee's \$350,000 and the information branch, which has been added from a separate vote last year into the main office vote, is \$443,600.

**Mr. Sargent:** I do appreciate that, but do we not rate some intelligence? Why do you not spell it out in the vote so that we know what we are talking about?

**Hon. Mr. Stewart:** I thought it was. If you look at the bottom of page 101 you will see information branch, maintenance \$443,600, total of \$760,800. Each one of these is broken down in the first four items as they come down the page. They are all explained at the bottom the page.

**Mr. Chairman:** Votes last year were 20 instead of five and these are consolidated. Information and main office are consolidated under the department of administration. The



member for Kent is wanting to speak. Item 3, maintenance.

**Mr. J. P. Spence (Kent):** Mr. Chairman, the Minister mentioned that the cost of the farm income committee was paid out of the maintenance allotment. Could he give any indication when the report, the farm income committee report will be brought in?

**Hon. Mr. Stewart:** They are shooting for the end of this year.

**Mr. Chairman:** Item 3 agreed to.

On item 4.

**Mr. Spence:** Under this item, agricultural economics research council—is it the place to discuss what they do and how many are on this council and what reports are available for us, or is it under another vote?

**Mr. Chairman:** No, I think this is the proper place.

**Hon. Mr. Stewart:** The agricultural economics research council is a council that is comprised of the various governments of Canada along with industry and the farm organizations, each making contributions in varying amounts to an independent agricultural research council that performs certain studies on behalf of the agricultural industry of Canada. These studies are published and are available to the public on request, but they are always made public when they are completed.

**Mr. Chairman:** Anything else under grants? The member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, I was wondering under these grants how often the objectives and the achievements and the performance of each of these organizations is assessed by the department to see whether or not a grant should be discontinued or increased. It would appear that these grants have been made in somewhat the same amount for a considerable period of time and sometimes it is quite easy for one to just continue rather than change the amount. Are these reviewed regularly as to their end objective and what are they actually accomplishing each year?

**Hon. Mr. Stewart:** Yes, they are Mr. Chairman.

**Mr. Chairman:** Item 4, grants. The member for Brantford.

**Mr. Makarchuk:** Mr. Chairman, could the Minister advise whether the grant for the Ontario beef cattle performance association in any way duplicates the grant given to the Ontario beef improvement association?

**Hon. Mr. Stewart:** No, there is no relationship here. I should not say no relationship, but they are two separate bodies entirely. The Ontario beef cattle performance association is the record of performance testing of beef animals.

Vote 101 agreed to.

On vote 102.

**Mr. Chairman:** Items 1 to 3, inclusive, agreed to.

On item 4.

**Mr. Makarchuk:** Mr. Chairman, could the Minister advise who the automobile insurance is being carried with, and was the insurance purchased on the bid basis or on the lowest tender basis?

**Hon. Mr. Stewart:** The Ontario Department of Highways provides the motor vehicle insurance; it is all handled through The Department of Highways.

**Mr. Chairman:** Items 4 to 6, inclusive, agreed to.

On item 7.

The member for Timiskaming.

**Mr. D. Jackson (Timiskaming):** Could the Minister tell us how many officials were moved under this vote?

**Hon. Mr. Stewart:** I think we will have to get the answer to that one and give it to you later, because I do not have it in my file right at the moment. This is the removal of the—well, the way it reads it is as though we were just wiping somebody out, does it not? I just hope you do not suggest that you are going to use it on the Minister. This is the costs involved in moving agricultural representatives from one area to another, or extension branch personnel, home economists, and others.

**Mr. Jackson:** I understand, Mr. Chairman, that it is moving costs. I was just wondering how many officials have been moved.

**Hon. Mr. Stewart:** Well, we will get that figure. I cannot tell you right off the bat.

**Mr. Gaunt:** Mr. Chairman, is there any set policy within the department as to the time limit that a home economist, for instance, can remain in a country? Is there sort of a revolving system that you have?

**Hon. Mr. Stewart:** No, there is no time limit. May I also reply to the member for Timiskaming: there are 45.

**Mr. Chairman:** Item 7 agreed to.

On item 8.

The leader of the Opposition.

**Mr. Nixon:** This grant programme was introduced with rather fortuitous timing about a year ago. I do not have the figure before me as to what we voted to finance it for the part of the year in which it was applicable, but the \$10 million that we are voting for this year would be for the provision of these facilities that are supported by the government on behalf of the individual farmers.

I well remember the objections the Minister raised when we compared the efforts by The Department of Agriculture in the province of Quebec for some years past in helping their farm community upgrade their facilities, particularly the technological aspects of what the farmers there had to have to meet the requirements to ship top quality milk and to provide the other farm improvements, including drainage, that was improving the technology down there, up to and in fact ahead of Ontario.

It was last year, centennial year, or election year when the government decided that we would get into the same sort of improvement techniques here. I wonder if the Minister can give us a report as to the utilization of last year's funds, and his predictions of how many farmers are actually going to be in receipt of a share of the \$10 million this year, and whether there was an overrun from last year in the amounts provided—whether it was all spent, or was there some surplus?

**Hon. Mr. Stewart:** Yes, I have those figures here, Mr. Chairman.

The total construction and drainage grants were \$6,245,000 and the ARDA grants—the ARDA participation in wells was \$325,000; there were 950 applications. Under the construction and drainage applications, 9,502; and under ponds, there were 481; and under field enlargement, there were 2,308.

There were quite a sizeable number, and I believe that it all totals up to something over \$7 million that was paid out last year.

**Mr. Nixon:** Yes, well, Mr. Chairman, the number that applied could not be found by simply adding up those figures, because they would apply in more than one area. How many farmers last year took part in the provisions of the grant programme? Have you got that figure?

**Hon. Mr. Stewart:** All I can give you are the applications, that is all. That would require sorting out—as to whether a man applied for field enlargement, or whether he applied for a well or a pond. And he could apply for all three, or he could put the whole grant into one, but—

**Mr. Nixon:** I would like that information, but not now.

**Hon. Mr. Stewart:** But he wants the individual farmers. We have the total applications, 13,249. This is the total number of applications, but one farmer might have applied for more than one grant.

**Mr. Nixon:** Would that come in on the same application?

**Hon. Mr. Stewart:** Not necessarily, because he might have applied for field enlargement grant in one time of the year, and a well at another time of the year, and something else sometime again. There were 13,249 applications dealt with, and the exact figure in grants paid was \$7,162,287.94.

**Mr. Nixon:** What was the residue from last year's total?

**Hon. Mr. Stewart:** There was a \$10 million vote last year and that would leave the residue of a little over—about \$2.8 million.

**Mr. Chairman:** The member for York South. The member for Huron-Bruce.

**Mr. Gaunt:** Mr. Chairman, I encountered a problem in relation to the fence-row removal. It concerned itself with a man who had his own equipment. He had his own bulldozer, and other equipment associated with that type of work. He put in his application and in the application, of course, was the amount of hours he worked and the amount of money per hour which he charged and so on.

I found out that he had encountered considerable difficulty with the department, and in turn the department with Treasury board, in trying to get this particular item approved, because Treasury board said we cannot approve it because the man is doing his own

work. So the man in question was placed in a position where he actually—had he collected the grant, I hope he eventually did. I took it up with the department and we were trying to work it out and I never really did find out whether in actual fact he did receive the grant or not. But he was placed in a position of actually coming to a decision to hire someone else to do the work for which he had the equipment.

It seems to me that this was a rather ridiculous situation. He had the equipment to do the job, but the department said, "we cannot pay you if you are using your own equipment." And this was the way it stood, so I hope that the department can work something out. It was not a case of where the man was overcharging. He was charging the going rate. He was charging the rate which he would have charged had he been working for someone else, but he happened to be working for himself and the department said, we just cannot do that. We are paying money to a person, and a farmer who has his own equipment.

**Hon. Mr. Stewart:** Had he looked at the capital grants application form before he did the work, he would have found out that assistance is exclusive of the applicant's own labour and machines, for very obvious reasons. I do not need to explain that to the hon. member. It just is not possible to do that kind of thing. You would never be able to check things effectively. After all, if a man has his own equipment, surely to goodness he is going to clean up his own fence block. He does not have to be subsidized by the government if he has got his own bulldozer to do that work. Lots and lots of us have done it ourselves.

**Mr. Chairman:** Item 9.

**Mr. Sargent:** Did you mention ARDA a few minutes ago in this capital programme?

**Hon. Mr. Stewart:** Yes.

**Mr. Sargent:** In this \$10 million voted last year for the grants with capital purposes.

**Mr. Chairman:** Order, please! I find ARDA project under item 9 of the—

**Mr. Sargent:** I know, but he mentioned ARDA as part of his deal.

**Hon. Mr. Stewart:** It covered capital grants—

**Mr. Sargent:** But under this particular grant you are talking of \$10 million last year and \$10 million this year?

**Hon. Mr. Stewart:** That is correct.

**Mr. Sargent:** And you did not—you used about \$7 million too last year, roughly. Now you have about \$2.8 million unused there under the ARDA programme, and there were about \$3 million you did not use in ARDA. Right—unexpended?

**Hon. Mr. Stewart:** No.

**Mr. Sargent:** I am trying to establish the point that you have these millions of dollars you are not using for agriculture. Under this programme of capital grants for capital purposes in farm development, does that include land use? Nothing to do with it.

The Prime Minister (Mr. Robarts) announced the policy to the Ontario federation in November, 1967, that this government was involved in a detailed analysis of all programmes that relate to regional growth, but this is not under capital—land use is not involved here at all?

**Hon. Mr. Stewart:** Not in this, no.

**Mr. Sargent:** All right, thank you.

**Mr. Chairman:** Did the member for Port Arthur want to speak on item 8?

**Mr. R. H. Knight (Port Arthur):** Mr. Chairman, I see that item 8 of vote 102 has to do with farm development and I presume that the question I am going to ask will apply here. I hope it will.

In travelling from Queen's Park to my home daily, I travel that 100-mile stretch between Toronto and Trenton. What impresses me is the remarkable farm land all through that area, but what impresses me even more is the amount of the farm land that has been taken over by industry.

I wonder if, under this section or some other section, the Minister has some kind of moneys being spent for specialists or someone to keep an eye on land use? It seems to me that an awful lot of very valuable farm land here in southern Ontario is being swallowed up. Perhaps it does not look too serious now, but looking ahead with a certain amount of vision, to the years in the future, it is possible to conceive that perhaps an awful lot of this land will be taken over by—

**Mr. Chairman:** Order, please! I am sure these remarks would better be directed to



The Department of Trade and Development when they come up—regional development.

**Mr. Knight:** I am trying to establish that I feel there is a position that The Department of Agriculture and Food should have here, since it is the protector of our farm lands and the farm industry.

**Hon. Mr. Stewart:** I appreciate what the hon. member is saying, but this has nothing whatever to do with this vote. The grants he is talking about under item 8 apply to capital grants for buildings or drainage or wells or farm ponds or field enlargements. These are capital grants and have nothing to do with what the hon. member is talking about; if I may suggest, Mr. Chairman, it is not under this vote at all.

**Mr. Knight:** Could the Minister please inform me under what item I could reintroduce this matter?

**Hon. Mr. Stewart:** It is not under our department at all.

**Mr. Knight:** Does The Department of Agriculture and Food take no responsibility whatsoever for—

**Mr. Chairman:** No, the regional development programme includes all aspects of the requirements, farm areas, industrial areas, fruit areas, everything else—it is under regional development.

**Mr. Knight:** Well, I think it is high time that the department, Mr. Chairman, did take keener interest in this.

**Mr. Chairman:** Through the regional development.

Item 8. The member for Oxford.

**Mr. G. W. Innes (Oxford):** Mr. Chairman, the capital grants, I understand, can be spread over a period of years, is this correct?

**Hon. Mr. Stewart:** Twelve years.

**Mr. Chairman:** Items 8 to 10, inclusive, agreed to.

Vote 102 agreed to.

On vote 103.

**Mr. E. R. Good (Waterloo North):** Could the Minister tell me, are the salaries of the crop insurance branch included in this item, and if so, could crop insurance be discussed under this item, or where should it be discussed?

**Hon. Mr. Stewart:** Yes, they are. And if the hon. member will look on page 11 he will see crop insurance branch.

**Mr. Good:** Yes, I am aware of that.

**Hon. Mr. Stewart:** Mr. Chairman, might I point out that the various items that are mentioned under vote 103, that is, 1, 2, 3, 4, 5 and others, are all dealt with in detail at the bottom of page 10, continuing onto page 11, and on page 12.

**Mr. Good:** Under which item should crop insurance be discussed, that is what I am inquiring. It is not shown under any of the numbered items.

**Hon. Mr. Stewart:** Well, the member will see it on page 11, crop insurance branch.

**Mr. Good:** I am quite aware of that, Mr. Chairman, but under which item should it be discussed? It is not listed under any item.

**Hon. Mr. Stewart:** Salaries.

**Mr. Good:** Thank you, that is what I wanted to know. Then I would like to discuss it right now and ask a few questions of the Minister. First of all, the select committee of the Legislature which studied the crop insurance aspect in Ontario brought in a recommendation that there was very little interest and there was no reaction among the farmers of Ontario to promote this. I am wondering what developed in the period of five years which brought about the introduction of crop insurance into Ontario when the recommendation was definitely opposed to it originally? Could the Minister give me a brief—

**Hon. Mr. Stewart:** Mr. Chairman, I would be very happy to answer the hon. member. I was chairman of that select committee on crop insurance and there are surprisingly few left of us in the House who were members of that committee. I well recall the report that was brought in and the hon. member, Mr. Chairman, is quite correct in saying that there did not appear to be the slightest interest by the farmers of Ontario in implementing crop insurance.

However, the droughts that plagued eastern Ontario had not then taken place. The farmers, at the time we were discussing crop insurance through that select committee's auspices, were of the opinion that there was such a diversity of crops grown in Ontario that seldom if ever would there be a time when there would be no crop grown. But because of the drought that hit eastern Ontario, particularly that area from Hastings

county east, we were faced with very severe problems when literally there was nothing growing.

The federal Minister of Agriculture at that time, when we went to him to seek assistance from the federal government to help out the farmers of eastern Ontario, said that before he would guarantee any help whatever to the province of Ontario to provide assistance to those farmers who were literally desperate in those days, the province of Ontario would have to bring in a crop insurance programme or guarantee to bring in a crop insurance programme.

I called it nothing but blackmail and told him so, because here was a situation where thousands of farmers, I believe something like over 14,000 farmers, were desperate. There was no feed for their livestock and nothing for the winter supply ahead. We held up the programme for at least three weeks until we finally came to the place where we were ready to admit that if he would help us we would go along with crop insurance.

Now that is how crop insurance came to be introduced in this province. At the time of the deliberations of the select committee, the farmers said that because they had to carry the first 40 per cent and it was only payable on the last 60 per cent of loss, they really were not interested if there was that much deductible.

So we insisted with the federal Minister of that day that there be at least up to 80 per cent coverage available for these various crops and that The Federal Crop Insurance Act be amended to provide for forage insurance or insurance on forage crops. Up to that time it was only available on grain; no other crops were available, fruit or anything else. This simply did not suit the farmers of Ontario.

We got this concession from the federal government through mutual agreements that they would agree to amend the Act to cover corn and other forage crops, including pasture and hay, fruit crops, and vegetable crops, if we were to introduce the crop insurance programme. Now this is the basis upon which it was introduced and now we have been able to expand it until we have the widest coverage of any province in Canada.

**Mr. Good:** Mr. Chairman, I would like to ask a few other questions. According to the Act, you are permitted to re-insure with outside carriers. Does the department do this at all or do they carry the liability themselves?

**Hon. Mr. Stewart:** We re-insure with the federal government, the federal crop insurance plan.

**Mr. Good:** In the light of the slow start which this has had in its first year of operation—which is the last report I was able to get in spite of the fact that the year ended on March 31 of this year. There is no further report. Over half the coverage is in a few counties in southern Ontario. Essex, Kent, Lambton and Haldimand have over half the original contracts and some of the counties in which a lot of farming is taking place have four contracts, six contracts, one contract down in eastern Ontario. So it is quite obvious that this did not meet with too much approval when it was first introduced.

I could not get the figures, Mr. Chairman, as to what the losses were the first year of operation. The premiums taken in were \$47,000, the grants of the provincial and federal governments amounted to another \$20,000, so the total premium was \$68,000. I was told that the losses the first year on the winter wheat plant exceeded the premiums taken in. Could the Minister tell me what the actual losses were the first year on the winter wheat?

**Hon. Mr. Stewart:** They were \$92,775.60.

**Mr. Good:** The losses then were some \$24,000 over the premium. Now was this money paid out of general treasury or was there a loan of the federal government as is allowed under the Act?

**Hon. Mr. Stewart:** Loaned by The Department of the Provincial Treasury to the crop and insurance commission to pay this.

**Mr. Good:** You did not, as is allowed under the Act, borrow the money from the federal government to pay this loss?

**Hon. Mr. Stewart:** No, not in this case.

**Mr. Good:** Now, going to the first annual report of the crop insurance, and unfortunately this is the only report available, I find it hard to reconcile in my own mind how premiums of \$47,000 which were received the first year could require \$68,000 worth of administrative expenses to look after them. Would the Minister care to comment on why their statement of administrative expenses amounted to some \$68,000 and all you were handling were \$47,000 worth of premiums?

**Hon. Mr. Stewart:** I think the hon. member has to recognize that an enormous amount

of work was done in the organization of the branch and in setting up the crop insurance branch, advertising and all the rest that went into this cost. Admittedly the number of participants was disappointing, no question about that at all, but we are hopeful that more farmers will participate. I think if more farmers participate, the average cost will go down as far as administration is concerned. I can assure you that if there is any criticism of the branch it is because there was not enough help rather than too much.

**Mr. Good:** Thank you. Would the Minister care to comment, Mr. Chairman, on why, for instance, in Alberta, the second year under the plan, they had 4,000 farmers participate compared with 400 in Ontario; their total premiums were in excess of \$1 million and their indemnities paid out were something like \$370,000. Now, our experience here seems to be exactly the reverse. You cannot get farmers to participate.

I have asked farmers about it. I have said: "What do you think of Ontario crop insurance?" They say: "It is great but I would not have it." I say, "Well, why not?" "Well, the premiums are too high, I will take my chances on a loss this year—on a little bit." This seems to be one criticism of it, Mr. Chairman.

In your forage crop coverage I understand you have to cover the whole crop of forage on the farm, your hay and your corn together. If your hay is no good, well your corn is good, you still do not have much of a loss overall. In comparison, a farmer will say, "Well, I have to insure it all in one lump sum; if my corn is poor, perhaps my hay crop will be good and I will take a chance."

Most of the farmers I have spoken to feel that premiums which are getting up to 8 per cent of the coverage allowed, are too high and they just cannot afford this plan. Would the Minister care to comment on this please?

**Hon. Mr. Stewart:** Are you sure that it was crop insurance in Alberta; or was it Prairie Farm Assistance Act coverage?

**Mr. Good:** The Alberta crop insurance programme, in its second year, sold insurance to 4,408 farmers whose coverage for grain crops total \$13,392,000. Total premiums were \$1,003,638; 444 farmers were awarded \$307,847 in indemnities. I have figures for all provinces and I found it easier to get figures for the other provinces than it was to get figures for Ontario.

**Hon. Mr. Stewart:** Mr. Chairman, one of the reasons that there could be a wider acceptance of crop insurance in Alberta is because of the specialized crop programme of the province. First of all, when crop insurance was introduced, it had only application really in the western provinces; Manitoba was the only province that carried it for years. I do not know whether Saskatchewan has gone into the programme yet or not. They may have, I am not sure; I am told they have.

The problem is this, that out there, a man was carrying all his eggs in one basket as it were; he either had it in wheat or barley or rye, or whatever it may be, and if he had a loss he lost everything. Down here, just as you so well said, farmers suggest—well, if I lose the hay crop, I have a good crop of corn or vice versa, we will not lose it all—you know. So, they are more reluctant to place insurance coverage on their crops. There is such a diversity of agriculture here that farmers are more reluctant to do this.

We think there is great merit in exploring further the suggestion that I have made in my speech at the introduction of the estimates the other night, where we might expand the possibility of providing a plan for the farmer just to cover his costs in planting the crop.

In the days when we first talked about crop insurance this was not wanted at all; they wanted real coverage up to 80 per cent. Now the costs are so high to provide 80 per cent coverage the farmers do not want that.

**Mr. Sargent:** Why could you not subsidize the cost?

**Hon. Mr. Stewart:** Well, of course, you could subsidize the cost of everything. If you want to pay the entire cost that can be done, but I do not know whether you really want to do this or not. We, in Ontario, pay 5 per cent of the premium. We were the first province to introduce any type of premium assistance at the provincial level and we were severely criticized by many other provinces for even paying that.

I would suggest that we think there is a great deal of merit in this suggestion that a type of crop insurance be made available to farmers to cover their costs of planting. For instance, it can be used for collateral; a farmer could go to the bank and say, "Well, my crop is insured—the cost of the fertilizer, the seed, the herbicides and insecticides or whatever needs to be used, the cost of work-



ing the ground; the rent on the land, the taxes will be so much—I want to buy that much insurance on this crop.”

When he obtains a contract for such coverage he takes it to the bank. The banker is certain that the farmer is going to get that much money regardless of his crop loss. To me this is excellent collateral for a banker to loan money on. We think there are possibilities in this and the farmers now are looking for such a plan; but they have not in the past at all.

**Mr. Good:** Mr. Chairman, just one more comment. It is hard for me to figure out, from what I have looked into, why our experience here has been so disastrous in losses compared to other provinces. They give the figures on the losses and there is nothing that exceeds 30 per cent of the premiums paid in losses for that year.

Now, I have spoken to agents who sell this: they say they are selling two contracts a year; there are 120 agents. They say there are four in our county that had contracts last year; there were six in Brant county. Well, to me this is not insurance. When you cannot sell a subsidized product there must be something wrong; maybe there is no market for it in the dairy type or in a mixed farming type of operation.

I think perhaps this is borne out by the figures when Essex county had one-quarter of the contracts the first year; they were dependent probably more on a cash-crop type of operation. So, I am wondering, just to finalize this, what steps the Minister has taken.

I would also like to make a comparison here and ask for an explanation: maintenance, under this crop insurance, is shown at \$259,000 compared with \$81,000 in last year's operation. Now this is part of your administrative expense I understand. You are working on a very substantial increase here and subsidy payments also, are shown as being highly increased. Are you expecting another disaster year, comparable to your first year of operation, this year?

**Hon. Mr. Stewart:** We are hopeful that there will not be such a call on the insurance. I suppose that there could not have been a worse year in Ontario's history, other than the drought years of a few years ago, to introduce crop insurance, than when they introduced it last year. And I think that the agents and everybody associated with it may not have understood it as well as they might today. But the increase in the budgetary requirements that are indicated in our esti-

mates this year, are in anticipation of a vastly expanded programme which we hope the farmers will accept.

My hon. friend complains about the programme not being accepted, Mr. Chairman, but for the life of me I do not know how you force farmers to buy crop insurance, if they have never bought crop insurance, and if they are willing to carry the risk themselves.

A great many farmers, when we introduced this crop insurance programme, said to me —“that is a wonderful idea, the very thing. Crop insurance is one of the best things we ever heard of in Ontario. Tell me, are you going to make it compulsory? No. Oh that is wonderful, great idea, do not make it compulsory.”

This is the secret right there; that is why it is not going across because farmers will carry their own risk—they always have and maybe they always will.

**Mr. Innes:** Mr. Chairman, are the tobacco people covered under this crop insurance?

**Hon. Mr. Stewart:** Not as yet. There are negotiations going on with the tobacco people to try to work something out but they are not covered as yet.

**Mr. Innes:** I would think this is one area that you would—

**Hon. Mr. Stewart:** Yes, I agree that it is, but there is one thing about this crop insurance programme that the tobacco people do not like and that is that it applies on the whole crop, whereas the tobacco farmers want spot loss coverage. So they can buy hail insurance and I think there are at least 20 different companies selling hail insurance in Ontario. It is available on every crop, almost, that is grown in Ontario with maybe the exception of an odd one in the fruit and vegetable industry. But the tobacco farmer likes that because if a hail storm goes across his farm and he loses a little corner of the field he gets paid for it. Under crop insurance he would not unless he lost an amount that was stipulated in the policy.

**Mr. Innes:** Do the fruit farmers come under the same type of policy or are they included?

**Hon. Mr. Stewart:** They are not included yet. White beans have just been approved by the federal government as a programme under crop insurance this year. We have not got into fruits yet.

**Mr. Innes:** Soya beans?

**Hon. Mr. Stewart:** Soya beans are covered; corn is covered; forage crops are covered.

**Mr. Sargent:** Where are we, Mr. Chairman, 103?

**Mr. Chairman:** Vote 103, item 1.

**Mr. Gaunt:** Mr. Chairman, I notice that in Manitoba, the crop insurance rates, the coverage there that is associated with the premiums is based directly on the history of risk and production in each soil rate zone.

I think out there if you have no claims within a two-year period you get a reduction—I think it is something like a 23 per cent discount on your premium rate. If you pay the premiums before a certain period in the year—I think it is August—you get another 5 per cent reduction in your premium. I am just wondering if in fact the commission here has given any thought to that type of rating?

**Hon. Mr. Stewart:** Here we allow 5 per cent reduction in premium if the farmer has had no claims in the previous year. That is, in his premium for this year he gets a 5 per cent reduction.

There is one difference between the crop insurance programme that was introduced in Ontario and that introduced in western Canada. Western Canada had the exact records of the various farms right across the province in the various areas through the elevator records of production. It was a history to go on. We did not have that in Ontario.

In western Canada, as well, the federal government would not approve the introduction of a crop insurance programme unless there was a township, or a part of a township, or a given area that came in, and a minimum number of farmers within that area had to take the insurance. I believe 25 per cent of the farmers had to buy insurance in that area or the plan was not in effect.

Now we, recognizing the points that have been brought out by many members here now, felt that that plan simply would not work in Ontario, so we offered it on an individual basis without stipulating that in a given township so many farmers would have to take insurance.

**Mr. Spence:** Mr. Chairman, under this item, how many agents has your department got selling crop insurance in the province and what commission is allowed these agents?

**Hon. Mr. Stewart:** One hundred and seventy.

**Mr. Spence:** And what commission is allowed the agents for selling crop insurance?

**Hon. Mr. Stewart:** It is \$8 of a basic fee for writing the policy, then there is so much percentage on the amount of coverage that is written—10 per cent of the premium for the agent.

**Mr. Spence:** Does that compare with other insurance—selling other insurance?

**Hon. Mr. Stewart:** I think generally it does, yes.

**Mr. Spence:** Who adjusts losses in case of losses with crop insurance?

**Hon. Mr. Stewart:** There are adjusters appointed throughout the province that can do that job.

**Mr. Spence:** In each county, Mr. Chairman?

**Hon. Mr. Stewart:** Not necessarily, because there has not been enough coverage to warrant that many appointments, but we feel the province is well covered.

**Mr. Gaunt:** Mr. Chairman, I suppose it is possible to discuss the livestock branch under this item as well and I want to make a few comments about that if I may. The DHIA programme comes under the livestock branch I believe and I—

**Hon. Mr. Stewart:** Mr. Chairman, I am quite willing to do this, to discuss it, but I wonder, Mr. Chairman, if we can come down the lists so that we would know item by item?

**Mr. Gaunt:** The problem is that it is not listed as—

**Mr. Chairman:** The salaries under item 1 totalling \$4,142,000 are spread over all of the various branches and this is the difficulty in trying to move these over to the—

**Mr. Gaunt:** I see. Then we have to take it as one vote, I guess, it is all we can do.

**Mr. Chairman:** Perhaps we can—we will proceed with the livestock branch and then maybe I could deal with specific items.

**Mr. Gaunt:** All right. Mr. Chairman, I believe the Canadian conference on milk recording last fall brought out some rather revealing facts about the milk recording in this province and in every other province in Canada, as well as the ROP system at the federal level.



There appears to be differences between the programmes which are not really related to logic or good milk recording patterns or practices, and the precise terminology has evolved in milk recording, which has been practiced in many countries but does not seem to have any uniform pattern in this country. In other words, each province has its own individual terminology in terms of milk recording and this, in many countries of the world, just is not the case. It is confusing to many people and it does not make for uniformity insofar as people who are buying cattle from overseas are concerned or even from province to province.

It would seem to me that the basic rules should be applicable right across Canada. This would certainly add to the accuracy and authenticity of the records. Even the terminology, I would think, could very well be made uniform, so that in every province in Canada if you said "supervisor" they would know precisely what you meant.

As I understand it, the dairy farmer in Ontario is quite pleased on the whole with the DHIA programme, but one of the difficulties with the programme is that we have not had enough room to manoeuvre, as it were. The programme is limited to an extent by the lack of finances. I do not think it has been promoted to the extent that it could have been promoted, although I read in the annual report where the department actually did promote the programme to quite an extent this past year. Of course, there is no point in promoting it unless you have the finances to carry out the programme. I think that finance has been a big item insofar as the limitation the programme has experienced in the province of Ontario.

There are a number of other problems associated with it. Herds that comprise 80 per cent or over of purebred stock have to switch from the DHIA programme to the ROP programme and while they are on DHIA they can get information on the cost of production. They can obtain information relative to their farm operation in the cost of production—how each cow is performing and the feeding costs and everything associated with that. But then, when they switch—if they have over 80 per cent purebred stock they have to switch over to the ROP programme. That programme only gives them the production records of each cow and so they do experience some difficulty in that respect. And so, if you have got quite a number of purebred cattle in your herd, then you do not get this type of basic cost of production informa-

tion, which is vitally necessary, I suggest, to the wellbeing of the dairy industry.

I believe as far as DHIA is concerned, if you enroll in the regular plan—I think there are some 1,300 herds on the regular plan at the moment. This represents 3.5 per cent of the provincial dairy herd, so to speak; 3.5 per cent, which is fairly small. I suggest that the department should make the finances available to expand this programme greatly. I think that it should receive the promotion to which it is entitled. I feel that if we are going to make the dairy industry a vital and viable industry in this country, and in this province, we have got to get this type of information out to dairy farmers—indeed, all farmers, as far as that is concerned. We are talking about these programmes and, of course, they relate to dairy farmers. Now 3.5 per cent, I am sure that—

**Hon. Mr. Stewart:** Is that Ontario or Canada?

**Mr. Gaunt:** That is Ontario, on the DHIA programme.

Those farmers, I am sure, are good farmers. They represent the cream of the crop. They keep up with the latest in technology and the latest developments, and what have you. But I am sure that the other 96.5 per cent could benefit just as well from this type of information. Indeed, I think it would be perhaps even more to their advantage to be enrolled in the programme because they obviously represent some smaller farmers, and perhaps some poorer farmers, in the sense that they do not have the returns the other people have.

I think that one of the essentials in dairy farming, indeed in any type of farming, is to know your cost of production. You cannot make a profit unless you know your cost of production and in this sense, the DHIA programme is a very good instrument for a farmer to call his cows, to establish the sires within his herd which are producing the cows which give the most milk and so on. This type of information is very valuable and yet we have a very, very small percentage of our farmers enrolled in this type of programme.

So, I would say that in view of the fact that the ROP does not relate to operational costs, I would think that the department should give very serious consideration to greatly expanding this programme. I know that they have gone into the owner sampler operation—they branched off from their regular plan and this has meant that a great many



more farmers can take advantage of this type of information. But notwithstanding that, I still feel that it can be greatly expanded and should be greatly expanded to make this type of service available to a much greater percentage of farmers.

I would think, offhand, Mr. Chairman, that at least 80 per cent of our dairy farmers in the province should be enrolled in this type of plan because this is very essential information. I can think of countries like Holland, for instance, where something like 85 per cent of their farmers are involved in a plan comparable to ROP or DHIA.

I can think of places like the United States which have something in the neighbourhood of 16 to 17 per cent, which is not particularly high but it is nonetheless about five, six times what we have, and surely we should be giving some thought in this direction.

One of the criticisms from the farmers' standpoint that has been levelled at the programme is the fact that the information is somewhat slow in coming back. I realize there are problems involved here. I realize that it is not always possible to feed this information back on a month-to-month basis within a few days of the date the information is received, but the farmer seems to have the feeling that it could be speeded up and could be speeded up to his advantage. So I urge the Minister to give some thought to this type of thing and I hope that the funds would be made available to increase the programme across the province. I would welcome his comments, Mr. Chairman.

Hon. Mr. Stewart: Mr. Chairman, I have very few comments other than I think the hon. member has expressed the sentiments of all the people interested in these improvements to the dairy industry. The cow testing report that was done on behalf of the dairy farmers of Canada is a most interesting report. I have read it in detail. I thought one of the particular aspects that was of great interest to all of us was a recommendation that there should be greater farmer participation in the costs of the programme and that in areas where the costs were borne more heavily by the farmers than in our particular jurisdiction, there seemed to be greater participation.

This is one way that it can be done. I would say that last year we took in 1,000 new herds involving between 20,000 and 30,000 cows. We have 63,000 cows presently under the cow testing programme in Ontario and the purebred herds are eligible. About 25

per cent of Ontario herds are either on DHIA or the ROP programme that is carried on through the federal government today.

There is one interesting aspect, Mr. Chairman, to this whole business of cow testing, because the basis of it is to improve the production of cows. Get rid of the ones that are not producing and replace them with better cows.

On the one hand we have a surplus of milk products today. If we improve the production of our herds, as is the objective of this cow testing programme, we simply produce more milk and I am not arguing against the programme. But this is a fact, and some people have suggested to me it is one of major concern, when you think of the potential possibilities of dairy production in this country.

Mr. Gaunt: Mr. Chairman, that—

Mr. Chairman: Do you want to follow up the point?

Mr. Gaunt: I just wanted to follow one point in this connection, Mr. Chairman. The Minister mentioned that in countries where the programme is not heavily subsidized the participation of the farmers is much greater, and the report points this out. I believe in this province the subsidization amounts to something in the neighbourhood of 90 per cent. Is that correct?

Hon. Mr. Stewart: Even more!

Mr. Gaunt: Is that correct?

Well, in any case, the farmers, generally speaking, feel that they would be quite willing and quite prepared to pay a bigger portion of the costs of the plan provided they could get exactly what they wanted and get it on time and get it quickly. I think that point should be made.

Hon. Mr. Stewart: Yes.

Mr. Chairman: The member for Oxford.

Mr. Innes: Mr. Chairman, I think the Minister has completely missed the point of my colleague's comments when he said that if we have more cows we are going to produce more milk. I think the essence of what the member for Huron-Bruce said was that we are going to keep fewer cows and we are going to produce just as much milk. And I think that we have to follow along with what the department at Guelph has recommended and certainly we have people there who are

advocating greater participation of all farmers in DHIA and ROP work in the province.

I feel we should see fit to carry out the recommendations of Dr. Rennie. He intimates that today the average production per cow in Ontario is around \$7,400 and that by 1980 it should be in the neighbourhood of \$11,000 to \$12,000.

At the moment, sir, we are keeping around 925,000 cows and by 1980 he anticipates around 850,000. So I hope the Minister will agree with me in my remarks that we must keep fewer cows and get more milk—that is the essence of cow testing and the eventual outcome. I hope that he will co-operate with what the member for Huron-Bruce has stated. By reason of the studies that have been carried out and the amount of money we have spent to carry out these studies, we will co-operate with the federal department along with our DHIA and herd sampling and get right down to business. I think this is the truth of profit and loss for the farmer; whether the cow keeps the farmer or whether the farmer keeps the cow. And I think it is just as simple as that.

**Mr. Nixon:** Mr. Chairman, on the point made by the two previous speakers, the thing that concerns me is that there is some overlapping of responsibility between federal and provincial jurisdictions and this must be accompanied by a waste of money somewhere. A range of testing programmes should be available to the farmer whether he has got grade or purebred cattle or a mixture; whether he wants to weigh every drop of milk or whether he wants to weigh once a month; whether he wants a full economic report on his business; or whether he is concerned only with production.

Now ROP has expanded its facilities, DHIA has expanded its range of services, and the two overlap more than ever before. If there is going to be any co-operation, I think that the two Ministers concerned, who are in considerable contact from time to time, should work out a programme giving a range of services to the farmers and cutting out the needless expense that must be associated with the way these two programmes have grown without relationship one to the other.

As a matter of fact, when you drive around the countryside and see the efforts of the provincial department and the federal department, there is a feeling that maybe the taxpayer is caught in the middle. For example, go to the rapidly-expanding experimental farm in the Ottawa area and see the tremen-

dous pieces of equipment that are used. This is a federal farm, and I, as a taxpayer, am sometimes quite concerned that the two departments can very well integrate or at least co-operate and save money to a far greater extent than they have in the past.

This cow-testing business, I would say to the Minister, is an area in which to save money and give better service. If you could bring those two programmes together somehow, retain the reputation of the ROP and retain the flexibility and costs of DHIA—

**Mr. Sargent:** ROP means rout out the PCs.

**Hon. Mr. Stewart:** Mr. Chairman, after June 25, I would look forward to that greater degree of co-operation, and I am sure that the hon. members are.

Let me say this, that while the hon. member, the leader of the Opposition, refers to overlapping, I would prefer to say it is perhaps a duplication of services. We are presently working out new negotiations, not only between Ontario and Quebec, but between all provinces in Canada, and the federal government to try to resolve this matter, that the dairy farms of Canada brought to our attention.

**Mr. Nixon:** A farmers of tomorrow conference.

**Hon. Mr. Stewart:** Well, now, that might be a good idea; in fact, we have suggested that many times and we have—

**Mr. Nixon:** I am sure that you will have it with the federal Minister present—

**Hon. Mr. Stewart:** On more than one occasion we have suggested that, wherever possible, there should be an avoidance of duplication of services. The new reporting facilities now available on the computer at the university at Guelph will provide the farmer with information as to his poundage and test. His report will go out within 10 days of the tests being taken. This is the objective. We will have it this year.

**Mr. Chairman:** The member for Port Arthur.

**Mr. Knight:** Mr. Chairman, since we are talking about the dairy industry—I do not even know how to milk a cow. But I have some good friends in rural Port Arthur who do—and they have a very strange problem. I was kind of interested to hear some of the members here discussing this business of—you know—producing more milk and having

more cows. Well, we seemingly do not have that problem in the Port Arthur area. Apparently we have too many cows and too much milk, because these friends of mine tell me that they have to dump their milk from time to time. Being a city slicker, I find this very odd because I am paying 34 cents or 35 cents a quart for milk in the city of Port Arthur, and it bothers me to think that just down the highway they are dumping it. I just wonder why. I am quite ignorant on these things and I would suspect that you would be far more cognizant as to why this has been happening for quite some time now and why apparently it is going to go on happening and no one seems to be doing anything about it. Is there a good reason why farmers in any part of Ontario should have to throw away milk?

**Hon. Mr. Stewart:** Well, in your particular area, you are just not drinking enough milk. The farmers are producing it, and you are not drinking it. You are a good publicity man. I think you should go on the air and say: "Drink more milk—then we will not have our farmers dumping milk in northern Ontario."

**Mr. Knight:** Just one more question. I think we are drinking plenty of milk—and paying plenty for it. But is there any possibility that milk is being shipped into the local market, the Lakehead market, by supermarkets, chains or otherwise, thus causing undue competition to our local farmers? I mean, goodness only knows they no longer have any market for general produce of any kind up there, because it is all being brought in. I think every farmer in the North American continent has a market in the Lakehead—

Interjections by hon. members.

**Mr. Chairman:** Order, please. Vote 104 is the marketing special services division.

**Mr. Knight:** Well is milk under this vote?

**Mr. Chairman:** Marketing 104.

**Mr. Knight:** Oh fine, thank you, Mr. Chairman.

**Mr. Spence:** Livestock comes under this. Is that right?

**Mr. Chairman:** Livestock.

**Mr. Spence:** Mr. Chairman, from time to time, I have been asked why you do not keep a working flock of sheep at the Ridgetown college of agriculture and technology on account that quite a few farmers in that area are raising sheep. You keep other livestock, cattle and poultry. This has been brought to my attention many times. Why do you not keep sheep for research and for the benefit of those who produce sheep in that southwestern area?

**Hon. Mr. Stewart:** Well, we have the agriculture research institute of Ontario, and their job is to avoid the overlapping of research facilities at all institutions.

Now we have a very extensive flock of sheep at the New Liskeard college and the research data compiled there is available to all areas of Ontario. I do not think the hon. members want us to duplicate every research project in every institution. We have to avoid that duplication, cut down the costs.

I am interested in sheep and I think that sheep have great possibilities. I have reservations about whether some of the land in southwestern Ontario—because of the high cost and the kind of crops that can be grown on it—is the kind of land that we can grow sheep on, but perhaps there are ways and means of growing them and producing them under confinement as is being practiced at the New Liskeard farm.

Do you want any information for your farmers from that area? We would be more than happy to provide it as a result of those—

**Mr. Spence:** Thank you very much, Mr. Chairman.

**Mr. Chairman:** Is there anything further on the livestock branch?

**Mr. Gaunt:** Mr. Chairman, I want to talk about the hog industry.

**Mr. Chairman:** Well, it being 6 of the clock I do now leave the chair, and we will resume at 8 and we will call the member immediately at 8.

**Mr. Gaunt:** We will come back to the hogs at 8.

It being 6:00 of the clock, p.m., the House took recess.





# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 9, 1968  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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1968



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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 9, 1968

The House resumed at 8:00 o'clock p.m.

## ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD

(Continued)

On vote 103.

**Mr. Chairman:** Vote 103, item 1, salaries.

We were dealing with the livestock branch. The member for Huron-Bruce.

**Mr. Gaunt (Huron-Bruce):** Mr. Chairman, I wanted to make a few comments about the swine industry. I understand that the average Canadian hog has not changed in the last 15 years. The average United States hog has 10 pounds less fat and 14.3 more pork than 15 years ago. Of course, this indicates that the United States hog—

**Mr. D. C. MacDonald (York South):** I thought that Ontario was the land of opportunity.

**Mr. Gaunt:** No, it is not the land of opportunity in this regard.

This indicates that the United States' swine industry is conducting a very concentrated programme in order to get away from the lard-type hog which they have been used to producing.

I could not help but notice some few weeks ago on a country calendar that Harold Dodds had a programme on there dealing with this very matter and I thought that it was quite a worthwhile programme. He pointed out many of the things that were being done in the United States insofar as breeding programmes, and selection programmes were concerned in this regard. It seems to me that the swine industry in Canada, and in Ontario particularly, should be giving this matter a great deal of consideration. It is rather obvious that the consumer is oriented to the lean meat. They want to buy lean meat, they do not want to buy fat.

In addition, it is the fat that really runs up the cost of production as far as the farmer is concerned, so that from both the farm

and the standpoint of the consumer, it would be to the advantage of all to produce this type of hog, the lean meaty type of hog, for the market. I understand that the new grading standards will perhaps change the face of the hog industry, in Canada and Ontario. It is to be hoped that they will. They will make a contribution in this area, and we hope that the time will come when the farmers will no longer find it profitable to raise the fat-type, the lard-type pig.

We do not have the same type of lardy hog that the United States has, of course, but nevertheless our grade percentage here in this province is not very high. I think that it runs somewhere around 45 per cent, or 47 per cent, if I recall correctly, which really is not very high.

I was reading the other day in a magazine dealing with another matter in relation to the swine industry, but it touched briefly on this point, and I understand that in the United Kingdom all boars have to be licenced by law. I think that this reflects an attitude on their part that they consider it almost criminal to traffic in inferior-type animals.

I have been at many sales barns, community sales in my own area, and it is not unusual to see inferior animals being trucked from sale to sale. Of course, this type of animal does not do much good to the industry, and certainly it does not do the individual farmer any good. So it is rather obvious that top notch breeding stock must be developed in Ontario, and it must be produced on the farms across the province in order that we get this type of hog. What I am saying is that this type of thing does not happen by accident. It has to be planned; it has to be a concentrated programme on the part of the government and the breeders within the swine industry.

I noticed that The Department of Agriculture—and I am not sure whether this is the Canadian department or whether it is a joint programme—at any rate I gather that graders from The Department of Agriculture are going to undertake to weigh boars and conduct back-fat probes of these animals. Previously it was done strictly on the basis of



appearance and the ROP scores when selecting things for premium qualification.

In addition, Mr. Chairman, I think that in any of these selection programmes, age should be a factor taken into consideration. It is not easy, but it can be done. It is done I am sure in a good many cases where the farmer can produce a fairly high percentage of grade A hogs, but he restricts the feeding programme, and as a result they are a month later going to market than would normally be the case.

**Mr. Chairman:** Is the member speaking to the vote or is he reviewing the entire livestock production system in the province and making recommendations to the Minister? Just what is he doing? We are dealing with estimates.

**Mr. Gaunt:** I realize that, Mr. Chairman. We are dealing with estimates and we are voting money to the livestock branch, and it so happens that the hog industry is a very important part of the livestock branch. I suggest to you that I am right on the vote. In summary, Mr. Chairman, I point out to you the great need for improving the swine industry in view of the increasing competition from the United States in this regard. I understand that this year, I mean 1967—

**Mr. J. H. White (London South):** That is close enough. That is more accurate than most of the Opposition assertions in the session.

**Mr. Gaunt:** I am only a year out.

In 1967, the farmers in the province produced something in the neighbourhood of 330,000 more hogs than they did in 1966, but netted roughly \$6.6 million less than they did in 1966. Of course, that brings up the point about the annual meeting which was held in Toronto this year and I could not help but notice the tenure of the meeting; it had completely changed from previous years.

There was a great deal of preoccupation with the fact that a corporation control was taking over the industry, and one of the very real dangers of this is that feed companies and others who are involved in this, are much more interested in selling feed than they are in conducting their programmes which would be of benefit to the industry.

**Mr. Chairman:** Anything further on the livestock branch? May I just point out, we have been dealing with the livestock branch and—

Interjection by an hon. member.

**Mr. Chairman:** No. Order, please!

We have been dealing with vote 103, livestock branch. Now we had called item 1, which was salaries, and permitted a discussion on the livestock branch. The livestock branch—under items 13, 14, 15 and 16—is specifically mentioned under vote 103. Since we have covered the livestock branch—

**Mr. Gaunt:** There is one other matter that I want to deal with in the livestock branch, Mr. Chairman. It involves—

**Hon. Mr. Stewart (Minister of Agriculture and Food):** Is there any further discussion on hogs?

**Mr. Chairman:** Yes, is there anything further on the livestock branch?

**An hon. member:** On hogs?

**Mr. Chairman:** Well, we cannot take each separately.

If you look on page 11, under livestock branch, at the bottom of the page, items 13, 14, 15 and 16 are included in the livestock branch.

**Mr. E. R. Good (Waterloo North):** Could the Minister inform me, Mr. Chairman, under item 15, grants to beef improvement association—I was given to understand that with the passage of Bill 35 affecting the beef improvement association, that this \$20,000 grant would not be in the estimates this year. Now, are we wrongly informed on that—was I misinformed, or what is the situation with regard to that item 15 in the light of Bill 35 being put through this Legislature in this session?

**Hon. Mr. Stewart:** Two points, Mr. Chairman. First of all, my answer to the member for Waterloo North: the grant which is here to the beef improvement association is money that is needed for the interim period. It will take a while to get the regulations and the plan in operation. I do not know how many months it will be before it will be ready to go. This will help them carry on until that time. This was the regular grant they have always received; if they do not need it all, they will not get it all, but it is available to them till they get going.

In regard to the hog question that my hon. friend from Huron-Bruce raised, I could not help but agree with his thesis that there is need for improvement in hog quality in the province of Ontario. I would like to start off

by saying that the United States hog industry had a lot further to advance than we had.

The fact that they have made the improvement in the time that they have, does not really say that they have caught up to us yet. I would say that we have a programme going on here in Ontario now, evaluating by weights for age and back fat probing, that is the largest of any province in Canada. We have 2,500 boars under test now that have been back fat probed and being weighed for age for the ROP programme on hogs.

I think that this is a major step forward, but it has to be intensified. There has to be a greater appreciation, as I see it, among hog producers themselves in using these high quality boars to improve feeder hogs, because if the federal government implements the new grading regulations that are expected to be implemented then I think we are going to require a higher class of hog carcass then we have ever had before. Perhaps this is the way to bring about a greater appreciation for the necessity of quality breeding stock.

So I would agree with my hon. friend—we are moving in this direction. Certainly the progress that has been made has been made without the advantage that has characterized the cattle industry through artificial insemination. I would feel that if there can be significant progress made in artificial insemination of swine we could materially move forward in improving hog quality through the use of very high calibre boars to a much greater degree than we are today. I hope that will be a major breakthrough and there is great possibility along this line.

**Mr. White:** Mr. Chairman, if I may interrupt, I know you will want to welcome the Rosedale YPC who are our special guests in the Speaker's gallery tonight.

**Mr. R. F. Nixon (Leader of the Opposition):** Are they interested in fat backed hogs, too?

**Mr. V. M. Singer (Downsview):** Agriculture is just what they are interested in.

**Mr. E. Sargent (Grey-Bruce):** They look too intelligent to be Conservatives.

**Mr. Chairman:** We do indeed welcome these visitors to our chambers this evening. Anything further on the livestock vote? The member for Oxford.

**Mr. G. W. Innes (Oxford):** Mr. Chairman, in the public accounts they have a figure of assistance in the purchase of livestock to the

amount of \$20,221. What would this be for?

**Mr. Chairman:** What page is that on?

**Mr. Innes:** Page 822.

**Mr. Chairman:** That is 1967's public accounts, with which we are not dealing. We are on the 1968 estimates.

**Mr. Innes:** There must be a figure in the 1966 that is comparable?

**Mr. Chairman:** In 1966? We are dealing with the 1968 estimates.

**Mr. Innes:** Well, there is probably a hidden figure in there.

**Mr. Chairman:** What was the question again?

**Mr. Innes:** Assistance in the purchase of livestock.

**Mr. Chairman:** Grants and subsidies in item 13, under vote 103.

**Mr. Gaunt:** I want to talk for a moment about the beef cattle performance testing programme. Specifically I want to talk about plan A, the performance testing of individual bulls. I believe there are three programmes actually, but I am concerned at the moment with the first one, plan A.

I want to offer a suggestion to the Minister through you Mr. Chairman. As I understand it, in this plan the herd owner who has a bull that he wishes to be placed on test puts the bull on test, either on his home farm, or at the University of Guelph. This is done about eight months of age and the animal is on test for some 140 days. Then the tabulations are made. It seems to me that there is a very real weakness in the programme in that the initial period of the animal's life is not taken into account. Let me illustrate.

It is quite possible for an animal to come off test weighing, let us say, 890 pounds or 900 pounds and make the test, and it is quite possible for an animal to come off the test weighing 1,000 pounds and not make the test.

Surely we are concerned about overall gain and the ability of those animals to pass on to their progeny and the rate of gain factor. It seems to me that the better way to do it—and I would be interested in the Minister's comments in this regard because if there are any serious disadvantages to what I propose I would like to hear about them—would be to put the animal on test at perhaps a month old

and carry on for a set testing period at that time.

Then you not only take into account the overall rate of gain, but you certainly take into account the animals, or the cows in particular, who deliver better than average calves. You take into account the initial period where the cow is nursing the calf, and that is the cheapest gain you can get—you cannot get it any cheaper than that. It seems to me that the department should give consideration to this type of programme.

In other words, what I am saying is that if you established a programme and you said; okay, a Hereford bull at 12 months, or 14 months, or 15 months of age should weigh such and such a weight; a shorthorn bull at such and such an age should weigh so many pounds; similarly with Aberdeen Angus. Then you would take into account some of the things I have been talking about. As I said, if there are any serious flaws in—

**Hon. Mr. Stewart:** Would you base the subsidy on those weights, Mr. Chairman?

**Mr. Gaunt:** Yes, you base the subsidy on those weights and if the animal, let us say, a Hereford at 13 months, weighs 1,000 lbs.—I am just using this as an example—a Hereford at 13 months weighs 1,000 lbs. and those are your qualifications, then he qualifies. If he weighs 985 lbs., then he does not qualify and then, of course, does not get the premium. I would like to hear the Minister's comments in that connection.

**Hon. Mr. Stewart:** I am pleased to have these suggestions, Mr. Chairman. We are always looking for new and better ways to improve the performance testing policy for beef cattle. I just point out to my hon. friend that I think we have to recognize that the use of public money for such a testing policy as this to use better bulls must be based on their ability to transmit feed into beef. What you are suggesting, if I may suggest, Mr. Chairman, is that we establish a weight which is not the same for all breeds so that—

**Mr. Gaunt:** It could be the same for all breeds.

**Hon. Mr. Stewart:** If it were, this is what we are doing now. We are basing it on an average weight gain per day and then we are basing it on an average weight gain per day based on the age of the bull. Both ways are calculated. I think this is the fairest way to do it of any that I know, because really the farmer who buys that bull and gets the

government premium for the bull having completed the prescribed number of days on feed and having qualified as to the rate of gain, is interested in getting a bull that is able to transmit that feed into beef at the highest possible rate of gain regardless of whether it is a Hereford bull, an Angus bull, a Shorthorn, or a Charollais, or whatever it may be. I would have some reservations about your suggestion but I would like to tell the hon. member we will note his recommendations very carefully. We will give thorough consideration to it because I am pleased to have it.

**Mr. Chairman:** The member for Oxford.

**Mr. Innes:** Mr. Chairman, I think the Minister or his office has had representation from some of the AI units throughout the province in trying to formulate equal testing programmes for all AI units. As you know, at the moment the AI stud has the opportunity to test its own progeny from its own sires and as such, we feel that in some way our organizations have an advantage over others.

I would like to know what the department's position is to their being the party to operate the tests for the beef animals other than the individual organization doing it.

We feel that if animals were tested on an equal basis, having equal facilities for housing and rations and so on, we would get the true picture of progeny testing of the sires throughout the province.

At the moment, it is very hit and miss, dependent on management and the facilities that the individual operator has.

**Hon. Mr. Stewart:** Are these beef bulls you are talking about? What you are really suggesting is a central testing unit.

**Mr. Innes:** Right.

**Hon. Mr. Stewart:** I think there is some value in what the hon. member suggests, Mr. Chairman, but here again I would point out the practicality of the suggestion and would refer him to the fact that last year—I believe one year ago—the progeny from one of these performance tested sires won the grand champion load of steers at the Royal winter fair. These steers were from different herds but put together and fed by one farmer in the west. I suppose that the circumstances and conditions under which those cattle were fed and handled would be first rate. Perhaps the same conditions might not pertain in other places.



I think we have to recognize that it is a very expensive venture to set up that type of research programme. I think it is working reasonably well at the moment judging by the demands for semen of those proven tested bulls. But I do appreciate the hon. member's suggestion. We will give that consideration too.

**Mr. Chairman:** Livestock branch!

**Mr. Gaunt:** Mr. Chairman, there is just one brief comment I have in connection with my friend's reply. The problem is, and I do not know whether I stated it clearly enough or not, but some animals make very rapid gains initially and then other animals make very rapid gains after they are weaned. In your testing programme, as I understand it, these factors are not really taken into account.

So that if you have an animal that makes a very rapid gain initially then, of course, he tapers off; and he tapers off just about the time he is going on test and he ends up not making it. But in the final analysis, he may be just as heavy or heavier than a bull which did make the test.

Do you see what I mean?

**Hon. Mr. Stewart:** Thank you very much, Mr. Chairman.

**Mr. Chairman:** Anything further on the livestock branch?

The livestock branch, which is shown on page 11, includes items—

The member for Brantford on the livestock.

**Mr. M. Makarchuk (Brantford):** Not on the livestock, no. I want to speak on the whole—

**Mr. Chairman:** I want to get some votes clarified first. Bottom of page 11, livestock branch indicates that items 13, 14, 15 and 16 in the vote 103 are covered.

Items 13 to 16, inclusive, agreed to. Then we were dealing actually with item 1 in vote 103 which was salaries. Carried?

**Mr. Gaunt:** Well, salaries—

**Mr. Chairman:** May I say that the salaries are allocated to all the different branches and I will not exclude debate on the other branches if the salaries section is carried. It does not make any difference actually.

Did you rise to speak specifically on salaries.

**Mr. Makarchuk:** Yes, Mr. Chairman, will I get a chance to speak on salaries on the home economics branch?

**Mr. Chairman:** Yes. We will not exclude that when we come to it.

Item 1 carried?

**Mr. Gaunt:** Just the livestock.

**Mr. Chairman:** That is right, items 13, 14, 15 and 16 and item 1.

Items 1 to 8, inclusive, agreed to.

On item 9, ARDA projects.

**Mr. Sargent:** On item 9. Reading the public accounts, 1967, you have an unexpended amount of \$2,393,000 in ARDA. Could the Minister advise the unexpended amounts in ARDA in the past year?

**Hon. Mr. Stewart:** Mr. Chairman, under the agreement that was signed with the federal government, there were \$25,291,000 that were made available to the province of Ontario over the five year period. That covers this present agreement. Now all of it does not have to be used the same year. And while I note that there was an amount that was not expended, as my hon. friend here has mentioned, in the public accounts for last year, this amount has been carried forward so that the average over the five year period would be something like a little over \$5 million.

Now our expenditures in ARDA last year were about the \$6 million figure, so we are picking it up as we go along. There will be no problem about using the \$25 million up by the end of the year; in fact, I am afraid that we are going to run out.

**Mr. Sargent:** Mr. Chairman, what is your contribution?

**Hon. Mr. Stewart:** Our contribution is half.

**Mr. Sargent:** So you are going to spend \$50 million in the next five years in ARDA.

**Hon. Mr. Stewart:** No, it is \$25 million. Half!

**Mr. Sargent:** That does not sound right to me.

**Hon. Mr. Stewart:** Well, it is right, it is \$25 million.

**Mr. Sargent:** I thought you said that the government gave you more than that.

**Hon. Mr. Stewart:** I beg your pardon?

**Mr. Sargent:** I thought you said they gave you \$7 million.

**Hon. Mr. Stewart:** Seven million dollars? That was for a particular project. That was for the land assembly, the farm enlargement. That was one aspect, but it is spread over the years you see, it does not come out in one year; it is spread over the term of the agreement.

**Mr. Sargent:** Mr. Chairman, my concern is this, and this is very important, ARDA is more important to the outlying parts, as you will agree, than to the better farming areas of Ontario.

**Hon. Mr. Stewart:** Yes.

**Mr. Sargent:** It does not affect the lush land you have down there at Laurin, but my concern is that there is a great lack of education on the part of the farmers in our area on what ARDA can do for them. And there is a widespread interest, Mr. Minister, through you, Mr. Chairman, among these people who want to know what they can get from ARDA.

You have listed, as travelling expenses in the last report for this department spending potentially about \$5 million a year, the great sum of \$4,600 a year. You are spending \$80 a week on getting the programme to the people. This to me is shocking, the smallest traveller, huckster, in the selling game will spend more than \$80 a week.

And here you have a department with \$X million at their disposal to help the very depressed farmers in our area in Grey-Bruce, and you are not telling them what ARDA can do for them. So I suggest that first, you are not doing an educational job for them, and second, we have proven that you are not using the money available to you. So I would suggest that you put agents into these areas and hold sittings and hearings and let the people sit down and talk about what ARDA can get for them, and what it can do for this area.

In the Maritimes, they are doing a great job down there now. They are going out to the depressed farmer and they are doing a custom made job. They say, "What are you best suited for?"

Interjection by an hon. member.

**Mr. Sargent:** Pardon me! Nova Scotia has seen the light and the Minister brags about spending \$500,000 on an income study when Nova Scotia spent \$2 million on agriculture the same way. They are concerned about

agriculture down there. They are concerned because of the hold that the packers were getting on the beef industry.

Interjections by hon. members.

**Mr. Sargent:** They were so concerned that the Minister was opposed to FAME, even though—

Interjections by hon. members.

**Mr. Sargent:** And so, in Nova Scotia, the government down there gave the farmers the money to set up an operation with a concept and theme, but this government would not help the beef farmers of Ontario.

**Mr. MacDonald:** Are you suggesting—

**Mr. Sargent:** I am suggesting that they, these fellows are very—

**Mr. Chairman:** Item 9.

**Mr. Sargent:** I am talking about ARDA. I suggest that we do a custom job, sir, for people who want to know what is available to them. You have many responsibilities and in most things you do a fairly good job, I am beginning to learn, but I am very critical of the apathy with which you regard the overall economy in our area.

In England, for instance, they have 15 regional men working in the ARDA concept, and each regional manager knows the financial plight of each farmer in his area. But you have not got a clue what is going on because you are not spending the time and the money to do it.

So I would suggest to you that instead of conning the people in the agriculture industry of what you are doing for them, you put out this summary of ARDA projects in Ontario. If you had a good PR group they would say bury what you are doing, hide what you are doing from the public, because you are not doing anything.

**An hon. member:** Our PR group wants to hire you!

**Mr. Sargent:** Well, I would come pretty cheap to do a job for these people. You are talking about ARDA, your big claim to fame is community pastures. Big deal!

**Hon. Mr. Stewart:** Have you seen the one in your area?

**Mr. Sargent:** It is nothing to brag about.

**Hon. Mr. Stewart:** It is one of the best in Ontario, if not one of the best in Canada.

**Mr. Sargent:** Twice nothing is still nothing.

**Hon. Mr. Stewart:** Indeed it is.

**Mr. Sargent:** You have got—

**Hon. Mr. Stewart:** My hon. friend has not even taken the trouble to go out and see it, Mr. Chairman.

Interjections by hon. members.

**Mr. Sargent:** Mr. Minister, you have in this book for which you have a \$5 million budget or \$25 million—you should be like the Minister of Financial and Commercial Affairs (Mr. Rowntree); or the Provincial Treasurer (Mr. MacNaughton).

He is no piker. What he does is, he takes a project on which he is going to spend dollars in the Budget, and he multiplies it by twelve; he is going to do it 12 times, so he makes it a 12-year project; he is a real con artist, this man.

So here you are, you published this book and you got five projects going in Ontario. You got one going in Victoria county, one in Timiskaming, the district of Manitoulin, Leeds county, Bruce county, Thunder Bay and Grey county. This is your claim to fame in ARDA. I would suggest, being as kindly as I can, that you get off it and do something with the money that you have.

**Mr. Chairman:** The member for Kent.

**Mr. J. R. Spence (Kent):** Under this ARDA programme, I believe that the Minister set aside \$9,137,500 for this year to be spent on ARDA projects in this province. I must say, through you, Mr. Chairman, and to the Minister, ARDA has helped our part of the province. It has assisted greatly with grants to municipal drains, assistance for farm ponds, and other programmes that have been carried out under ARDA. But meeting, in different parts of the province, people who live close to these ARDA projects that are taking place, they are quite disappointed in how they are developing. It seems that they are not progressing as they would like to see them.

Another thing, Mr. Chairman, there is too much consideration given to land resources instead of human resources. We notice in the *Family Herald and Weekly Star*, two economists who made a study for the Canadian centre of community studies; they give quite a great deal of criticism to the ARDA projects carried on, not only in Ontario, but in every province across Canada.

They say also that the ARDA projects are giving too much consideration to land resources instead of human resources, and, Mr. Chairman, they say they set out in this report, that the province of New Brunswick and Manitoba, are carrying out projects; it is one of the examples of what we should be carrying out in the province of Ontario, and it is something that should be encouraged in all the provinces across Canada. When you see these articles time and time again—spending too little too loosely, rural development reports, doubts of ARDA effectiveness, and many other articles of criticism about the ARDA projects—it is not increasing the income for the people in those areas. I know that it is a tremendous task to get projects that will encourage or help people financially, but I would say that with the money that is spent—you see articles that the province of Ontario spent \$40 million up to now and the federal government, in our ARDA projects—and they are doubtful in this report—you are spending too much money for the results that are coming back.

I would like to hear from the Minister what his plans are. I know that he has studied this report about these two economists. What changes do you think, or what do you feel about the suggestions in this report? That it is not doing the job that it should?

One thing that I should say strikes me very well for areas that have very low income, is this financial assistance for the establishment of new industries for rural development and the retraining programme. This strikes me as something that should be encouraged more than it has been in the past. Perhaps it has, I do not know. I would like to hear from the Minister what his plans are for this year, to what projects or what his intentions are, or what he intends to spend this \$9,137,500 on? Is there any change in your ARDA programme in the province of Ontario for this coming year?

**Hon. Mr. Stewart:** Mr. Chairman, is anyone else going to speak on ARDA?

**Mr. Chairman:** Yes, there are:

**Hon. Mr. Stewart:** Let them go ahead and speak.

**Mr. Chairman:** Is that agreeable? The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, I have nothing at all to do with agriculture, but I was wondering if the



Minister would inform me if any amount of the money in this item is, or could be used for buying back land for use for public parks. The Minister of Lands and Forests (Mr. Brunelle) is spending anywhere from \$8 million to \$10 million a year in order to buy the land back that had been in the hands of the public. Now we find ourselves in the position of having to buy it back, and I was wondering if any funds under this item could be made available for that particular purpose?

**Mr. Chairman:** Does the member for Port Arthur want to talk about ARDA?

**Mr. R. H. Knight (Port Arthur):** I would like to ask the hon. Minister whether the economic study of northwestern Ontario announced by the Minister recently would come under the amount of money that has been appropriated here. I believe that in his press announcement at the Lakehead, he stated that about \$140,000 would be spent on this study.

**Mr. Chairman:** Under ARDA?

**Mr. Knight:** Under ARDA. I would like to know if this study is included in the amount indicated here.

**Mr. Chairman:** Are there any other members?

**Mr. Knight:** In connection with that, I am inclined to believe that \$140,000 will not produce the intensive study that perhaps some of us were expecting to see in northwestern Ontario. At this point could he say whether the department under ARDA would be prepared to go even further and spend further money if necessary to extend this study just as far as possible to make it just as thorough and as complete as possible?

There is just one other question in connection with ARDA. The Canadian policies for rural adjustments, a study of the economic impact of ARDA, PFRA and MMRA by Helen Bickley and Eva Tehanney concludes that ARDA has not been successful in helping the plight of the low farm income families because the plan has been land-oriented rather than people-oriented. I would like to ask the hon. Minister, through you Mr. Chairman, if his department is aware of this great problem, whether it agrees with it, and if so can the Minister summarize the change in policies that will be made, or have been made, in order to make the ARDA projects in Ontario people-oriented for low

income families especially, rather than just land-oriented.

**Mr. Chairman:** Does the member for York South want to speak about ARDA?

**Mr. MacDonald:** I have a topic dealing with the problem of marginal farms.

**Mr. Chairman:** Because the Minister is going to reply to all questions about ARDA.

**Mr. MacDonald:** Mr. Chairman, I have a topic; quite frankly I do not know where it fits, but it deals directly with the problems of marginal farmers. I am wondering whether or not it could be fitted into the ARDA programme.

Briefly, Mr. Chairman, if I may set the context of it, I think the problem of Ontario agriculture was presented in rather stark perspective by the Hedlin Menzies report in the single statistic that some 20 per cent of our farmers have economic security; 40 per cent have a situation that could, with the right policies, become economically secure; and 40 per cent were facing rather serious difficulties.

I have heard it argued, and I suspect it is the case, that in that bottom 40 per cent there are farmers who really want to stay on the farm. If they were to move off the farm and come to the city they would be misfits in the economy and society, partly because they have not got the skills, partly because they like the country, they like the farm. They do not want to go to the city. It raises the question of whether, for social purposes, it would not be better to assist those people to stay on the farm by improving their efficiency.

It is in that context I raise the question with the Minister as to what the department has done under the extension branch, or under ARDA, or anywhere, with regard to management co-ops.

For example, in Wisconsin there was a management co-op set up recently. I think it dealt with livestock. The result of this management co-op was to assist the farmers, on one hand, with comprehensive farm records, with long-range planning, with fertilizer applications, with construction remodelling of the livestock buildings, with buying proven breeding stock and on the other hand, it assisted these people to get capital—people who normally could not get credit because they were so economically unviable. But as a unit, with the backing of the extension department or the counsellors who came out

regularly, the banks were willing to give them the credit—sources that normally would not consider it.

Now, is there any development, or any prospect of this kind of a development in the province of Ontario? It seems to me that it is, from the human point of view, a serious error to take people who fit in the country and move them into the city where they do not want to go and where they are going to become misfits, economically and socially. From the social point of view, if not from the economic point of view—and conceivably in the economic point of view too—it would be better to try to make them economically viable through improving their approach to farming through management co-ops.

My question to the Minister is whether or not this development has emerged in Ontario, and what, if anything his department, through any one of the branches, might be doing to assist them.

**Mr. L. C. Henderson (Lambton):** Mr. Chairman, I feel somewhat different to some of the members opposite regarding ARDA. In the agricultural part of southwestern Ontario, which some of the members over there come from, I think you will agree with me that ARDA has done an outstanding job in the line of municipal drainage, farm tileage, water supplies, and repairs to the buildings. I have had many compliments from the farmers within southwestern Ontario about the help that they have received through this programme.

Now, there is one other question that I would like to ask the Minister. All across this province conservation authorities do have plans which suggest certain waterways, certain dams, be built. Is there any agreement worked out with the Dominion or through ARDA where there will be further help or any thoughts of any further agreement, where there will be further help to help out in constructing these dams for ARDA?

**Mr. Chairman:** Anything further on ARDA? The leader of the Opposition.

**Mr. Nixon:** It is sort of a novel approach to the discussion of an issue. I wanted to ask the Minister some more questions about the northwestern Ontario economic study that was raised by my hon. friend from Port Arthur, because when this was raised earlier in the House, as a result of the question, the Minister had indicated there was some delay in the approval from the federal government

because it was eventually financed through an ancillary fund of ARDA called FRED. What does FRED stand for?

**Hon. Mr. Stewart:** Federal rural economic development fund.

**Mr. Nixon:** And my understanding was that such economic surveys have been and could be financed through one of the sections of the new ARDA programme, and had been requested from this Minister two years ago, first by the federal member for the area. His understanding of this, and I tell you, Mr. Chairman, I have discussed it with him in some detail, his understanding of this, and mine as well, was that it was necessary for the province to initiate the request for such a study in this particular province. It would then be either rejected or accepted by the federal government. Mr. Andras, the member concerned, was under the impression the federal government would entertain a request from the province affirmatively, if he, as the member for the area, could persuade the government of Ontario to accept the responsibility for the initiative.

Now, the Minister and ARDA in Ontario eventually did this, but according to the Minister, as I understood his answer that day to that question, the financing was, in this circumstances, under FRED, which is a federal finance programme called federal regional economic development something or other. So that the explanation, I suppose is that if—

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** FRED is the son of ARDA!

**Mr. Nixon:** Yes, yes! I wonder who the mother was?

But it appears, Mr. Chairman, that it could have been financed as long ago as two years if the province of Ontario had moved affirmatively with any sort of initiative in this regard. It is hardly fair for the Minister now to say that it is the federal jurisdiction which has been lagging, because we know that in northwestern Ontario there are the serious economic problems that have been pointed out most recently by Eric Hardy in his very important report which was brought down just a few weeks ago.

So I think, really, in the use of ARDA funds it would be well to know if there are additional funds available to Ontario through FRED as this is part of the \$25 million appropriation, and also why the Minister did not move when it was first put to him as a viable suggestion two years ago.



**Hon. Mr. Stewart:** Mr. Chairman, there are quite a host of questions to which I have to reply. I am not sure I can reply to all of them, but let me start first of all with FRED, and with the comments of the leader of the Opposition concerning the correspondence I have in my hand from Mr. Andras where he suggests that this programme should be developed—probably you have it as well.

**Mr. Nixon:** It might be.

**Hon. Mr. Stewart:** All right. Now the story is that we had hoped that by advancing the idea to the federal government that there might be a study initiated through the request from the province, but paid for out of the federal rural economic development fund.

**Mr. Nixon:** Nice way to do it!

**Hon. Mr. Stewart:** Yes. We had hoped this would be done.

Well they did it in Manitoba, they did it in Quebec, they did it in New Brunswick and I believe they have done it in Prince Edward Island and in Newfoundland. Now we—

**Mr. Nixon:** When was this programme initiated?

**Hon. Mr. Stewart:** This FRED programme?

**Mr. Nixon:** Yes.

**Hon. Mr. Stewart:** There was \$50 million set aside by the federal government at the time the present ARDA agreement was drafted. They found that the \$50 million was not sufficient so they voted through the government of Canada an additional \$250 million, which brings it up to \$300 million.

**Mr. Nixon:** It is bigger than ARDA is it?

**Hon. Mr. Stewart:** It is an enormous fund that is held by the federal government. Now the way this fund operates is that there must be a complete study done on an area, and the basis or the criteria on which a study can be launched is the employment, the resources, the lack of employment opportunities through the lack of industry and what have you, in the area. We had hoped that this would apply in northwestern Ontario as it had in the other provinces, and that they would take this project on using some of that money to carry out the initial study. They refused to do this; this is why the delay took place. However—

**Mr. Nixon:** Just before we leave that point, is it not true that the FRED fund was designed for the "have-not" provinces, particu-

larly the Atlantic provinces? It was going to be an ancillary device to assist the Atlantic development board in doing the researches they needed? You mentioned this also was used in the west, but I remember when the debate on FRED took place in the House of Commons that it was specifically designed for the areas of Canada—the provinces of Canada—that needed this special assistance, and that ARDA was a shared programme designed for specifically for us.

**Hon. Mr. Stewart:** Mr. Chairman, there is no one who would agree more than I with the hon. member because I vigorously supported that position at the time the ARDA agreement was drafted or discussed in Montreal. I wanted it designated to those provinces, those so-called have-not provinces, but the federal government would not agree to this, they would not specify which provinces it would be used in.

**Mr. Nixon:** FRED?

**Hon. Mr. Stewart:** That is right—this one. Now they have expanded it beyond the \$50 million to \$300 million, and we could see no reason why, if Quebec was to get the kind of treatment that they got, why Ontario should not also qualify. This complete study was paid for by the federal government, followed by the implementation of the plan, the same thing as happened in New Brunswick where they are likely to spend \$70 million under this programme after the study is completed. The Interlake study on Manitoba was a similar type study. Why would they not do it for Ontario?

**Mr. Nixon:** They probably took you at your word, that you did not feel that it should apply here.

**Hon. Mr. Stewart:** Well, that is just so much nonsense. They did it in other provinces, why would they not do it here?

**Mr. Nixon:** We do not know, that is why I held it up.

**Hon. Mr. Stewart:** That is why it was held up. But the only way we could get it done was for us to put it under the present ARDA programme for this year and the province of Ontario offered to pay half the cost, which will amount, I beg your pardon—

**Mr. Nixon:** Offer! You have to pay half. do you not?

**Hon. Mr. Stewart:** In this particular instance yes. We said we would put it under our pro-



gramme whereby we pay half the cost to get on with the study.

**Mr. Nixon:** Well, I should think so. It has been held up for two years.

**Hon. Mr. Stewart:** Exactly, but it has been held up two years because we were trying to save the province of Ontario \$140,000 that we think should have been paid for by the federal government. Now, there is the real answer.

Interjections by hon. members.

**Hon. Mr. Stewart:** Well, I do not think there is anything very shaggy about that.

**Mr. Sargent:** What gives you the right to turn money down that is available to us people?

**Mr. Chairman:** Order! Item 9.

**Hon. Mr. Stewart:** My hon. friend, I am afraid, is lost in the fog someplace.

Interjections by hon. members.

**Hon. Mr. Stewart:** The programme has been launched and I hope that as a result of the study that has now been initiated, the task force will be provided with the results of the study that can quite possibly mean a tremendous lot to northwestern Ontario. I visualize a programme there similar to that which is taking part in other provinces where the federal government will use their enormous funds, for the benefit of that part of northwestern Ontario covered by this study.

The hon. member for Kent made reference to a report prepared by two very distinguished and talented ladies, economists who had looked over the ARDA programme in Canada at the request of the federal Minister of Rural Development and Forestry and prepared a report. I think perhaps if I may be permitted to say, Mr. Chairman, the report might have been more meaningful had there been greater discussion with the people who were really involved in the ARDA programme in the respective provinces.

However, I look upon that report not entirely with disfavour because I think it has pointed out certain things that they discovered. It is always good to have another person's point of view when you are administering a programme that is as big and as complex as ARDA.

But let me suggest this, that their study seems to look upon the only factors as economic factors. What has it done in dollars

and cents for this person or that person? If I may, Mr. Chairman, take the time of the House just to say this, that had those two lady economists had the opportunity, as I have had the opportunity, to talk to farm people, to rural people who have benefited from the ARDA programme in their areas, and found what it means to them in a new hope, in a new vigour and a new enthusiasm for rural living and the opportunities that it has provided through these manpower training programmes that the member for York South talked about, effective work is being done.

Now, it is taking a little different approach here in Ontario than the one you suggested as taking place in Michigan. Here we are bringing together, for instance as I mentioned in my speech the other night opening the estimates, 600 farmers and farmers' sons and full-time farm workers participating in full-time business of farming courses, sponsored under the Ontario manpower training programme and related to ARDA in this province. Think what that means to those people.

I recall very well at the Ontario farmers' union conference in Belleville two years ago, you were there, and you may heard these same things, but a farm wife came up to me during that conference and she said, "You have no idea what it has meant to our family to have my husband participating in that programme this year at, I believe, Alexandria."

"Because of that," she said, "we have learned things about the operation of our farm and how we can do things in a business-like way that will mean all the difference in the world to us." "But," she said, "above everything else, it has given us a new vision into the opportunities and the meaning of rural living in a business way."

I do not know how you measure these things in dollars and cents.

**Mr. MacDonald:** If the Ontario equivalent of those management co-ops in Wisconsin and elsewhere, is the manpower training, that does involve something which strikes me as being a pretty important aspect of the management co-ops, namely that you have some 600 people who are banded together and they are in effect under contract to the co-op. The counsellor comes out every two weeks, or every month, so there is not the danger of drifting off into old habits. They are, in effect, being schooled on the job rather than going and taking a course, leaving the course and going back home only to slip into old methods.

It seems to me that there is a protective device in the management co-op with the counsellor coming regularly, and with the person being committed to that contract once he signs it and becomes a member of the co-op. In other words, I am not arguing against what is being done here, but I am wondering whether there is not, in this other approach, a protective measure to assist people who have not the skills, or may lack other qualities that have made them poor farmers. You really have got to pull them out of the rut—lead them out of the rut.

**Hon. Mr. Stewart:** I think there is much merit, Mr. Chairman, in what the hon. member says. I take note of that. I would just point out to you that we do have farm management classes or clubs throughout the province. As a matter of fact, the first farm management club that was ever held in Middlesex county was held in my home, because I felt there was an opportunity for farmers in such a programme.

Starting from nothing, it spread to be quite a substantial club. Now, I suppose the best illustration of membership participation is in Bruce county, where George Gear started them off. There was an enormous club with 256 members in that organization at one time. This is a significant number of farmers participating in a club similar to what you are talking about. They did their accounting together, they compared their business practices, they know where to buy most effectively, how to buy and all these things that the hon. member for York South points out are a real advantage to a good farmer.

Perhaps the point that you raise is something that could be expanded on and maybe incorporated into these programmes as we go along.

**Mr. MacDonald:** To what extent is your extension department tied in with such plans?

**Hon. Mr. Stewart:** Our extension branch ties right in. As a matter of fact, the heads of these farm management clubs are our agricultural representatives who are oriented towards farm management and business of farming more than they are towards production and all the other things that have characterized their work in the past. Because, really, business is the problem in farming today, and so we have our farm management specialists, regional specialists, and then they work through the agricultural representatives down to the local farm level and to the club level.

So, here we have club, the agricultural representative, the assistant agricultural representative, the regional farm management specialist, and that is all tied right in to our farm accounting service, which is again tied to the computer which we have at the University of Guelph which provides analysis services for all the farmers that belong to these clubs. So it is tied in pretty well.

Of course, we would like to have every farmer in Ontario participating in this, but we can only go along with it so far.

Now, I do not know whether there is anything else.

Oh dams, yes. My hon. friend from Lambton asked what help there is for dams.

Under the ARDA programme, the grants are 75 per cent paid under ARDA and 25 per cent local for dams or reservoirs on conservation authorities. That is administered through The Department of Energy and Resources Management, conservation branch. But, of course, that is a part of the ARDA directory, just the same as programmes under The Department of Lands and Forests and my hon. friend from Thunder Bay mentioned provincial parks.

As a matter of fact, I had the figure here just a moment ago, for provincial parks I believe it is \$3,416,000 that is budgeted in this year's ARDA estimates for private woodlands assistance, provincial parks in certain rural areas and forest land consolidation. So the point that you raised is very much a part of ARDA, but it is administered through The Department of Lands and Forests.

**Mr. Sargent:** Is the Minister set to answer the questions I asked him?

**Hon. Mr. Stewart:** Oh, I did not make note of those, Mr. Chairman. Would you ask those questions again and I will try to answer them.

**Mr. Sargent:** Yes sir.

How do you justify spending \$4,000 travelling expenses to bring this message to our people on ARDA? You are spending \$80 a week on this multi-million dollar programme and—following my friend from Algoma-Manitoulin (Mr. Farquhar)—you are spending this year \$12,000 or \$250 a week on a multi-million dollar programme—

**Hon. Mr. Stewart:** The travelling expenses of our field personnel are included in the ARDA projects because you see we got a grant from Ottawa on those projects and they amount to \$46,000. I do not know where my hon. friend got the \$4,000.



**Mr. Sargent:** You have \$10,000 in the estimate.

**Hon. Mr. Stewart:** Yes, but that is a different item. You have to take it all together because the ARDA projects personnel are included in the projects for grant purposes from Ottawa.

**Mr. Sargent:** Will you please tell me why the people are not informed about what is available to them? Why do you not do an education job?

**Hon. Mr. Stewart:** I must confess that perhaps we have not done as good an educational job as we might have, but in these estimates we are providing for additional information services. As a matter of fact, this has just been approved and passed and I think you will see quite a stepped up programme in this regard. But we have now field staff that are appointed and in his own area we have an ARDA officer and two field counsellors. All of these people work through the local agricultural representatives and the various people associated with our extension branch.

So really, there is quite a co-ordination and, of course, The Department of Lands and Forests ties in with this, too, and regional development personnel and what have you.

We try to work them all together so that we are not all going in different directions.

**Mr. Sargent:** My only closing topic is that I think that you will be the first to admit that the province of Quebec has spent many, many millions of dollars more than you have on this ARDA programme—moneys that were available to you, which you did not use when you could have.

**Mr. Spence:** Mr. Chairman, may I ask through you to ask the Minister how many ARDA projects have you in the province of Ontario, and how much land have you bought? I understood that this land was supposed to be bought at \$100 an acre. Is that what you are paying for it?

If I remember correctly, through you, Mr. Chairman, I believe the Minister said to us last year that there were around 600 people taking this retraining programme.

Could the Minister enlighten us about what has happened to these people that have been retrained—or are they still being retrained or have they secured positions and moved to the city? What has taken place—a general idea what the results of that retraining programme have been?

**Hon. Mr. Stewart:** Mr. Chairman, we purchased 355 farms up to March 31. It amounts to 50,683 acres that had been purchased in the first few months of this agreement ending at March 31. There are a great many applications before the ARDA director right now.

Now these 600 people that I referred to earlier—many of those are active farmers. Many of those are farmers' sons and what have you—farm workers of one kind or another who will not be leaving the farms.

But on many of those farms that we did purchase, some of the people are still living there, as was, I think pointed out by the member for York South—they do not want to move off the farm. They want to stay there, maintain their environment—where they are. Many of them also have local jobs to provide a good living for themselves. If a person's health is such that he cannot work, we buy the farm and give him a lifetime lease on the house. He gets sufficient pension as well, along with the price he got for the land to give him a decent standard of living.

There are some who have moved away and we paid their moving expenses to get other jobs. We will pay the moving expenses of a man to another area and then pay his training programme while he is there, to fit him into another job somewhere else. All the time we are doing this, we are using that agricultural land that he may have abandoned—whatever portion of the farm's good agricultural land—by leasing it to somebody else to try and set him up in an economic unit.

**Mr. Spence:** What is the average price that you are paying for land, Mr. Chairman?

**Hon. Mr. Stewart:** \$70 an acre is the average price.

**Mr. Chairman:** Item 9 carried?

**Mr. S. Farquhar (Algoma-Manitoulin):** Mr. Chairman, the question rises out of the comment—the question that was posed by the member for Grey-Bruce, who is worrying about the PR job or the explanation of the ARDA programme and the feelings in that regard. Certainly, I do not think there is any question about the fact that this public relations—this explanation—comes through the appointment of local counsellors. I am wondering—I think maybe Algoma has been very fortunate in having moved towards getting appointments in the area. For that reason, if these people do not understand all the details in respect of certain projects, they have a place to find out.



For that reason, I would like to know how many rural development officers and counselors have been appointed in the province so far?

**Hon. Mr. Stewart:** There have been 15 field staff people appointed throughout the province. As I mentioned earlier these people work with the extension branch people and I recognize what my hon. friend from Grey-Bruce has said about the difficulty of getting this message across. But let me say this—

**Mr. Sargent:** They want to know.

**Hon. Mr. Stewart:** They want to know. I agree they want to know. But there is a certain reticence about rural people going out to a meeting to listen to how they can better themselves or whether there are opportunities for them to sell their farms, to get a retraining job.

I have always maintained that the way to reach these rural people is by direct contact through the agricultural representative or the ARDA officer, or the ARDA counsellor going out and sitting down in a man's home and talking to him and his wife and saying, well, now, this is the situation in which you find yourself you know. We talk it over and say, well, here are the opportunities for you, that are available to you.

He is not going to ask those questions at a public meeting and it is awfully difficult to put this down in black and white and send it out in the form of a letter because the letter probably is not read or it may not be understood properly. There have been films done on this. The film, "To Stay or Move" has been done; this is about a 20-minute film and it is an excellent one. It has been used widely in Ontario. It gives people the opportunity to see the possibilities here.

But I think we have to recognize—and I appreciate the fact that you may think that this programme is not moving as fast as it might. Frankly, I am sure that we, in our department, feel this at times, too. But I think we have to recognize that we are dealing with people and this programme must be oriented to people. Projects are not the answer. What does it do for people? And this is the thing that I believe our two distinguished ladies overlooked in their report.

I do not think they really assessed the value that it was to people, what it did for rural families. They were saying: Well, how much does a farmer make out of the community pastures? It may mean nothing to them, but it means an awful lot to that farm

family if you can say: Well I can grow more fodder at home by putting my cattle over there and carrying them to two-year-olds rather than selling them as calves or yearlings.

There is nothing like that in the report. These are the things that I think are the intangibles that we have to look at. I do not think that there is any other way of doing it. Someone has asked how many people have been affected by ARDA programmes—I do not know how you determine this, but we have done an estimate and there are just about 20,000 people that we have touched in one year through this ARDA programme. That is a sizeable number of people in Ontario, and I think that we have to recognize these factors.

I have the list of all the field staff who are developing programmes who are here. I am not sure how many of them—there are ten rural development counsellors devoting full-time to this whole project and, as I mentioned earlier, there are 15 field staff all told.

**Mr. Chairman:** Item 9 carried?

**Mr. Farquhar:** I quite appreciate that the Minister is quite right when he says the answer is not in the development or the organization of big meetings in these rural areas. I quite appreciate that. I also am completely convinced that ten field people in the province who are available to go to speak to people leaves a lot of needy area untouched. It must be.

I know that in our area—in Algoma—the people would not know anything about it if it were not for the rural counsellor, they just would not know anything about it except for the fact that dedicated people are prepared to go around and talk to the people. But there must be a lot of areas where this is not the case.

Just one other quick question. I wanted to mention for a minute a big problem on the Manitoulin which has to do with the turkey industry.

It is much too involved, too confused to try to acquaint the members of the House with the details of it. I have no intention of doing that, but sometime ago it was suggested that this confusion might be resolved by an independent person taking a look at ARDA's responsibilities, producers' responsibilities, and what and where we are going here. I wonder if the Minister would comment on that in that regard.

**Hon. Mr. Stewart:** Mr. Chairman, I would like to give some consideration to this. This is a very big and involved problem. I would not want to give any snap decision on it.

**Mr. Chairman:** Item 9.

**Mr. Sargent:** Mr. Chairman, at election time, you do not seem to have any trouble getting your message across to people. You do a saturation campaign of flash spots all over the province on getting your programme across. Now if you do a saturation campaign on these farm stations on your programme, you let the people know what can be done for them; be even more conscious now than at election time of their need to know these things.

**Mr. Chairman:** Item 9.

**Mr. Gaunt:** I just wanted to say a word about ARDA in relation to the cheese industry. ARDA has given some help to cheese factories, I believe. I asked a question of the Minister, it was put on the order paper, and we got the answer last Friday, May 3. The answer, in parts, says only very limited assistance is provided under the federal-provincial development agreement to assist in the capital requirements of milk processing plants and as such we had to restrict grants to areas where there was no other market outlet.

I can appreciate the difficulty here. It seems to me that, at the moment, the cheese industry is in a particularly anaemic state. I am just wondering what type of assistance can be given and precisely how much money is involved. How much money have you got earmarked specifically for this type of assistance?

**Hon. Mr. Stewart:** As far as the cheese factories are concerned, and the questions the hon. member asked the other day and that I answered, the problem is this: That where there are other markets for milk, then we really do not feel justified in expending ARDA money. The ARDA funds for that particular project, that is, business projects, are limited to the agreement, to something over \$300,000 for the province of Ontario. Now this is calculated on a per family basis in the designated areas to which that grant may be applied. I explained all this last year in the House, I believe.

We have pressed the federal ARDA Minister, the Minister of forestry, I should say, that we should expand that amount of money. We could use a great deal more in these

areas to develop industry and business in these particular designated areas. We have had to curtail the amount of involvement that would normally be made due to this restriction. The Eldorado cheese factory did get a grant under ARDA because that appeared to be the only market within reasonable distance of the general area, so we gave them an ARDA grant to help them to provide a market for the milk produced in that particular area, in north Hastings county.

Now there were other cheese factories that applied, but there was ample market for milk in that area; not necessarily the factories that applied, but there were other markets there. And this was the determining factor.

**Mr. Gaunt:** Mr. Chairman, the Minister mentions industries. Does the agreement not extend to industries over and above those associated with agriculture, and does that \$300,000 include all industries?

**Hon. Mr. Stewart:** It includes industries over and beyond agriculture. That \$300,000 does.

**Mr. Chairman:** Item 9 carried?

**Mr. Knight:** Mr. Chairman, before we finish on this ARDA, I think the House has been left with a misconception or, perhaps, an incomplete explanation in relation to ARDA and the proposed study for northwestern Ontario from the remarks of the hon. Minister.

Anyone who lives in northwestern Ontario and knows what has been going on and has been following the news, knows that two years ago the federal member for Port Arthur was prepared and ready to move ahead. He had completed his negotiations with the federal government and he was only waiting for the provincial government to move. At that time, I recall very well that the Minister of Trade and Development (Mr. Randall), in the north at the time, was asked how his Cabinet were to react to the idea of this study of northwestern Ontario. And he said something to the effect, "Study, study, study—we have so many studies. What we need is action and not studies".

And now, two years later, this provincial government is prepared to move ahead with a study. And it is my understanding that the federal government has been prepared to move ahead with some kind of a study and that this has been the understanding of most of the people in northwestern Ontario, and I wanted to correct that misunderstanding.



**Mr. Chairman:** Item 9 agreed to.

I understand that the committee is to consider items 10, 11, and 12 together. The member for Brantford.

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, under item 10, I think that it is about the only place left where I can speak on the home economics branch of the department, and I would like to ask the Minister: The department, I understand, is concerned right now more with the promotion of various foods or its carrot week or something of that nature. I was wondering—does the department, the home economics branch, do any assessment of the various substitute foods that are coming on the market to find out their food value relative to the price that they are being sold; and whether the department is considering the idea of setting up some type of an educational programme for the consumer so he becomes aware that in many cases he is being taken with these particular food substitutes?

Also, is the home economics branch considering the breakdown in the cost of food? In other words, how much of the money that the consumer spends on a can or package of food goes into paying for the contents? How much goes into the packaging of the particular food? How much goes into advertising and so on?

**Hon. Mr. Stewart:** May I answer the hon. member by saying that that is the responsibility of the food council of Ontario and they do this work. I would be very happy to provide the hon. member with copies of the bulletin on food costs, I do not know whether he has seen them or not. They are very practical and they are along the lines that he suggests.

**Mr. Chairman:** Items 10, 11 and 12 carried?

**Mr. Makarchuk:** Mr. Chairman, under item 11—northern Ontario—I understand that certain grants are provided to people who are purchasing cattle in northern Ontario to bring them up to northern Ontario, but there is a stipulation which says that “the cattle have to be bought in southern Ontario”. Could the Minister explain why this is the case? Why can the farmer in northern Ontario not buy cattle from another farmer in northern Ontario?

**Hon. Mr. Stewart:** I am not sure that I understand what the hon. member is talking about because the programme that we have—or at least the programme that was in effect

last year—was intended to improve breeding stock in the area. We said to the farmers in the area: If you go to another district to buy breeding stock we will pay you from \$50 a head up \$500 on ten breeding females.

The idea was that we were hopeful that this would encourage them to go out and bring in new blood stock to build up their herds—and many of them did just this. I am sure the hon. member can appreciate the problems that would arise were you to suggest that the \$50 a head up to a maximum of ten head would be available to a man to go to his next door neighbour and buy ten cattle. You would not really be accomplishing anything.

**Mr. Chairman:** The member for Prescott and Russell.

**Mr. J. A. Belanger (Prescott and Russell):** Mr. Chairman, I would like to take this opportunity to talk for a few minutes about an increasingly important aspect of rural life. I refer to the matter of safety on the farm, and in particular to the work that is being done in this field by the farm safety council of Ontario and the local safety councils throughout the province.

Whether we like it or not, we are living in a complex, machine-dominated world and this applies as well to agriculture as to any other industry. Each year faster, bigger, more powerful and more ingenious frankensteins are being produced and are altering our way of life and our ways of farming. At the same time, generations of man come and go without any important changes in the anatomy or physiology.

For example, in 1900 there were 4,000 cars in the United States with a maximum speed of 10 miles per hour. In 1909 the first air race was held and the winning speed was 47 miles per hour. Today vehicles travelling on the ground have achieved speeds of over 500 miles per hour, while aircraft can travel several thousand. Yet the reaction time of the human sensory system on our muscles has not changed by as much as milisecond.

It still requires at least five-eighths to three-quarters of a second for this human being to react after seeing or hearing a situation. I think perhaps we are inclined to forget these facts.

The Ontario farm safety council really got its start with the farm accident survey which was carried out by The Ontario Department of Agriculture in 1960. This provincial council is composed of one farm person from each



county and district in Ontario. The Ontario Department of Agriculture and Food provides the services for the farm safety specialist, who is an agricultural engineer, to help promote safety education work.

In the budget which we are now debating some \$20,000 has been set aside for use by the farm safety council. In addition, the workmen's compensation board provides financial assistance to the council which has been designated as a safety education agency for agriculture insofar as the workmen's compensation board is concerned.

Ten counties and districts in various parts of the province annually report farm accidents. These reports are used to check any new trends that may be developing and point up the need for changes in the safety educational programme.

I have here, Mr. Chairman, the summary of a partial farm accident survey conducted for 1966-67. Last year nine counties or districts reported to the council, namely Carleton, Glengarry, Manitoulin, Nipissing, Perth, Rainy River, Simcoe, Victoria and Wentworth. From this survey the need for continued emphasis on farm safety is evident.

There were a total of some 622 accidents—36 of which were fatal; 36 resulted in permanent injury; 488 in temporary injury. They resulted in the loss of over 9,000 man days' work; resulted in medical bills of approximately \$90,000, and property damage of over \$500,000.

However, when compared with the 1959 figures for these same counties and districts I think the efforts of the farm safety council and local councils is equally evident. In 1959 there more than double the number of accidents—11 more dead; 20 more permanent injuries suffered; and two and a half times the number of temporary injuries.

Similar results were evident from the statistics covering farm accidents which occurred on our highways. I therefore, feel that it would be quite appropriate to compliment the officers and directors of the farm safety council of Ontario, and the members of the local safety councils, as well as our farmers, who have reversed the accident figures in spite of increasing mechanization.

At the same time it is true, I believe, that there are wide differences in the extent of safety programmes in our counties and districts. Some are thriving and active, some merely existing, while others are defunct or nearly so. Fortunately, not many are in the latter category. At the same time, it is equally

true that safety work is not the most thrilling in the world and it is easy to become discouraged. It takes people with enthusiasm, drive, ingenuity and dedication to develop and conduct effective farm accident prevention programmes.

I would like to suggest, Mr. Chairman, that there is something that might be done to make the jobs of those concerned with safety easier, and perhaps to make the programme even more effective than it is. I would like to suggest that recognition be given in agriculture, as it is in industry, to those who have worked for a year, or five years, without having lost any time from their jobs through injury. Perhaps the hon. minister of Agriculture and Food would consider how a programme of this type to provide greater incentive through some suitable form of recognition might be initiated. If this were done I think we would find our farm people talking as enthusiastically about their good safety records as they do about the size of their tractors, the height of the silos, the crops they yield, or how much milk their cows produce. Yet safety must surely be the most important of all of these.

**Mr. Farquhar:** Mr. Chairman, the member has jumped into item 12, but I gather it is all right to still discuss the matters under 11. I want to ask a question about a very serious concern of mine and this has to do with grants to community centres in unorganized areas.

I presume that the item refers to the way in which such grants can be obtained through The Schools Administration Act. Is this what we are talking about? I have had some experience trying to manage to obtain grants in unorganized areas through The Schools Administration Act, and it is not the easiest thing in the world.

First of all, could I ask the Minister how many such grants have been made available through The Schools Administration Act?

**Hon. Mr. Stewart:** I cannot give you that figure, Mr. Chairman, I do not have it at my fingertips. I am sure it is available some place.

**Mr. Farquhar:** Have there been some?

**Hon. Mr. Stewart:** Yes, as far as I know there have been. I do not know whether our secretary is here or not, but there have been some made as I understand it. If you would tell me of the circumstances of this I would be very pleased to work this out with you. I do not think it is something we need to take the time of the House about because it

is in the Act, the statute is there, the regulations provide for it. If you have not been able to get it there must be some block some place, and I would be pleased to sit down with you and help you get it through the staff, and through education if necessary. There must be an answer here someplace.

**Mr. Farquhar:** I agree that we should not take the time of the House, I just suggest that it is the make-up of the school boards in these areas that is the road block. The main one anyway. For instance, in an unorganized area, there would be one. In a large area, there would be one board member in that particular area, and the rest of the board members will not be very concerned with his problem, that is the point. Well, we will discuss it.

**Mr. Knight:** Mr. Chairman, I have been just sitting here in my seat wondering why item 11 was not deemed to be important enough to be treated on its own merits without putting 10, 11, and 12 all up for discussion at the same time so that we wind up with a sort of a mixed discussion here.

**Mr. Chairman:** The member may proceed to mention anything that he likes under item 11, but it was my understanding that the committee wished to consider these three together.

**Mr. Knight:** I am just saying that I am rather disappointed that item 11 could not be treated on its own merits.

**Mr. Chairman:** No disrespect to the member, or his part of the province.

**Mr. Knight:** Thank you very much. The other thing that I have to wonder about is after listening to the Minister's answer to an earlier question in referring to milk being dumped in northern Ontario, and now noting that there is just \$250,000 set aside here for all these services for northern Ontario by The Department of Agriculture and Food, I am just wondering if this department is not coming to the conclusion that as far as agriculture is concerned northern Ontario is a write-off, and that the department is now sort of gradually withdrawing its assistance from the north as far as agriculture is concerned. I am wondering whether that had ever crossed the hon. Minister's mind. I know that there are farmers in northern Ontario who would like to think otherwise. But I just wonder whether the Minister can tell the House if all these things indicated in item 11 can be done in northern Ontario for \$250,000? I wonder if this is not

just another example of the disinterest, the unconcern that this government has toward northern Ontario.

**Mr. Chairman:** Items 10, 11, and 12, agreed to.

On item 17.

I understand that items 13, 14, 15, and 16 are marked as having been carried. I understand that the member himself spoke on these before.

Item 17 carried?

**Mr. Gaunt:** Mr. Chairman, in this respect, how many loans at the moment are in arrears? Has the board had to take action against any of the parties who were behind?

**Hon. Mr. Stewart:** There are only three loans, Mr. Chairman, in which we have any concern at the moment.

**Mr. Gaunt:** Out of a total of how many?

**Hon. Mr. Stewart:** Oh, several thousand.

**Mr. Gaunt:** How many is it, how many? Is it 5,000?

**Hon. Mr. Stewart:** It is 5,000. I think that it would be interesting to note, Mr. Chairman, that since 1952, there were only 13 farms repossessed and the loss to the government was \$10,792. That is a pretty good record for the farmers of Ontario in my opinion.

**Mr. Chairman:** Yes, it is.

Items 17 and 18 agreed to.

**Mr. C. G. Pilkey (Oshawa):** Mr. Chairman, I wonder if the Minister could give us an explanation as to how payments accrue to the municipalities under The Weed Control Act?

**Hon. Mr. Stewart:** We make grants available to the municipality to pay part of the *per diem* costs of the weed inspector.

**Mr. Chairman:** Items 18 to 20, inclusive, agreed to.

On item 21.

**Mr. Gaunt:** Mr. Chairman, on item 21, the common barberry has been a problem for a great many years. We started this programme two years ago, I guess it was. We spent \$116,500 on it. Is the problem diminishing? Is it getting to the point where this amount of money will not be needed in the following year?



**Hon. Mr. Stewart:** Yes, that is right. It is pretty well all cleaned up, there is just the odd isolated area that has not been completely cleaned up. There may be a few areas where they have to go back and touch up again, but we have virtually got the problem licked in Ontario.

**Mr. Gaunt:** May I seek your guidance, Mr. Chairman? I just want to talk about the blackbird problem for a moment, and I would have to stretch my imagination I am afraid, to get it under this particular item. I am just wondering where I could talk about it.

**Hon. Mr. Stewart:** We have no fish and wildlife vote in there. Under research, that is vote 105.

**Mr. Gaunt:** Thank you.

**Mr. Chairman:** Items 21 and 22 agreed to. Vote 103 agreed to.

On vote 104.

**Mr. Sargent:** Mr. Chairman, back in February, the Minister made certain charges of payola. Can the Minister give the House the approximate date of completion of the inquiry, set up in February under Mr. D. Williams, of possible payola in the fruit and vegetable marketing in the province. And there is quite a press release here on the whole affair under Don O'Hearn's name. Can the Minister advise the House of the completion date of this enquiry?

**Hon. Mr. Stewart:** I cannot give you a date for the completion because it has not started yet. We hope to have it under way right away. We are setting up the machinery to have the hearing but it has not started as yet.

**Mr. Sargent:** But you announced it on February 23.

**Hon. Mr. Stewart:** I announced that there would be an investigation.

**Mr. Sargent:** How long do you think we should wait for this?

**Hon. Mr. Stewart:** Mr. Chairman, this is a very delicate area in which we are dealing right now. There are many, many undercover investigations that are going on now, contacts that are being made with other people; and statements are being taken. It would seem to me that we would be well advised not to get too deeply into this at the moment,

because this will all come out at the hearings which will start May 22.

**Mr. Sargent:** I certainly would go along with that, but so many people are involved in the side effects of this, that the consumer is, in the end result, the one who is going to pay for it, and I think that it is your duty to get this thing moving just as soon as possible.

**Hon. Mr. Stewart:** We are.

**Mr. Makarchuk:** Mr. Chairman, in view of the fact that we mentioned the idea of the possibility of consolidation of the marketing boards, can the Minister tell us if any meetings are planned between various groups, or various boards, to investigate the possibilities of getting together? And, also, is there any economic research going on to see just how such boards, or how such consolidated marketing boards, can function, or if they could function together?

**Hon. Mr. Stewart:** Mr. Chairman, there is a special committee that has been appointed—five from the farmers' union and five from the federation of agriculture. These are provincial organizations, and they, in turn, appointed six additional members who have been meeting for some time. I understand that they are to present a report to the farm income committee on May 21.

We are all looking forward to that report, and I hope that in that will be the suggestions as to how the various organizations can be brought together in Ontario, not only into one organization but, perhaps, with that organization, there may be composite groups of commodity marketing boards which I think would be most effective.

They have been suggested in the past; consideration has been given to such a proposal by some of the producers and the board involved. I feel that there is a real opportunity here for those who are interested, and who are secretary-managers of these various boards, to provide leadership in the consolidation that would work to the mutual advantage of all concerned.

In the structure that would emerge from such consolidation, there might develop a much more effective system of marketing that would of necessity, perhaps, involve even more people than are presently involved at administrative level, but would perhaps be more effective in really bargaining on behalf of the farmers in many, many areas.



**Mr. Farquhar:** Mr. Chairman, the milk industry commission certainly deserves some remarks, and I am wondering if that comes now, or under salaries, or under item 8? Right at the bottom of page 12.

**Mr. Chairman:** I think probably we could discuss that in the first three items of the vote.

**Mr. Farquhar:** Pardon?

**Mr. Chairman:** I think we can discuss that in the first three items of the vote.

**Hon. Mr. Stewart:** What is that, milk?

**Mr. Chairman:** The milk commission.

**Hon. Mr. Stewart:** The milk commission.

**Mr. Farquhar:** Is there not a separate item for milk?

**Mr. Chairman:** No, there is no separate item for it.

**Mr. Farquhar:** Thank you. Fine.

**Mr. Chairman:** Items 1, 2 and 3.

**Mr. Farquhar:** Mr. Chairman, I would like to say a few words on this vote and simply to develop a short discussion, if I could, which would have reference to both the milk commission and the milk marketing board.

It is difficult to discuss one without the other, and I hope the Minister will not immediately say that he takes no responsibility for the marketing board. I assume, in fact I know, that he is interested in the orderly marketing of milk in the province and in the interest of the farmers obtaining the best price that an efficient industry can demand. Of course, that is the function of the board.

**Mr. Chairman:** Before we proceed, if the member—does the Minister propose to permit debate of the milk marketing board under this particular vote?

**Hon. Mr. Stewart:** This is the place.

**Mr. Chairman:** The milk commission and milk marketing board.

**Mr. Farquhar:** This is the function of the board, of course, to develop an orderly market and, through pooling in this case, to attempt to take care of fluctuations resulting from seasonal overproduction and underproduction in certain areas and seasonal high demand and low demand in certain other areas. Some approach to accomplish these

balances was necessary and I am sure it turned out to be a monstrous job. Any person involved in production or in distribution, and I happen to be involved in both, is certainly aware that achieving a balance was a noble aim. The vehicle was a combination of authority vested in the milk marketing board and the milk commission. Certainly prior to this organized effort the industry was definitely moving into a state of complete chaos.

I am certainly of the opinion that the operations of the commission and the board have gone through a very trying time. I give the Minister and the members of the boards of these bodies a great deal of credit for what was to say the least political courage during a very trying time.

I am sure the effort has resulted in achieving, at least to a degree, its objects. Further energy and further wise decisions will, I am sure, get the best results that can be attained, and will put the industry in a position where maximum production will be allowed and efficient distribution will be possible.

I hope my position with relation to the industry allows me to speak with a degree of objectivity. I think I can assess the cost price squeeze on a producer, the shrinking margin of the distributor and the need for a more economic end-product to the consumer. This last, of course, will result in the volume and volume production and distribution, and is an absolute must. In the end, bearing in mind that a fair return to the producer is essential, the success of the industry very definitely hinges on the necessity for transportation and distribution efficiency and attractive packaging at the lowest retail price possible.

Only this approach will save and develop the industry and protect it from infringement by substitutes and imitations. The whole question of pooling and allocation of quotas and pricing has been tackled forthrightly and has met with, I think, a minimum of objections. And when a producer tells me, as many of them do, that they were better off before pooling was ever heard of, I simply do not believe that they mean it. Either that, or they do not realize the chaos their part of the industry was heading for two or three years ago. There are some areas, however, that could be improved upon and which give rise to a few questions I would like to pose.

Is there some way that the division of authority between marketing board and commission could be more adequately and precisely spelled out to the general public?

Certainly, I am sure, that in quota and licensing and pooling boundaries and a host of other complaints it is felt that appellants are simply appealing the decision of a body to the same body. There is widespread objection to that principle even though, technically, it is not true. Would the Minister comment on this particular aspect, please?

**Hon. Mr. Stewart:** First of all, the commission is the administrative arm of the department and as such it administers The Milk Act and operates the dairy branch. I do not know what my hon. friend is getting at. It could well be that where there is an appeal first of all to the milk board and under section 26 of the Act, an appeal then lies; if the appellant is dissatisfied with his first appeal to the milk board there is the right of appeal to the milk commission. Now just because the milk commission might uphold the milk marketing board does not say that there is anything wrong with the verdict. I think you would have to base your opinion on the subject matter of the appeal.

**Mr. Farquhar:** Particularly on the matter of quota complaints I have certainly heard much widespread comment to the effect, "Well, look, what is the use of appealing, we are appealing to the same board that made the ruling." I know that this is not true, but I do not think that a good many people in the industry really know it.

Licensing fees is another question, Mr. Chairman. Ordinarily licensing fees for any phase of activity within the industry are established on the basis of either a fiscal or calendar year. In other words, a 12-month period. In the case of edible oil manufacturing licences, I note that recently the licence fee was raised from \$100 to \$500. The result was that licence holders, early in the year, were given a \$400 advantage over applicants applying later in the year—even applicants who had applied for licences on time and whose applications were pending a decision by the commission.

It is interesting to note that early applicants seemed to have been larger operators and those who got caught with the \$400 increase seemed to have been a substantial group of smaller, more vulnerable, operators.

Would it be fair to suggest that this action was designed to keep them out or to limit the field to a few larger operators? In any case, I feel that the action will and is having this effect. I appeal to the Minister's sense of fair play in suggesting that a more

objective look be taken at this policy action. Is the Minister aware of the details?

**Hon. Mr. Stewart:** Very much aware of the increase in fee and I have no apologies to offer for it whatever, because this is edible oil manufacturing produce and it is a fee—\$100 raised to \$500. I have no apology to offer for that whatever.

The fellow that bought it this year ahead of time will be paying \$500 for it next year, the same as anybody else. It is just a matter that one may have bought it earlier than another. As far as I am concerned I have no knowledge as to who bought the licences and what date they were available or anything else. I do know it was raised.

**Mr. Farquhar:** I am quite in agreement with the Minister, the increase is okay as far as I am concerned. I think that the matter of an increase in the middle of the year shows a disparity between certain groups of operators, that is the only point I was trying to make.

Would the Minister accept the statement that the institution of billing procedures—and now, of course, we are talking about the milk marketing board and, as is his prerogative, may not want to discuss it. But if I can be allowed, I will just proceed through this one.

Would the Minister accept the statement that the institution of billing procedures would have been virtually impossible or at least very difficult without the complete co-operation of distributor personnel? Whether or not he does, Mr. Chairman, I can tell you that his field men know it. I know of a distributor who still finds it necessary to accept and place half a dozen calls a day and find themselves in the position of passing on suggestions or making arrangements with transport companies and drivers and generally almost operating a pool.

The distributor is doing in some cases more bookkeeping than he ever did before. He is relieved only of the necessity of writing the actual cheques. Mr. Chairman, he is doing it gladly because some day it is supposed to be efficient, but at the moment his office staff are simply slaves to a computer which demands the most difficult and technical procedures and arrangements for payments to farmers over whom now he has no control and in many cases does not even know.

This is popularly known as the computer nightmare within the trade. Of course, it is



particularly distressing during periods of conversion of tanks or part-tanks of milk. I have no intention of going into a lot of detail because this would be getting into the actual operation of a milk processing plant, which I do not intend to do. Perhaps there is no answer, except to hope there is a special place in heaven or somewhere for this group at such time as the computer settles down.

Would the Minister know if we are arriving at such a position, or if there is any possibility of arriving at such a position concerning the arrangements with the details that have to be worked out with respect to computer operation; payment operation; if we are getting somewhere where at some point or other where we are going to have a little more order in the system?

**Hon. Mr. Stewart:** Mr. Chairman, I appreciate the situation within which the hon. member finds himself, as do a great many other distributors. Let me say that while I do not know the details of the problems other than those he has related to us, I can quite sympathize with him because in the introduction of any new programme there are bound to be many headaches in getting all these things straightened out.

I am sure that he, like every other distributor, is going through many of these transitional pains that I hope will iron themselves out as this procedure becomes more commonplace and perhaps becomes more routine as time goes on. In the meantime, may I express on behalf of the milk commission and the dairy branch of our department our heartfelt thanks to the distributors for the co-operation which they have shown to the milk commission and to the milk marketing board in getting this programme initiated.

**Mr. Sargent:** Mr. Chairman, the Minister—

**Mr. Chairman:** Is this under milk?

**Mr. Sargent:** Yes.

**Mr. Chairman:** All right, we will clear up the milk—

**Mr. Sargent:** I understand the previous intention was that milk quotas would be frozen as of November 1, 1965. Would the Minister advise how does the chairman, Mr. McLaughlin, get a quota of 3,000 pounds per day? How does this man get this special treatment?

**Hon. Mr. Stewart:** Mr. Chairman, it is not just quite as simple as it would sound or as the hon. member suggests. There were times

when the quotas were frozen, there were times when they were released and there were times when many farmers bought quotas from other farmers. I do not have those dates at my fingertips, but I do know this, that the hon. member suggested that the chairman of the board had a quota of 3,000 pounds.

He might have had at one time. I understand he lost 675 or 670 pounds, something like this, through the reallocation of quotas of his own board, just recently. So apparently he has fared about the same as some others who lost quotas as well. He explained the details of this matter at the committee on agriculture meeting a year ago, and he will be back there again on June 18 and he can explain those details to you then.

**Mr. Gaunt:** Mr. Chairman, last year I believe it was, we had quite a lengthy discussion on the negotiable quotas. It was felt by many of us at that time that this was a rather serious situation. We had quite a debate in the House, we had a lengthy debate in committee about this matter, and I was satisfied at the time, even though initially I was opposed to negotiable quotas, I was more or less satisfied in committee with Mr. McLaughlin's explanation of it, why it was done and the rationalization behind the whole process.

Nonetheless, I still had some nagging fear this year when Mr. McLaughlin was before the committee on agriculture and I posed a question to him to the effect that I wanted to know what price was being paid for these quotas at the moment and his answer to me was that the price, as near as he could determine, was somewhere in the neighbourhood of \$5 a pound.

Now, I suggest, Mr. Chairman, through you to the Minister, that if, in fact, this system continues, the price of those quotas will continue to rise and this will bear out the fears which we had last year in relation to this. They are a built-in cost of production. If people, in fact, have to go out and pay good money for quotas without any of the amenities that go along with them, that is to say, any of the land or the cows or anything else which are involved in the production of milk, then of course this in the long run hurts the industry and hurts the farmer who has to do this in order to get a quota.

However, I leave that. I wanted to deal with the cheese industry and the milk marketing board handling of it. There is a feeling abroad that the Minister and the milk marketing board have mishandled the Ontario



cheese industry to the point that the federal government had to take it over. I want to pose some questions to the Minister because I am very interested in what actually happened in this circumstance.

First of all, I believe that there was a policy on the part of the board that they should divert the milk, I believe in the winter, to other plants, to plants other than cheese plants, and then in the summer farmers could once again ship to cheese plants. The reason being that Ontario could sell summer cheese or grass cheese, but they could not sell fodder cheese. I believe this involved payments—I think they were called diversion payments.

Were these moneys paid out of the funds which were taken over by the milk marketing board when the take-over occurred? I think there was something like \$2 million in the fund when the milk marketing board took over the cheese board. Were these funds actually used as diversion payments?

**Hon. Mr. Stewart:** Diversion payments came out of the collections that are made on every hundredweight of milk that is sold in the province of Ontario. The story goes back simply to this, that when the old cheese board was in operation they bought cheese off the market at a price that they fixed and it bore some relationship to the price at which they exported cheese. The difference between the export price and domestic price was deducted by taking 10 cents a hundred on all milk, all cheese milk produced in Ontario. Effectively, they established the cheese price for Canada. But the price for the milk that went into that cheese was determined by what was left over after the cost of making that cheese was taken out.

Now, when the milk marketing board took over, they were charged under The Milk Act of 1965, that this House approved, with establishing minimum prices for milk. So that the fixed price—minimum price for milk was established.

Then above that was the price that the cheese had to sell at on the export market, or what the federal government had set the price at. The cheese manufacturer was caught in between. He did not have any leverage. He did not have any room to play in as he had before, and this is where the squeeze came in.

Now I ask you, which hat do you wear; as a cheese manufacturer or as a farmer owning a cheese factory through a co-operative or a joint stock company and being

a milk producer at the same time. Is it the hat of a cheese manufacturer caught in this admitted squeeze, or is it the hat of a farmer who is determined to have a minimum price paid for milk right across the board everywhere in Ontario? This is the problem.

Now, the federal government have not seen fit to do anything at all about fodder cheese, and that is why the milk marketing board offered the diversion programme for milk last year and again this past winter, because they were stuck with fodder cheese that is two years old, still in the storage. If there was any money that they received, from the former board and I cannot give you the exact figure, but if there was any money, to me it is quite conceivable that money was used to take that cheese off the market and hold it in storage. They have not been able to sell it to this day. There is virtually little market for fodder cheese. There is a market for some but not very much. That is why it was cheaper for them to take their money and divert it into powder and butter rather than manufacture it into cheese.

Now, a problem arose this spring. It was thought, and I think that it is the correct decision, that the national dairy commission should be responsible for all manufactured milk products in Canada and should assume the responsibility for the cheese industry in Ontario. They were assuming it for Quebec, they were assuming powdered and butter and all other manufactured products for all of Canada, and it just seemed to be a natural evolution of the whole problem for them to take over Ontario cheese. They set the price of grass cheese beginning at May 18 at 46 cents a pound basic, plus the 1 cent premium. But for the month of April and up to May 18 they set the price at 44 cents, and the cheese manufacturer found himself caught again between the fixed price for cheese and the fixed price for milk and he just could not make the two correspond.

Because of the earliness of the season, the national dairy commission, at the instigation of the Ontario milk commission, working with the milk marketing board and suggesting to them that something had to be done, persuaded the national dairy commission to advance the date for 46 cents cheese from May 18 to May 1 and that is what the price is now.

But there certainly was a problem for the first month for those cheese manufacturers. This is where the problem lies. We have a study that is initiated and underway, trying to determine how best to cope with this cheese

situation. There are some areas where there are multiple purpose plants that can produce grass cheese through the summer and they have no problem. In the winter time they just convert it to powder and butter and carry merrily on their way. But there are many other smaller factories that can only produce cheese, and they are caught in this predicament.

**Mr. Chairman:** Anything further on the milk commission?

**Mr. Gaunt:** Mr. Chairman, I think there were something in the neighbourhood of 3.5 million pounds diverted as I understand it. Did Quebec make up this difference insofar as cheese was concerned? Did they make up the difference when we cut back? Did they make it up and ship it in?

**Hon. Mr. Stewart:** I would not say they shipped it in. I am not sure about this, but certainly Quebec did increase cheese production last year. Ontario did cut back through the diversion programme. Quebec did increase.

However, a good deal of the cheese produced in Quebec is cheese used for processing and manufacturing, through agreements with some of the co-operatives and some of the large processing companies. It is not the type of cheddar cheese that is produced in Ontario. That is, not as much as we produce in Ontario.

**Mr. Gaunt:** I am concerned about one other area. Ottawa has now taken the cheese business over. We had a good market here in Ontario. We had a special type of cheese. Ontario cheddar cheese was world famous and it had a market in the United Kingdom particularly that was very beneficial to the industry and certainly had been built over a number of years.

What will happen to that particular market because—

**Mr. Sargent:** It disappeared. Where is it?

**Mr. Gaunt:** Because the Ontario cheddar will not be marked, will not be stamped. It will lose its identity, as I understand it, because the Canadian dairy commission will insist, in all likelihood, that the cheese be sold as Canadian cheese. So you do not have any provincial identity with the cheese in that connection, and so we lose that market. I believe it amounted to some \$15 million a year at one point.

**Hon. Mr. Stewart:** My hon. friend from Grey-Bruce does not know what he is talking about. They have not lost the market at all.

Last year we shipped 26 million and some hundred thousand pounds of cheese over there and Mr. McLaughlin is in England right now with the general manager of the milk marketing board negotiating this year's contracts.

The devaluation of the pound may make some difference, but it is not felt that it will interfere significantly with the contracts that will be made this year. But, this is all grass cheese and the United Kingdom buyers just simply will not buy fodder cheese, except in very small quantities. They may buy a little.

We should not find any real problem in the identification of Ontario cheese while it will be sold as Canadian cheese. This has always been the case. But the buyers over there know, through the identification of the number of the cheese factor that must be stamped on each individual cheese or each box of cheese, where it comes from. They know all this, and one of the startling things to me was that when I went over there in 1964, they talked about BB cheese. I did not know what in the world they were talking about. Belleville-Brockville cheese. It was a named brand cheese. Anything produced in that area was top quality cheese and this certainly will continue although the federal government, through the national dairy commission, will be handling it. The procedure of sale will be very little different than it has been.

**Mr. Gaunt:** So in that sense we will still have the identity, the top quality can still be identified, even though the Canadian dairy commission is doing the selling in effect.

**Hon. Mr. Stewart:** Yes.

**Mr. Gaunt:** How much low-grade cheese does the board hold at the moment? You mentioned that some of it was two years old.

**Hon. Mr. Stewart:** I cannot give you that figure. The marketing board chairman will, as I say, be before the committee on June 18, I believe it is, and he can give you that figure. I do not really know. Does anyone know how much? There is a sizeable chunk of cheese that they are still holding. They sold some of it, but they have not sold all by any means.

**Mr. Chairman:** Item 1 carried?

The member for Oxford.



**Mr. Innes:** Mr. Chairman, we have discussed the milk marketing board recently while in committee, but there is one problem related to quotas about which I would like to ask the Minister.

They have done a reasonably good job in assessing quotas and in the appeals, but it has been brought to my attention just recently that some of the producers who have made appeals to the board and have received extra quota, consequently have sold some of that extra quota. I was wondering if the Minister would like to find out from the marketing board sometime whether they should not make it compulsory for the people who would appeal and get extra quota to at least maintain it for six months or eight months. It seems rather unfair to me that a person would appeal to the board to get extra quota for nothing and turn around and sell it for \$5 per pound. I just bring this to the attention of the Minister as it seems rather unfair.

**Hon. Mr. Stewart:** Mr. Chairman, I think the hon. member's point is well taken. I am not sure how prevalent that is—surely it cannot be very prevalent—but there might be some cases.

**Mr. Nixon:** Mr. Chairman, I was interested in the Minister's remark about Belleville-Brockville cheese. Black Diamond has, of course, been famous for years there, but I understand it has passed into foreign management, if that is not a bad way of putting it. I hope the quality will be maintained, but I think, Mr. Chairman, you might be interested that while there is excellent cheese produced in all parts of this province, probably the best that I have tasted recently was in the riding of Huron-Bruce, at the Pine River cheese factory. I would tell you, Mr. Chairman, and the Minister, that if you want to educate your palate you might just try some of that. It really is outstanding.

I have a point to make about the milk marketing board, Mr. Chairman. In the period of transition from the four commodity groups that we remember of old to the new approach set up under The Milk Act about two years ago, there perhaps is just one small ache remaining for the farmers in that they have difficulty indentifying the Ontario milk marketing board as their board. There has been a continuing complaint that the board should be completely elected.

The selection of the county milk committee members, while it is done democratically and I know for a fact that many of these

members are the outstanding producers and spokesmen in their own area, but when they attend the grand meeting in the Canadian room with somebody somewhere laying on the grand banquets for \$1.00 a plate with entertainment there is just sort of the feeling that they are "kept men" in the sense that they are brought in there to go through the motions of standing in that impressive circumstance with the board up on a raised head table saying, "Now we will receive your complaints and now we will answer your questions." The board is not the farmers' board.

Now we look back to the time when we did have militant boards and their power and usefulness was somehow diluted in their approach to government, because there were the four of them and there were even some areas of controversy among themselves as you well remember. It is to the advantage of the industry that the unified approach has been accomplished, but still, the rationale of the thing has one small thing wrong with it, and that is the identification of the farmers with the marketing board.

I believe there is a feeling that while we are in a state of transition we are prepared to accept the inadequacies of the present system. But in my view when pressures come on the farmers again you are going to find a feeling that perhaps the farmers should have their own spokesman quite independent of the marketing board which is still identified with a lot of good sense as the arm of the government.

I do not even know whether the election of the board by the farmers themselves will accomplish much real change in that because there is the sensation, or the feeling, among the farmers that the Ontario milk marketing board, while it has improved the situation—and I believe it will continue to improve it, and I can speak personally in these matters as you know—there is still this remaining doubt in the farmers.

The Minister made quite an impassioned and lengthy plea for the unification of the farmers into one organization. I think he suspects, as do we all, that he is just hollering down the rain barrel because this is not going to come about if we take at face value the news releases from the farmers' union, for example, who seem to sense that they are going to be herded into some sort of an organization which, like the milk marketing board, will be well set up but in a sense will be as much an arm of government policy as it is an extension of the will of the farmers



themselves. Surely the Minister must realize the danger in a monolithic approach to government involvement in any business.

I can see advantages in having one organization—my hon. friend the member for Huron-Bruce, I believe, drew the parallel that occurs in Great Britain—and there is a lot to compare there. They have certain advantages in dealing with government that we do not have and yet we have always been proud as farmers of our independence of government and that we did not have to rely on anyone to speak for us in the Legislature or elsewhere; that we were able through our organizations—and I do not particularly mean the federation of agriculture, which went through a period of years when it was quite ineffectual as far as putting their approach to the government is concerned.

I think this has improved considerably and it may well be the competition in this particular area has resulted in the improvement. But I, for one, would like to express to you, Mr. Chairman, that I have some misgivings about the monolithic approach to the control of any industry. These misgivings I sense in the milk marketing board and I feel that in the future if the pressures in the milk market place are to increase or dissatisfaction were to increase—and you know that it is already high—and these areas of dissatisfaction do not disappear as the marketing board becomes more experienced. There is a good chance that an independent organization will arise. There would be nothing wrong with this and the farmers would have an independent voice.

For the same reason I have some misgivings about the Minister's urging for a single farm voice over all. While it would have great advantages in the sort of dealings that the Minister talks about, I fear that it might, just as the milk marketing board might, become not the voice of the industry, but the arm of government.

**Hon. Mr. Stewart:** Let me emphatically deny that the milk marketing board is any arm of government. If you knew the very independent attitude of the board, and rightfully so—perhaps they are even more sensitive having been appointed by government to do a very difficult job in these initial years—to the fact that they were appointed and that they are, in effect, government appointees rather than elected appointees. They are very, very sensitive about any accusation that they are the arm of government. They go out of their way to let it be known that

they are definitely not the arm of the government and I would support them 100 per cent in this regard.

**Mr. Sargent:** They are fooling a lot of people then, they all feel you are.

**Hon. Mr. Stewart:** That is most unfortunate because it certainly is not so. The very fact that last September we introduced the election of milk marketing board members in three zones, and there will be three more plus one—there will be four at least this year—because one member of the board has resigned and will simply stay on until election time comes round. So there will be likely four zone representatives, I would expect, elected this year.

This to me is an illustration that they themselves want to be elected by the farmers. We are certainly in accord with this suggestion. But I believe in the initial instance the action that was taken by the government of bringing the four groups together and appointing the board got us over some very difficult times that might otherwise not have worked out as well. Admittedly, not all of us have reached the utopia that we would hope to reach some day as far as milk marketing is concerned. But let me re-emphasize, Mr. Chairman, that this milk marketing board is no arm of government, believe me. If anyone took from the remarks I made on Tuesday evening concerning one farm organization that I wished it to be any arm of government, they are badly mistaken.

I visualize an organization, and I feel quite keenly about this, a farm organization with the type of strength and organizational ability that has been so well and effectively demonstrated by the farmers' union of the United Kingdom. This to me is a typical illustration of what a farm organization can really do for farmers when they take it seriously. Certainly that organization is no branch of any particular government or any particular stripe of government in the United Kingdom.

**Mr. Nixon:** It was not brought into being by the government. I hope the Minister will permit me to reassure him that we on this side supported that Milk Act and the principle involved in it. But the feeling must surely arise from the fact that the Ontario milk marketing board was created by act of government, and that the transition from the appointed stage to the elected stage is so gradual that there is a feeling that the continuity of this approach might even survive the transition to the elected position.

**Hon. Mr. Stewart:** The member for Huron-Bruce raised the matter of the identity of Ontario cheese. I told him that the national dairy commission would be handling the sale of all cheese. Now, this in effect is true. But the national dairy commission appoints agents to sell the cheese for them, and the Ontario milk marketing board has been appointed the agent to sell Ontario cheese on the United Kingdom market so the identity and the continuity will continue as in the past. That is why Mr. McLaughlin and Mr. Hurd are over there.

**Mr. Chairman:** The member for Waterloo.

**Mr. Good:** Mr. Chairman, under item 1, the salaries of the Ontario telephone service commission, is this the proper time to discuss this?

**Mr. Chairman:** No, nor until we finish with the milk aspect of the thing.

**Mr. Gaunt:** there are some things that I want to mention.

**Mr. Chairman:** The member for Grey-Bruce, is it on milk?

**Mr. Sargent:** The only point that I want to establish is that for the life of me I cannot see why the Minister would want to be involved in having the government's arm into all these different marketing boards, and I take his explanation as possibly being pretty close to the truth. I do not know. People do not go along with this, but the thing is that his action in the bean board would pretty well be the answer to his intervention into these boards, and as there has been a reversal of this thinking, I would hope that there would be. I would like to ask the Minister, getting onto the milk, are all quota transfers made public?

**Hon. Mr. Stewart:** I do not know, I could not tell you. It is private, but I do know this, that a transfer of a quota from one farmer to another has to be approved by the board and by the dairy to which the milk is being shipped, but I do not think that the transfer has to be made public, that is they do not have to be published.

**Mr. Sargent:** Should not all the members know about the privileges given to some people?

**Hon. Mr. Stewart:** Of course, quotas are advertised in many of the daily and weekly papers and the farm press. If the farmer has a quota to sell, he advertises it in the paper, and he might have half a dozen people after it. It is quite public in that regard.

**Mr. Sargent:** Then, Mr. Chairman, I will leave this here. There were many allegations made in the last sitting of the House that there were privileges by people on the board that others did not have these rights. If there was a public disclosure of transfers—

**Mr. Gaunt:** Imitation products have certainly come to the fore in the dairy industry these last few months. I noticed an article—I think that is was in the *Farm and Country Guide*—that gave a great deal of attention to this matter.

I want to know from the Minister, through you, Mr. Chairman, if in fact the industry as such had been giving very much attention to the possibility to pricing milk on protein content as opposed to fat content, or solids not fat, as opposed to fat.

It seems to me that the dairy industry is, in the next four or five years, going to meet very concentrated opposition from the synthetic products, the filled milk, the imitation milk, and so on. I think that this is going to be a very crucial period in the life of the dairy industry in this country, and it seems to me that we have got to channel our research efforts; we have got to have a completely co-ordinated effort on the part of research, on the part of the industry, and on the part of the government.

If the industry is going to meet this threat head-on, and effectively—and I think that it is a threat, I think that the chairman of the milk marketing board has indicated this is the greatest threat that has ever faced the dairy industry—it seems to me that emphasizing the protein content of milk, for instance, would at least give the dairy industry a bit of a wedge in this competition. Because there is no doubt about it, the consumer is protein conscious, she is not fat conscious, that is for sure.

If we went out and did a selling job and brought into being this type of programme—and, of course, we have been talking about it for several years—but I do not think that anything concrete has been happening. I do not think that we are any closer to this type of programme now than we were possibly two, three, or four years ago. We talk about it, but nothing happens. We continue to price milk on the same old basis, and it seems to me that this is one way in which we can meet the threat in this regard.

**Mr. Chairman:** Is there anything further on milk? Then we will move to the—

**Mr. Gaunt:** I was just going to say, Mr. Chairman, that the Minister, in terms of research—and perhaps I should make the remarks that I am going to make under the next vote, because it involves research specifically, but we are talking about milk, and I am tying the two in together because if I do not, it will break up my comments.

But I think generally the dairy industry spends about 1 per cent of total sales on research. This really is not very much, I mean for an industry as large and as important as the dairy industry it seems to me that they should be spending more than they are on research. As a matter of fact, I do not think that any other segment of the economy could survive with such a low level of research.

**Mr. Chairman:** Item 5 is the next vote, and that covers dairy course in research.

**Mr. Gaunt:** I know, Mr. Chairman, but I am tying to specifically to milk and I was just making the—

**Mr. Chairman:** The member will not bring it up again under item 5 when we reach it?

**Mr. Gaunt:** I give you my word, Mr. Chairman, that I shall not bring it up under the next vote. Having exhausted it on this vote, I will not bring it up on the next vote.

**Mr. Chairman:** I accept the member's word.

**Mr. Gaunt:** So, I just want to get the Minister's comment in this regard because I think that the University of Guelph has done a very commendable thing insofar as coming up with a new product—a low fat spread. It is a new spread, and presumably it replaces butter to a great extent. Butter has around 80 per cent fat, and the new spread has about 40 per cent fat. Now, that is the kind of development we should be having on a continuous basis in the dairy industry.

I know that the industry has come up with a few products, such as the instant breakfast foods, all you have to do is to add milk, and you have your cereal and so on. But it has been on a very limited basis, and it really is not geared to do the kind of job that is going to have to be done if we are going to meet the threat of these imitations like filled milk, synthetic milk, and so on. So if the Minister would just comment on that, I would be interested to hear what he has to say.

**Hon. Mr. Stewart:** Certainly, this matter is under constant review and the very fact that we purchased the infra-red milk analyzer

machines that are across Ontario now, and are doing the milk testing job on a centralized basis for the fluid market at present and will be expanded to the other segments of the industry, is indicative of the fact of our interest in testing in these other fields.

Hopefully we can all look forward to the time when milk would be on a solids, not fat, basis. Certainly, I would agree with his comments concerning higher protein content for milk, but I think he should also bear in mind that this just might result in a higher price for milk if the concentration of proteins that might be added through solids, not fat, to present milk that is being sold.

Now this is a possibility. On the other hand, there could be emphasis, as he suggests, placed entirely on proteins without any consideration towards fats. Perhaps all the talk about fats in the diet is a dietary fad because there is not general agreement among doctors as to whether or not fat is contributing to cholesteral problems.

So I would suggest that these matters are under very active study. The dairy branch, with the economics branch, has prepared a report on substitute milk products for the milk commission and for the milk marketing board. I indicated that this study was underway in reply to a question that was directed to me by the hon. member for Oxford some weeks ago, and that report is now in the printer's hands.

**Mr. Gaunt:** I am wondering, could the Minister tell me if there has been any initiative from the Canadian dairy commission to bring together the excellent talent which we have in the field of research? Has there been any co-ordinated desire to do this?

**Hon. Mr. Stewart:** Yes, there is. These matters are under discussion at national dairy commission level and through the committee of Deputy Ministers who represent all the departments of agriculture across Canada.

**Mr. Gaunt:** Has the agricultural research institute of Ontario done any work in this field?

**Hon. Mr. Stewart:** I cannot give the member an answer on that one. I do not know whether they have or not. I have a note that research and service projects in the dairy branch at Guelph amount to \$150,000, in addition to moneys being spent on dairy courses. This \$150,000 is directly associated with research out of our department on the very matters that the hon. member discusses. It is one thing to have research done, it is



another thing to have it accepted by the dairy industry.

**Mr. Innes:** Mr. Chairman, just one comment under salaries: Previous to March 1 when the milk marketing board started making payments directly to the producers, did the chairman not get an honorarium from the department or where did his salary come from? Did it come under the salaries of the milk commission? And the members of the various county boards—where did their payment come from, if it did not come out of the allotment under the milk commission?

**Hon. Mr. Stewart:** There was no money paid to the county boards by the department as such, but there was a \$5,000 honorarium paid to the chairman of the milk marketing board by the department, which has since been discontinued.

**Mr. Sargent:** Oh, there is the tie-up.

**Hon. Mr. Stewart:** Well, I would think the man is entitled to expenses to do a full-time job.

**Mr. Innes:** Pardon me, will that be discontinued as of March 1 or where would the money come from?

**Hon. Mr. Stewart:** It is discontinued.

**Mr. Innes:** Will it still come from the government?

**Hon. Mr. Stewart:** No, it is discontinued now.

**Mr. Chairman:** Anything more on milk? Perhaps it might be desirable if we deal with each of the branches as listed on page 104 in order that there be no misunderstanding on the votes. Is there anything on the farm products inspection branch?

**Mr. Good:** Under the farm products inspection branch, is this the proper place to bring up the sanitary requirements of the one-day sales arenas?

**Mr. Chairman:** No, veterinary services, which is down at the bottom of the page.

Anything under the farm products marketing board?

The Ontario food council?

**Mr. Spence:** Mr. Chairman, I would like to ask the Minister, what has been accomplished by the food council? I know the agricultural industry is faced with a surplus of products, such as wheat. To the tomato industry, we know the Canadian canners are not opening one of their plants down in our area. Also

in the town of Dresden they are cutting down production, and, I might say, because of a surplus of corn, the price of corn has dwindled, and the vegetables and fruit industry.

I feel that the agricultural industry is in one of the most difficult times it has been in for quite a number of years. I might say that prices have dwindled and food to the consumer is going up.

I wonder if the Minister has a report on what the food council has done. Has food to the consumer gone up, or has the Minister records from the food council and what products have they worked with during the past year and had results?

**Hon. Mr. Stewart:** One of the chief aspects of the food council is food promotion at consumer level. I think it has been quite successful in working out what we describe as plentiful food programmes with large outlets, and this means working with the producer groups through the food council and the distribution outlets. We have been quite successful. At the moment there is a plentiful food programme on canned tomatoes.

What my hon. friend has alluded to, but did not discuss at any length, the real problems which face not only the food council, but everyone associated with the food industry in this province, are cheap food imports that are pouring into this country. This where the real problem exists. Could anything be done about that, I think that we would find a very marked improvement in farm income. But this is purely and simply under the constitution and not the responsibility of Ontario.

Under the constitution we have no authority as a province to impose import quotas or duties or tariffs or what-have-you to protect our food industry. With the enormous ability that we have to produce food in the province of Ontario, our producers are faced with this influx of food that is pouring into this province of ours.

There are a great many matters the food council has been dealing with such as food costs, merchandising practices, misleading advertising, in-store surveys, cut-rate beef and food outlets.

The hon. member for Brantford referred to the fact that the *Toronto Daily Star* four years ago published a story on cut-rate meat and all the rest of it. I did not bother dealing with it this afternoon because it is one thing to report a rumour and it is another thing to prove it. This is the real problem. At the time, I read that story, and I knew all about

it. As a matter of fact the story, I believe, came right out of our office.

During the last winter, particularly in the last several months, I myself noticed advertisements for beef, and knowing the value of beef, they could not possibly sell beef of the quality that was being advertised at the prices advertised. I clipped those ads out and brought them to the office and showed them to the head of the food council. It was through this action that the whole phoney meat deal was uncovered. We found some people who actually had the proof of what had happened and we were able to pursue this thing to the place where charges were laid, which quite effectively have dealt with this problem.

I do not know what the result will be of the court cases, but detrimental trade practices, changes in consumer thinking, this is something that we have been working on with the consumers, fair packaging and labelling of foods, identification of the product.

One of the things that I would very much like to see is in those cans of tomatoes that were provided here. I listed all those various cans of tomatoes and there was only one that indicated that the product in that can was produced in Ontario or in Canada.

To me, this is wrong. I think the consumer should be entitled to know that the product is a product of Canada. You say it is Canada choice. Sure it is Canada choice grade, but it could well be produced somewhere else. I think that these things that have to be dealt with, but they have to be dealt with at a level that goes beyond the jurisdiction of the province of Ontario because these are companies that operate outside the province of Ontario.

We have been dealing with farm income, with marketing boards and commissions, with subsidized imports, special tariffs. This is one of the great problems and I could go into this at some length. We have supported the fruit and vegetable industry in opposing these cheap imports and as a matter of fact—

**Mr. Sargent:** It is a job for the Minister of Trade and Development.

**Hon. Mr. Stewart:** —as a matter of fact, we have tried to bring into line the imports with the requirements that are imposed upon our own producers and I think with some success. I refer to the study on milk substitutes, the new federal consumer protection legislation as it applies to food products. We have developed a programme on Ontario menus—

this dial-a-menu business—and there is quite a favourable consumer reaction to this.

Canned fruits, imports on Canadian, the identifications I mentioned a moment ago of Canadian food products, the changing conditions of the Ontario cheese industry to which I referred, production marketing of Ontario soy beans and the potential of increasing this product because we bring into this province millions of dollars' worth of this product that can be grown here.

The expansion of corn acreage last year—we brought in \$26 million worth of corn which is an enormous amount. It could have been grown here. But here again it was the result of a marketing technique and a problem that arose in United States through the marketing of corn dumped on the market. They had to find a home for it; it poured into Ontario and destroyed our corn prices.

Now there is a real story to be told on this. These are the matters that our food council is dealing with and quite frankly, it is one of the most effective branches of our government. Goodness only knows what would have happened to many segments of the industry had we not had the food council. I would be the first to admit that all is not well in many areas in which the food council is vitally interested.

**Mr. Spence:** Mr. Chairman, if I may, I might say that the purchasing power of the farmer is going down. I listened to and discussed with a number of implement dealers and business men who said they cancelled machinery, tractors and all kinds of machinery this year when the price of corn had dropped to \$1.17 a bushel. It is just remarkable that so much corn comes in and I quite agree with you that there are a lot of imports coming in here and as with many other things, it does affect the agricultural industry, too.

Freight rates from the States to Montreal is 5 cents for American corn where as it is 21 cents from our part of the country to Montreal. I might say that I got an outline of what is made out of corn when we can only get \$1.17 a bushel, on a box of corn flakes. There is only 2.5 cents' worth of corn and the consumer has to pay 40 cents or 45 cents.

They make out of corn—cornmeal; corn flour; they use it in ordinary sugar to keep it together and from getting hard; in canning corn. It is used in chocolate, in separating milk and water; candy; custards; pudding; mayonnaise and tomato juice and canned beans; spaghetti; table mustard; pie filling;

sausages; fish cakes. I will not go on with all the rest of articles that corn is used in.

I would say, Mr. Chairman, with purchasing power of agriculture going down and the imports coming in this province, I know you have set up a committee to study the whole agriculture industry which is facing one of the most serious times. Can we save the agriculture industry for these men that have made tremendous investments with today's prices of pork and of poultry and turkeys?

It is alarming to the people of the province of Ontario that conditions exist in such an affluent society, when our prices are going down and the consumer prices are going up. I do not know, whether we should wait for the results of your special studies.

I think the time has come for you to set up a select committee of this Legislature. I know there are many members in the Legislature most concerned over this whole agriculture industry and I would ask you to give great consideration to a select committee of those who are interested in doing something for the agriculture industry in the province of Ontario.

**Mr. Sargent:** All you want to do is study.

**Hon. Mr. Stewart:** Mr. Chairman, that is just what he asked for.

Interjections by hon. members.

**Mr. Chairman:** Order, order.

**Hon. Mr. Stewart:** He has asked for another study by a select committee.

**Mr. Chairman:** Order!

**Hon. Mr. Stewart:** Mr. Chairman, my hon. friend says "do not even wait for the study that the farmers asked to be made and asked our government to put up half a million dollars to find the answers to a complex problem." Does he suggest, with great respect to my hon. friend from Kent, that there should be a select committee in the House to perform another study while this one is going on now?

**Mr. Sargent:** Put the wheels in action.

**Mr. Chairman:** The remarks are out of order, anyway.

**Hon. Mr. Stewart:** Let me suggest to my hon. friend—all right, let me suggest to my hon. friend—all right—

**An hon. member:** On June 25 we will have it all settled.

**Hon. Mr. Stewart:** Let my hon. friend remember that under the constitution that he

knows so well, or should know so well, the responsibility for imports is the responsibility of the federal government.

**Mr. Spence:** I know that, but I—

**Mr. Chairman:** Order, order!

**Mr. Spence:** If I have a problem I go to you—

**Mr. MacDonald:** If I am not out of order, can I get in here, too?

**Mr. Chairman:** Order, order!

May I say all of the remarks were out of order because we were talking about the Ontario food council, not research. Is there anything on the Ontario food council?

**Mr. MacDonald:** Mr. Chairman—

**Mr. Chairman:** The member for York South.

**Mr. MacDonald:** Mr. Chairman, I want to submit to you, and I hope that the gavel will not fall in my direction, that remarks in this connection are not out of order—prices with regard to food, not research.

**Mr. Chairman:** But the member was talking about research.

**Mr. MacDonald:** He was out of order, but I am not, that is the point—

Interjections by hon. members.

**Mr. MacDonald:** Prices with regard to food, Mr. Chairman, are not, in my submission, the appropriate consideration of a select committee, or even a Royal commission. In case you have forgotten, it is a prices review board that you are now in favour of, and you said to the federal government that you are willing to co-operate on. We have had too many studies which while the study is going on, have some impact. The Commons-Senate committee—while it was studying, prices went down. While the Batten study was being conducted in western Canada, particularly when the report was about to come out, prices went down. So that—

**Mr. Chairman:** Well with great respect to the member we were not off of the Ontario food council.

**Mr. Nixon:** Oh yes.

**An hon. member:** No, we had not.

**Mr. MacDonald:** During investigation of foods, prices presumably come under the jurisdiction of the Ontario food council.

**Mr. Chairman:** But it would more appropriately come under the next vote.



**Mr. MacDonald:** Are we not on the Ontario food council?

**An hon. member:** Yes, indeed we are.

**Mr. MacDonald:** We have been on the Ontario food council for a half hour. Mr. Chairman, I think it is fairly late in the evening—maybe we should both go home. But I believe we have been on the Ontario food council for some time.

**Mr. Chairman:** The Chairman is quite flexible. We permitted the other remarks out of order—proceed.

**Mr. MacDonald:** I do not like the imputation of that remark because mine is in order.

I do not want to pursue this any further, but if we are going to get at the food prices, we want to get at it in a continuing investigatory body so that those who are guilty of exorbitant price increases know that as quickly as they raise prices, the body is there to take action. If it is a Royal commission that sat last week, or last month, or last year or might meet next year, this gives them too much leeway and meanwhile, up the prices go.

So let us not get drawn off on a proposal for select committees or Royal commissions. What we want is that continuing prices review board, and I do not object if you toss wages into the hopper, although I would be pleased if you tossed profits into the hopper too, if you are really interested in getting at the price structure.

The second point I want to raise briefly, Mr. Chairman, is the question that we referred to earlier and finished with, but I want to revive it briefly in connection with the food council. My question to the Minister is this: Has the issue of vertical integration been dropped completely by the food council since it was almost its reason for existence in the first instance?

**Hon. Mr. Stewart:** I would not say that it had been dropped entirely, but there are many conflicting points of view on the food council, or I should say in the food industry, not necessarily the food council, concerning vertical integration. You can talk to just as many farmers who are very much in favour of what is being done today as you can find farmers who are opposed.

Just last weekend a farmer came to my place and expressed himself quite vigorously in favour of his right to rent a farm to a canning company to grow canning peas. There are all kinds of illustrations, of widows, of semi-retired farmers, of people who are in poor health, who simply rent their farms to

these canning companies, and they tell me that they are making a reasonably good return in the rent that they are receiving.

Now, if we outlaw vertical integration, you simply say to those farmers, you cannot rent your farm to these companies to grow crops. Not all of these companies are growing all of their supplies, but they are growing some. In the studies that were made by the food council with the various companies and with the organizations involved, it was discovered that in some instances companies felt that they could regulate their supplies as to planting, harvesting and all the rest of it and quality control through this type of a programme better than they could through straight contracting all of their supplies.

Now in some commodities, as my hon. friend well knows, there is no vertical integration, but in corn and peas, I believe there is. I do not know of others where there is really very much going on but there is in those two.

**Mr. MacDonald:** Mr. Chairman, I had not quite finished here but my problem is that I wonder if we should not quit kidding ourselves. The Ontario food council studied it for a time and, if I interpret the Minister's remarks accurately he, in effect, said there were so many cross currents and conflicting views that, in effect, they had become paralyzed, they had come to no conclusions. But the Minister told us that now the income committee is studying it.

**Hon. Mr. Stewart:** It is within their terms of reference. They can take a look at this; I am sure it is one of the matters that they can look at.

**Mr. MacDonald:** Well, if it is within their terms of reference when I raised it this afternoon, I took from what the Minister stated that they were studying it and so it was still being looked into. It seems to me that we either quit discussing the issue, and worrying about it, and not coming up with some solutions, or else we get at the issue seriously.

One of the answers that has been raised in some instances has been making certain that all of the produce, if it is handled through a marketing board, must go through that marketing board, so that you do not have an opportunity for vertical integration—in effect, sabotaging the effects of the marketing board. I would like to see some sort of considered view on whether or not this would be an effective way of coping with it.

But I come back to my basic point. I think that we should quit kidding ourselves—the

Minister included—in talking about the threats of vertical integration; in talking about the takeover of a growing proportion of Ontario agriculture by American corporations, the corporations that buy from or sell to the farmers, if we really are not going to do anything about it, or have come to the conclusion that nothing can be done about it.

That is by way of a comment. I am sorry there is not much point in asking further questions on it.

There is a third point that I want to raise briefly.

**Hon. Mr. Rowntree:** Mr. Chairman, may I ask how long the hon. member intends to proceed?

**Mr. MacDonald:** I have two brief questions and then I will be finished.

**Hon. Mr. Rowntree:** Shall we set a deadline of midnight?

**Mr. MacDonald:** Two brief questions.

**Hon. Mr. Rowntree:** I say, should we set a deadline of midnight?

**Mr. MacDonald:** No, I will sit down right now, go ahead.

**Hon. Mr. Rowntree:** Could the hon. member indicate how long he will be going on?

**Mr. MacDonald:** I said two brief questions, three times.

**Hon. Mr. Rowntree:** I said how long, that was the point.

**Mr. MacDonald:** Oh, I would say, dependent on how long the Minister is, maybe three and a half minutes.

**Hon. Mr. Rowntree:** Well, proceed. Will that conclude your observations?

**Mr. MacDonald:** You and I seem to have difficulty communicating or co-operating tonight.

The Minister raised the question of protecting the fruit and vegetable industry because of imports that hit them in the early stages of the season coming in from the United States. Once again, this is something that we have heard about for almost time immemorial, certainly as long as the industry has existed in Canada. Does the Minister hold out any hope, from his position of negotiating from a greater power than any single farmer or farm organization that the federal government is going to do something?

Either this government, or the Tory government that used to be there, or any conceivable Tory government that might be there? In other words, you have dealt with both, Tories and Liberals—now in light of your experience, is there any hope that any old party government at Ottawa will do something about this?

**Hon. Mr. Stewart:** I have every hope that it will be done because if there is any degree of wisdom at all in whatever government is elected on June 25, I am sure that there is a definite feeling within the ranks of the Conservative Party that there should be a complete review of the seasonal import restrictions. Now if this were done, then I think we could effectively cope with this problem. I am not trying to be party political here, but surely the time has come to review these seasonal import restrictions. This is one thing that can be done and I have every hope that it will be done. We have discussed this with them on many, many occasions and I want to say—

**Mr. Sargent:** What liaison do you have with them, continual liaison?

**Hon. Mr. Stewart:** We have discussions with the Minister of Agriculture—

**Mr. Sargent:** Are you allowed to tell the Legislature what is going on?

**Hon. Mr. Stewart:** Well, my hon. friend—

**Mr. Chairman:** Order!

**Mr. Sargent:** This is very important, Mr. Speaker.

**Hon. Mr. Stewart:** Yes, we maintain constant relationships with the federal Department of Agriculture all the time. I would say this, Mr. Chairman, that if my hon. friend's party over there would exert as much influence on his party colleagues at Ottawa as we do—we would have had these things resolved long ago.

If I may suggest one more thing. There is something that I have learned and it is as a result of discussions that I have had with the federal Minister of Agriculture, the hon. J. J. Greene, and with the former Minister of Agriculture, the hon. Alvin Hamilton. I have a high regard with the way we have been able to cope with some of these situations but we have not been able to resolve them all.

One of the problems is this—that when a country takes effective action to gear its production to the known market requirements

within that country, then that country can effectively establish import quotas or restrictions under the general agreement on tariffs and trades.

**Mr. Sargent:** That is pretty safe.

**Hon. Mr. Stewart:** It is just so safe that if producers were to do this, then the federal government could quite legitimately implement import restrictions, but as long as we go merrily on our way producing far beyond the known requirements of our domestic market, the federal government, under the general agreement on tariffs and trade which is a world-wide agreement, has no authority to impose quotas or import restrictions against other countries importing into this market.

Now there is the problem we are facing. I feel that it can be solved. I am not nearly as pessimistic as my friend the leader of the Liberal Party, when he suggests that he has no faith in this organization that I suggested would be to the advantage of Ontario farmers, because I frankly believe that if such an organization could be established, and national commodities commissions could be established that would have something to say about gearing the production of Canada and its various commodities to the domestic market, then the federal government could step in and protect those producers. But when we go so far beyond the known market requirements in our domestic production, the federal government simply throws up its hands and says to us that under the general agreements for tariffs and trade or GATT as it is known in short, we simply cannot do a thing. Now there it is, that is the story.

**Mr. MacDonald:** Mr. Chairman, just one brief comment. I can understand and sympathize with the Minister's apprehensions about this government doing anything on the issue. That near-Prime Minister, Robert Winters, rather ruthlessly said to one group of producers in southwestern Ontario, "You cannot expect any real assistance, you can just phase out your capital involvement into something else."

**Mr. Sargent:** The member is wandering.

**Mr. MacDonald:** I am not wandering, the point I really want to make against that background is that I would be much more impressed with the Minister's argument and logic if this were a new problem—but it existed ten years ago when the Tories were in power and they did not do anything about it then.

I appreciate the "non-political" remarks the Minister made, but the fact of the matter is

that it has not been solved by Liberal and Tory governments.

**Mr. Chairman,** one final sharp brief question: When does the Minister expect the report of the commission investigating alleged payola in the industry in southwestern Ontario?

**Hon. Mr. Stewart:** It starts its hearings on May 22. How long they will continue I just do not know, but it will start May 22.

**Mr. Gaunt:** Where are we now, Mr. Chairman?

**Mr. Chairman:** Item 2, travelling expenses.

**Mr. Nixon:** Mr. Chairman, a moment ago the House leader was up on his feet to move the adjournment.

**Mr. Chairman:** But he did not.

**Mr. Nixon:** Yes, if he is not going to adjourn it, then I guess we will have to carry on with the discussion because the understanding here was there was just three more minutes for the leader of the NDP, and then we were going to adjourn.

**Hon. Mr. Rowntree:** On this humorous note—

**Mr. Nixon:** Yes, it gets funnier by the minute.

**Hon. Mr. Rowntree** moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

**Mr. Nixon:** And we will fight about what vote we carried on Monday.

Motion agreed to; the House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** The committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow morning we will proceed through the order paper and with the enlightened and enthusiastic co-operation of the Opposition we expect to accomplish a good deal.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:15 o'clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Friday, May 10, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 10, 1968

The House met at 10:30 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning in both galleries we have students from the Elms public school in Rexdale. Later this morning, about 11:30, in the east gallery there will be students from Marlborough public school in Windsor and Garson-Falconbridge secondary school; and in the west gallery at that time from St. Agnes separate school in Chatham. I am sure the members welcome these visitors this morning.

Petitions.

Presenting reports.

Motions.

**Hon. J. P. Robarts** (Prime Minister) moves that commencing Monday next, May 13, and until further order, this House will meet at 2 o'clock, p.m., Monday to Thursday inclusive.

Motion agreed to.

Introduction of bills.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I would like to ask the Premier who authorized the use of the press conference facilities on the main floor of the Parliament Buildings on Wednesday, May 8, by four Toronto federal candidates for the New Democratic Party? And under what circumstances are the press facilities available to individuals whose activity does not fall within provincial jurisdiction?

**Hon. Mr. Robarts:** Mr. Speaker, I would say that these facilities were created initially for the benefit really of the news media—radio, television and the written press. In the first place they were created in order that we could avoid the problem of what I call corridor press conferences, which I found unsatisfactory from my point of view as an individual and which I have always felt highly unsatisfactory as far as the news media are concerned. Therefore, really, the facilities were created for the news media.

In this particular instance, the leader of the New Democratic Party (Mr. MacDonald) asked, I believe, if the facilities could be used

by these four people. As a matter of administrative efficiency, just in order to have a clearing house, the use of this room is generally cleared through room 149 and this is in the buildings here, which comes under a member of my own staff. This is simply to ensure that we may have some order in the use of the room. There have never been any restrictions placed on it. I can understand that if it were to be turned into a public room there might be some difficulty. We have not had this difficulty to date.

The leader of the New Democratic Party federally has used this room, Mr. Diefenbaker used it in his day, and Mr. Stanfield has used it more recently. I do not think the Prime Minister of Canada has ever used it, but we would be happy to accommodate him if he were in the buildings and he wanted an interview there. Mr. Speaker, I might say the hon. member for Sudbury (Mr. Sopha) used it to announce that he was not supporting the present Prime Minister of Canada. I do not know whether that would come under the heading of provincial business or not. Charles Templeton used it to announce to the press that he was running for the leadership of the Liberal Party. And I might say the hon. leader of the Opposition used it on one occasion to announce that he was not running for leadership of the Liberal Party. So you can see that really it is a sort of public room now.

If we run into difficulty and if the facilities are over-taxed by requests, then we might have to put some restriction on its use, but as far as the government is concerned, we think it is quite an efficient room. As a matter of fact, people from the federal government came and looked at it on one occasion and I had some hope that they might do something about it in Ottawa, because when we go there to federal-provincial conferences, I am always a little aghast at the way the press arrangements are handled. When you have great ropes and put the members of the press behind them—to me it does not look like a very sensible arrangement. But we have this here to be used, really, for any public use that is within reason, and I would think that that would be



the criterion that we will follow in the use of these facilities.

**Mr. Nixon:** Mr. Speaker, if I might just ask a supplementary question.

I would begin perhaps by saying there is an old democratic rule among politicians that if you want to have a meeting, you go and hire a hall, and I think it is a pretty good rule. I would say those facilities are provided at public expense for the use of the provincial people involved in provincial affairs. I am not saying these people came in off the street at all. One of them certainly—as you know, Mr. Speaker—has an association with the leader of the NDP office and there may be some reason why his boss would have the hall for him, but I do not know. It seems to me that if we are going to provide these facilities for all the politicians of Toronto, such as the Conservative executive of Toronto and district, we are going to have a very busy hall indeed.

So I would ask the Prime Minister, Mr. Speaker, if he does not agree with me that there is a lot of truth and health in the attitude that politicians are out on their own in a non-elected capacity and they ought to hire their own hall?

**Hon. Mr. Robarts:** Mr. Speaker, I would agree with this, but I would point out that the hon. leader of the Opposition used this same room to announce that he was supporting Mitchell Sharp in the leadership campaign of the Liberal Party. He knows he did not hire his own hall on that occasion.

Interjections by hon. members.

**Hon. Mr. Robarts:** I make no comment on his judgment.

**Mr. Nixon:** Is the Premier saying I have no right—

**Hon. Mr. Robarts:** Oh no, no, I do not. I do not say—

**Mr. D. C. MacDonald (York South):** For any purpose!

**Mr. Nixon:** I can use it for any purpose I choose?

**Hon. Mr. Robarts:** Mr. Speaker, like so many things in public life, I think we need some sense of proportion in what we do. If the requests become overwhelming and burdensome and reach a stage where they might be considered that public money provincially was being spent improperly, of course we will put a limit on it. But until that situation arises I think we will use our

common sense and the requests, I hope, will fall within that category.

**Mr. Nixon:** Mr. Speaker, I hope the Premier will recall, since he mentioned Mr. Sharp's name, that when he decided to make some public pronouncements I suppose he could have used these facilities under those rules, but he undertook to hire his own hall, and asked the press to come and meet him there. That is what he did and I think it is a pretty healthy approach.

**Hon. Mr. Robarts:** I would only say, to end this, Mr. Speaker—to end this discussion, I hope, this morning: If I were doing it myself I probably would hire my own hall on the basis that it would be a more effective way of doing it. I do not think it is particularly effective for a federal politician to come into these buildings and use a provincial facility but that is up to his judgment too.

**Mr. G. Ben (Humber):** Mr. Speaker, why is it every time the Liberals pick on the NDP, the NDP say that the Liberals are nit-picking? Answer that one.

**An hon. member:** Picking nits in other—

**Mr. Speaker:** It is quite evident the member for Humber is back with us. That was probably a point of personal privilege.

**Mr. M. Shulman (High Park):** I think the Provincial Secretary (Mr. Welch) is not here so I will go ahead with my question to the Minister of Reform Institutions.

Is the press given carte blanche to visit any of the provincial penal institutions at any time? If this is not so, why was it reported in the Toronto *Telegram* yesterday that such permission had been given to Mr. Larry Solway? Is the *Telegram* correct in saying that such freedom of access given to Mr. Solway was due to the fact that Mr. Phil Givens was a good friend of the hon. Minister?

**Hon. A. Grossman (Minister of Reform Institutions):** Mr. Speaker, the hon. leader of the NDP was just talking about "nit-picking", and in answer to this "nit-picking" question of "urgent public importance", may I say that I got this question just a few moments ago. I called—

**Mr. Shulman:** It was put in yesterday.

**Hon. Mr. Grossman:** I was not here all night.

**Mr. Speaker:** Order! The member for High Park might be more accurate in his statement—that it was put in late last night in my office, not yesterday.

**Mr. S. Lewis** (Scarborough West): The Speaker might rule on the distinction.

**Hon. J. Yaremko** (Minister of Social and Family Services): Two judges have already ruled.

**Mr. Speaker:** The terms "yesterday" and "last night" are not synonymous.

**Hon. Mr. Grossman:** Mr. Speaker, the answer to the first question is "No." In a discussion with Mr. Solway this morning, he told me he may have used the phrase "carte blanche," but if he did, it was in the nature of hyperbole, and I am sure the member for Scarborough West knows something about that. It was in the nature of hyperbole and was in answer to a suggestion by an ex-inmate that the press is not allowed to visit the institutions. In respect to question (b)—"If this is not so, why was it reported in the *Toronto Telegram* yesterday—May 9—that such permission has been given to Mr. Larry Solway—I refer the hon. member to the person who wrote the article, as I am not responsible for what is written in the press.

With respect to (c)—"Is the *Telegram* correct in saying that such freedom of access given to Mr. Solway was due to the fact that Mr. Phil Givens is a good friend of the hon. Minister?"—as I read the article which I have before me, Mr. Speaker, this portion of the article was not a statement, but a question put by the writer involved and I have already answered the question.

**Mr. Lewis:** Is the Minister not the official agent for Mr. Phil Givens—

**Mr. Speaker:** Orders of the day.

#### MOTORIZED SNOW VEHICLES

**Hon. I. Haskett** (Minister of Transport) moves second reading of Bill 88, An Act respecting motorized snow vehicles.

Motion agreed to; second reading of the bill.

#### THE PUBLIC HOSPITALS ACT

**Hon. M. B. Dymond** (Minister of Health) moves second reading of Bill 92, An Act to amend The Public Hospitals Act.

Motion agreed to; second reading of the bill.

#### THE PRIVATE HOSPITALS ACT

**Hon. Mr. Dymond** moves second reading of Bill 93, An Act to amend The Private Hospitals Act.

Motion agreed to; second reading of the bill.

#### THE MEDICAL SERVICES INSURANCE ACT, 1965

**Hon. Mr. Dymond** moves second reading of Bill 94, An Act to amend The Medical Services Insurance Act, 1965.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, this bill extends the services of OMSIP to optometrists and this, of course, is an extension that we on this side have called for, for some years, and support in the bill before us.

There are two things I feel might be referred to in the Minister's comments on second reading and one is the extent to which medical services costs will be involved, when the large number of citizens who normally have their eye care given over to the responsibility of an optometrist rather than a medical practitioner, will now be able to do this and have OMSIP pay at least a part of those costs. I would further like to comment on the continued restrictions that OMSIP enforces on other medical or paramedical practitioners, and ask the Minister to comment on the principle of this bill as to how he and his advisors decided how it was possible to extend the coverage in this connection, and what he sees as future extensions possible in legislation of this type.

**Mr. Speaker:** Any further member wishing to comment on this bill? Then the Minister?

**Hon. Mr. Dymond:** Mr. Speaker, the answer to the hon. leader of the Opposition is that the estimated cost of this additional service is \$6.5 million, in the first year. Why did we pick on this service, this paramedical service for extension? I think due to the fact that we have confirmed that about 65 per cent of the people who need eye care in respect of refractions, turn to the optometrist for various reasons. For this reason and this reason alone, it was decided to extend into this area. I do not believe that the terms of this bill, or the principle of this bill, sir, will permit me to debate the general topic of extension into other areas of health and parahealth services; it simply deals with optometrical services.

Motion agreed to; second reading of the bill.

#### FOREST FIRE PREVENTION

**Hon. R. Brunelle** (Minister of Lands and Forests) moves second reading of Bill 97, An Act respecting forest fire prevention.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, in reference to Bill 97, respecting forest fire prevention, I am happy to see that the department is at last tightening up the restrictions with regard to the lighting of fires in our forests. When one considers the amount of damage that is being done each year in our forests as a result of fires, and when you consider that in 1967 there were 23 million cubic feet of wood destroyed by forest fires, and the number of acres burned in 1967 was 63,000 of prime forest land, and the total number of fires in our province were 1,465, it is becoming quite apparent that we have to restrict the use of fires during the season of the year when the fire hazard is extreme. I was wondering if the Minister would comment on the cost of forest fire prevention by The Department of Lands and Forests.

I notice on the unit study done by Mr. Brody, that in this regard he advocates combining the two charges—for what they normally pay in forest fire prevention and the land use—into one lump sum. It would indicate that the amount that will be charged to the prime licence holders as a result of the implementation of one of the recommendations of the forestry study unit, is about one half of the cost of the forest fire prevention programme undertaken by The Department of Lands and Forests. I was just wondering if the Minister feels the prime licence holders are paying an adequate share of the cost of forest fire prevention.

I realize that we cannot put legislation or regulations in that might inhibit the expansion in our forest products industries and price ourselves out of the market, but I think in other jurisdictions it is quite a bit higher even than it is in the province of Ontario. Due to the extreme weather conditions in the northern part of our province, particularly where most of our merchantable timber is, we do not get the quick growth that they do in other jurisdictions, particularly in the southern states, but I do feel that if the prime licence holders were forced to operate their limits and exploit the potential on those limits to the fullest, they would be able to take on a much greater share of the forest fire prevention programme that is being undertaken by the department.

There was just one little restriction that I thought might be a little bit severe. Subsection 27 says:

No person shall smoke while walking or working in a forest or woodland during a fire season.

The number of fires that have been started, according to the statistical reference of The Department of Lands and Forests for 1968, would indicate that a very small proportion of the number of fires started were, in effect, started by those who regularly are employed in the forests and make their living in the forests. I was just wondering if subsection 27 is not a little too restrictive, because I do not think there is anybody who knows better the amount of damage and the cost of fires, and I was just wondering if he did not think that section of it was just a little bit too restrictive.

**Mr. Speaker:** Is there any other member wishing to speak to this bill before the Minister?

**Hon. Mr. Brunelle:** Mr. Speaker, I appreciate the comments of the hon. member.

**Mr. Speaker:** Order, the member for Rainy River has a comment.

**Mr. T. P. Reid (Rainy River):** I just have a few comments, Mr. Speaker, and perhaps the Minister can enlighten me. I see here that the fire season is from April 1 to October 31—this is deemed to be the fire season. No doubt the department has studied this carefully and decided, but there is always a possibility, is there not, that a fire is going to happen either before or after this date—the fire does not know when it is going to happen. It seems this is purely an administrative thing is it, this fire season? I would think so, because the fires certainly are not going to happen on schedule as this seems to indicate.

I would like to ask the Minister about the fire permit and the travel permit. Will these be issued as one form or does anyone going into the bush require one of these permits? I am thinking particularly of hunters, fishermen and canoeists? He will get to that in his remarks, no doubt. I must say, Mr. Minister, through you, Mr. Speaker, that this is certainly a necessary bill but there seems to be a great deal of restrictions contained therein and I wonder if the liberty of the individual here is not in some sense being endangered.

The fire hazard is always extreme during the summer months; we all agree with that, we lose a great deal of wealth through forest fires; but some of the restrictions contained in this bill are really going to affect all the people, especially those in northern Ontario. Perhaps the Minister can explain to me why the fact is as restrictive as it is and secondly just what the department's plans are as



regards these fire and travel permits. It is not wholly explained in this bill.

**Mr. Speaker:** Any further member wishing to speak? The member for Victoria-Haliburton.

**Mr. R. C. Hodgson (Victoria-Haliburton):** Mr. Speaker, it is my understanding that this bill has the support of several of the forest industry associations and I would like to say also that I believe it is a good bill and that it deserves the support of this House.

**Mr. Speaker:** Any other member? The Minister has the floor.

**Hon. Mr. Brunelle:** Mr. Speaker, in reply to the hon. member for Thunder Bay, I appreciate his comments, and with reference to forest fire protection charges, we have now doubled the fire protection charges. They used to be \$12.80 and now they have been doubled. In other words, we are charging the forest industries—and we have had many letters from them complaining that we were charging too much. However, we believe in multiple use and that is why we felt that it was necessary. Also, they had not been raised for quite a number of years.

Regarding the other matter of smoking, also raised by the hon. member for Rainy River—this may appear to be a little restrictive. However, as you gentlemen know, coming from the great north country, this has been an established practice with all woodworkers in the forests that whenever they smoke they must either sit down, or if they want to stand up, but they must not smoke while they are walking or working. This is a very desirable fire feature for the prevention of fires, and this is supported, as the member for Victoria mentioned, by all forest industries.

Also I am told by my good friend, the Minister of Health, it is a very desirable feature when you are walking, that you should stop every hour and rest for five minutes; stop and put your feet up and have a smoke. He is not recommending that you should smoke but that you should stop. So I think you will agree that this is not too restrictive of either sitting down, or of stopping.

With reference to the matter of travel permits: as you know until now everyone who went into the forests during the season had to have a travel permit. This was very difficult to enforce, very unmanageable. Now fire permits will not be required; we will have two zones. We will have a restricted fire zone when there is a fire hazard, and in those areas no fires will be allowed except fires by a small portable stove or a charcoal stove.

However, when the fire hazard increases in restricted travel zones, then a travel permit will be required—only when the fire has reached that stage in the restricted travel zone. We believe that this will facilitate travel into the forests and also make it easier to administer the regulations. As I said earlier, this bill has been thoroughly studied by the forest industry and it has received its approval.

**Hon. Mr. Dymond:** Mr. Speaker, may I be permitted a comment? I certainly agree with—

**Mr. Speaker:** I am sorry, the Minister is out of order. The Minister having closed the debate on this vote there is no further debate. The motion is for—

Interjections by hon. members.

**Mr. Speaker:** If the Minister wishes to make a point of order on personal privilege he may do so, but he may not comment on the debate.

**Hon. Mr. Dymond:** Then, Mr. Speaker, may I put it as a point of order. I certainly agree with the hon. Minister that people should walk. I disagree heartily that they should smoke.

Motion agreed to; second reading of the bill.

#### THE PROVINCIAL PARKS ACT

**Hon. Mr. Brunelle** moves second reading of Bill 98, An Act to amend The Provincial Parks Act.

Motion agreed to; second reading of the bill.

#### ONTARIO GEOGRAPHIC NAMES BOARD

**Hon. Mr. Brunelle** moves second reading of Bill 99, An Act to provide for the establishment and functions of the Ontario geographic names board.

**Mr. Speaker:** Is it the pleasure of the House that the motion carry? The member for Thunder Bay.

**Mr. Stokes:** Mr. Speaker, I just have a brief comment. I have had some correspondence with the Minister with regard to the naming of geographic locations and specific points of interest on a good many of our lakes, particularly in northern Ontario where a lot of the names, as they exist today, bear no relationship to the history of that area.

I have taken it up with the Minister that he should rename some of the geographic

locations and sites after people who helped to develop the area, and we are in the process, with regard to one location in Lake Nipigon, at the present time—

Interjection by an hon. member.

**Mr. Stokes:** Oh, no, there are some.

But it is surprising when you go into some of these lakes, and you want to name a specific location—an island, or a reef, or a shoal, or a bay—and find it has already been named. When you ask who it was named after, where it has got its name, or the significance of the name, it is completely unrelated to the history of that area, or anybody who was in any way responsible for developing the area.

Certainly, in its early stages, and I would hope that the Minister, when he gets his cartographer working on this, will upgrade some of these names and relate them to something that actually happened in the area or the history of the area. This will bring it up to date so that it will give an opportunity to descendants of people in that particular area who have contributed to a great extent in its development, to have their name perpetuated by being designated by the particular location bearing their name.

**Mr. Speaker:** Before the leader of the Opposition takes the floor, and in order to save the deputy leader of the party difficulty, I was just going to say that I was quite safe this morning because the hon. member for Sudbury (Mr. Sopha) is not here. Normally, if the leader of the Opposition indicates that he wishes to speak, he does have first choice, but this time the other member was on his feet and had started to speak before the leader rose, so the deputy leader will understand the reason why his leader is, this time, in second place.

**Mr. Nixon:** Mr. Speaker, I appreciate this explanation, and I know that you are concerned about our delicate feelings on this side.

When it comes to naming the sites that have been mentioned by the member for Thunder Bay, I cannot agree that those who had something to do with the development of these areas in the past have been completely overlooked. I remember well the northern trip that the members of the Legislature took, I believe, in 1964.

We happened to be in one of the Lands and Forests planes, navigated by the then hon. Minister of Lands and Forest himself. I was following the map rather closely and

in flying over the various townships, I was quite struck with the names that had some sort of a political ring down through the years. And it came home to me where these names had come from, when we flew over the townships that are located side by side known as Gertrude and Leslie.

**Mr. T. P. Reid:** Mr. Speaker, I would like to comment briefly on this bill. I would like to ask the Minister a question—is The Department of Tourism and Information involved in this at all, or is this strictly in your department?

I would like to suggest—I see that there are seven members for appointment by this board. As you know, northwestern Ontario and my area in particular, the area of the famous Dawson Trail, and the voyageur canoe route—and what I would like to suggest to the Minister is that certainly one of the seven people who will be appointed to this committee would, I would hope, be appointed from northwestern Ontario. The area is a great historical area, and we have many people who are interested in the history of our area.

I think I will just leave it at that. I would like to reiterate that first question as to whether there will be a tourist promotion, shall we say, on the aspects of this bill?

**Mr. Speaker:** Is there any other member who wishes to engage in the debate before the Minister closes it? The Minister has the floor.

**Hon. Mr. Brunelle:** Mr. Speaker, I appreciate the comments of the hon. members. With reference to the naming of these places, may I say, for instance, that we have certain lakes say, Round Lake, that have obtained their names. There might be hundreds in the province, and as you know Round Lake is not too descriptive, so this is the purpose. Round Lake, Moose Lake, Deer Lake could have maybe more appropriate names. We certainly will keep in mind the suggestion of the hon. member for Rainy River to try and have a representative of that great northwestern area make the committee aware of the heritage and importance of the north.

**Mr. Speaker:** This is the motion for the second reading of Bill 99; is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

#### THE CROWN TIMBER ACT

**Hon. Mr. Brunelle** moves second reading of Bill 100, An Act to amend The Crown Timber Act.

**Mr. Speaker:** Go ahead, you are safe this time.

**Mr. Stokes:** I am safe this time, am I?

Thank you, Mr. Speaker. This is a good job of housekeeping and tidying up. I think it implements another recommendation of the forest study unit, and I just want to make one brief comment with regard to section 4, subsection 3; the granting of a licence under subsection 1 does not imply any obligation on the part of the Minister to make Crown timber available for the mill.

I am just a little bit puzzled as to what is meant by this. Certainly it would not be, I would not think that it would be, the policy of The Department of Lands and Forests to grant a licence for anything other than the provision of timber. I was just wondering if this would enable somebody to do as the E. B. Eddy Co. has done up in the Matachewan area, where they have sat on prime forest land for the last 20 or 25 years without having exploited it themselves. I think the Minister did make some reference to an agreement which they had which is renewable from time to time; and they do sublet certain areas of it so that certain portions are available to other smaller operators in the area. But the prime licence holder is the E. B. Eddy Co. and I was just wondering if the particular subsection is going to perpetuate that. It seems to be in conflict with the recommendations of the forest study unit where everyone is advocating the integration of our forest industry and a much more efficient utilization of our forest potential. I would think that this would tend to be in conflict with that, and I would like the Minister to comment on this if he would.

**Mr. Speaker:** Any other member wishing to speak to this bill?

**Mr. T. P. Reid:** Mr. Speaker, I have a couple of comments. This Bill 100, of course, is the result of, or stems from, recommendation 28 of the Brody report or the forest study unit. I think that it is a very necessary one, and I would like to ask the Minister about section 2, part 2, the Lieutenant-Governor in council and so on. Could he explain under what circumstances the Lieutenant-Governor might suspend the operation of subsection 1; and I must admit that I am not quite sure what subsection 1 is; would you explain that please?

**Mr. Speaker:** Any other member? The Minister has the floor.

**Hon. Mr. Brunelle:** Mr. Speaker, the point was mentioned by the hon. member for Thunder Bay; it was mentioned by the hon. member for Rainy River. This bill, section 4, is in agreement with the recommendation of the forestry study unit,

This is one of their recommendations, and the reason we feel that there should be no obligation when we issue a timber licence is because a lot of the wood today is purchased from private sources. Not all of the wood comes from Crown land. A lot of the wood often comes from private lands in other areas. We feel that because we issue a licence we should not be under the obligation of guaranteeing wood to them because the wood does not all come from Crown land; it comes from other sources. This is the reason we have done this. Now this used to be in the Act until 1964, and in 1964 the Act was amended. We feel that this has not worked out too well and in view of the recommendation of the forestry study unit that is why we are removing this factor.

With reference to the hon. member for Rainy River, section 14 of The Crown Timber Act requires that all Crown timber be manufactured in Canada; and subsection 2 of section 14 provides that the Lieutenant-Governor in council can suspend this requirement. It is also proposed to strengthen subsection 2 to permit the Cabinet to impose terms and conditions of such a suspension.

Under such terms and conditions, a greater control over the export of manufactured wood can be accomplished. For instance, we believe in and the forestry study recommends, total integration and utilizing our resources to the fullest extent and in cutting all the wood in a certain section—full utilization. Then it is easier for regeneration.

This amendment will provide more flexibility in carrying out the desire that we export certain species that are not utilized. For instance, we only utilize about 5 per cent of the total poplar on Crown lands and sometimes it is advisable to export some of this wood when it cannot be used locally. This is to provide more flexibility.

Motion agreed to; second reading of the bill.

#### THE RAILWAY FIRE CHARGE ACT

**Hon. Mr. Brunelle** moves second reading of Bill 101, An Act to amend The Railway Fire Charge Act.

Motion agreed to; second reading of the bill.



## THE DEPARTMENT OF AGRICULTURE AND FOOD ACT

**Hon. W. A. Stewart** (Minister of Agriculture and Food) moves second reading of Bill 102, An Act to amend The Department of Agriculture and Food Act.

**Mr. Nixon:** Mr. Speaker, the bill is, I suppose, a housekeeping bill and it, therefore, has several parts to it which can be discussed in committee. But I wonder why the Minister is so quick to relieve himself of the power to assist farmers in the ways that have been possible up until now under, admittedly, emergency situations.

I refer specifically to the ability to assist farmers in providing water for their farm needs with grants or assisted loans, I forget which. It seems to me that the statute might very well have been left on the books since it operates at the discretion of the Minister and his advisors and it would have been possible for him to respond more readily when emergency situations with regard to the availability of water were to occur again, as well they might—if not this year then next.

But if we had to wait for the House to give the Minister authority to do what he has had the power to do in recent emergencies having to do with water supply, then I would say that his powers would be abnormally reduced in a way that would not serve the farming community as well as they might.

**Mr. Speaker:** Is there any further member who wishes to speak to this bill before the Minister?

The Minister has the floor.

**Hon. Mr. Stewart:** Mr. Speaker, the point the leader of the Opposition has raised would appear to be well taken.

However, I would suggest to him that there was never one application received for the grants that were provided. At the time that the money was made there seemed to be a much wider acceptance of the use of capital grants for the provision of more permanent water facilities, and this, I think, is perhaps one of the reasons why no one ever used this.

**Mr. Nixon:** There was never an application?

**Hon. Mr. Stewart:** There was never one application received.

We put this on the statute as retroactive legislation. We introduced the programme. The dry weather hit in the summer time and there was what appeared to be, an emergency situation in some communities. We

introduced this with the intention that it would be retroactive whenever we amended the Act to provide for this at the next session of the Legislature. This was done in—I cannot recall the year—was it three or four years ago—so there was never an application for it. We are just simply removing it now.

Crop insurance has come in and there was never any use for it. Capital grants are being used for these purposes now and I would point out as well, that the low interest loan that was made available last fall for the farmers who had suffered adverse weather in crop loss damage, is now being introduced as an amendment to the Act and it will be retroactive to last September when it became effective.

Motion agreed to; second reading of the bill.

## THE INDUSTRIAL SAFETY ACT, 1964

**Hon. D. A. Bales** (Minister of Labour) moves second reading of Bill 104, An Act to amend The Industrial Safety Act, 1964.

Motion agreed to; second reading of the bill.

## THE LINE FENCES ACT

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves second reading of Bill 106, An Act to amend The Line Fences Act.

Motion agreed to; second reading of the bill.

## THE HIGHWAY IMPROVEMENT ACT

**Hon. G. E. Gomme** (Minister of Highways) moves second reading of Bill 108, An Act to amend The Highway Improvement Act.

Motion agreed to; second reading of the bill.

## THE LOCAL ROADS BOARDS ACT, 1964

**Hon. Mr. Gomme** moves second reading of Bill 109, An Act to amend The Local Roads Boards Act, 1964.

Motion agreed to; second reading of the bill.

## THE SURVEYS ACT

**Hon. Mr. Brunelle** moves second reading of Bill 114, An Act to amend The Surveys Act.

Motion agreed to; second reading of the bill.

## THE PUBLIC LANDS ACT

**Hon. Mr. Brunelle** moves second reading of Bill 115, An Act to amend The Public Lands Act.

**Mr. Stokes:** Mr. Speaker, in connection with this Bill 115, An Act to amend The Public Lands Act, would this be the bill that would force holders of licensed timber lands to maintain roads or allow them to abandon these roads after they have served a useful purpose?

There are a good many roads in the north that have been constructed by the timber operators and they have come to be used by tourist outfitters, people who are interested in promoting the tourist industry in the north by hunters and fishermen, and as they are abandoned by the pulp and paper companies, they are made impassable.

Bridges are blown up or holes gouged in the road to make them impassable and not usable by the public. People in the area have come to rely on these roads for access to some of their favourite hunting spots and fishing holes, and I was wondering—I do not see it in here—if there is anything in this Act that would relieve the people who built the roads, people who were responsible for their construction; if there is anything in the Act that relieves them of liability with regard to people using the road in attending the recreational and land use committee, for the Port Arthur district of The Department of Lands and Forests?

This came up during our meeting and one of the anxieties expressed by the delegation representing the timber operators in that particular area was allowing public use of private roads because of this liability feature that is imposed upon them by some legislation that I am not aware of, but I am assured does exist.

I was wondering why it would not be possible to have in this legislation some kind of amendment that would relieve those people of liability once they had abandoned the road? Why would it not be possible for the department or the committee which is responsible for access roads—I understand it is a five or six Ministerial committee who look after access roads in the province—why would it not be possible for it to designate roads that they would take over and maintain and make them available to the public?

I am particularly concerned about areas such as Killala Lake, a wonderful fishing spot. It is in wonderful country and that road was maintained by the Ontario Paper Company at one time. The bridge has gone into disuse and the road is impassable, I understand there is a gate on it now. I am sure the Minister is well aware of that.

I think there is a Department of Lands and Forests depot on the north end of the lake and I am sure if the Minister could see his way clear to opening that particular road, he would certainly endeavor himself to the people of the north because it is well known and that at one time there was a commercial fishing venture carried on on the lake. It has wonderful lake trout fishing and it is inaccessible by road just because the company who held the licence in there found it necessary to make it impassable in order to avoid any litigation or anything of that nature.

Another area where I think it would be useful is on a road from Nakina up to Melchett Lake, which is the site where Anaconda Iron have defined millions of tons of ore. The lower 50 miles of the road is maintained by public funds and the top 30 miles of it is owned by Anaconda and has been turned over to one of the holders of an air transport licence—and, of course, he has exclusive use of it.

I just got a call from that area yesterday, from one of the tourist outfitters in the area, complaining that he did not have access to the road because the only lock that was available to the gate on the road was held by this holder of an air transport licence. He has exclusive rights to go in there, and yet the bottom 50 miles of the road was built out of public funds.

This does not make for good relations with the people of the area and, in effect, when you get a situation such as this, it creates a complete monopoly for one particular person who is able to exploit the tourist potential in the area to the exclusion and disadvantage of his competitors. I am attempting to do something with the hon. Minister of Mines (Mr. A. F. Lawrence), or the Minister of Highways, at the present time, but I think it would be very useful if the Minister would take those comments under advisement and perhaps open up these roads that are already in existence.

They might need a little upgrading and things of that nature, but it would certainly open up the north country, both for the tourist potential and give better access to good timber areas that have already been cut over by the prime licence holders but certainly would be attractive to people who are interested in exploiting the remaining resource for plywood or for sawlogs.

And it would certainly help the mining industry in the north if prospectors could get into the less accessible areas, where there is a road structure, somewhat run down

because they have been allowed to become run down by the licence holders. I would hope that with any of these abandoned roads, possibly the Minister would make every effort to go into these areas and maintain them and make a good many of the areas in the north part of our province accessible for the reasons I have just mentioned.

**Mr. Speaker:** Is there any other member wishing to speak to this bill before the Minister closes the debate? The Minister has the floor.

**Hon. Mr. Brunelle:** Mr. Speaker, I was appreciative of the remarks of the hon. member for Thunder Bay and I feel that this bill is a very progressive one and will accomplish things that he mentions—to open up more of our resources on a multiple-use basis. In this bill, there are three classifications, a public forest road, a private forest road and other roads. And on the private forest road, these are roads built by companies, either mining, or mainly pulp and paper, which up until now, except for a very few roads, have had these roads closed.

In the last few years, they have been opening them to the public for public relations. However, we feel for multiple-use basis, especially for angling and hunting and recreation, the public should use our resources to the maximum and that is why this bill will provide agreements with companies for certain of these roads that are of use to the public, and whereby we will assist in the maintenance of these roads.

The highlight of these amendments, Mr. Speaker, is the provision dealing with the status and the right of the public to use these roads on Crown land, and including those roads which are held under legal title from the Crown. And where a road is not occupied under a land-use permit or other legal title from the Crown, the public will, in accordance with the practice over many years, have the right to travel on the road—subject, of course, to the controls necessitated by the break-up in the spring, fire hazards, and other conditions.

Where a road is occupied under legal title from the Crown, that is under a land-use permit, this new legislation will provide for the opening of these roads for limited access by the public. This will be achieved through agreements with pulp and paper companies, other companies and the occupier of the roads, which will define the amount of public use and the controls to be imposed, and may provide for payments to the occupier in

respect of additional costs of construction, reconstruction or maintenance on these roads.

Through these agreements, as I mentioned, this will provide, we hope, a fuller utilization of our forests. This will apply to mining companies, tourist industries and to all industries which occupy Crown land in the north. We have had many discussions with the Ontario forestry association, pulp and paper companies, and I do not know how many meetings, and this bill is brought about through their co-operation and I feel very optimistic that this will really open up the north country much more than it has been in the past.

**Mr. Stokes:** Would I be permitted to ask the Minister a question?

**Mr. Speaker:** Not on second readings. It is not normal and I am sure that whatever question the member has can be dealt with in committee.

Motion agreed to; second reading of the bill.

#### THE DOG TAX AND LIVESTOCK AND POULTRY PROTECTION ACT

**Hon. Mr. Stewart** moves second reading of Bill 116, An Act to amend The Dog Tax and Livestock and Poultry Protection Act.

Motion agreed to; second reading of the bill.

**Clerk of the House:** Second order, committee of the whole House; Mr. A. E. Reuter in the chair.

#### THE AGE DISCRIMINATION ACT, 1966

House in committee on Bill 45, An Act to amend The Age Discrimination Act, 1966.

**Mr. Chairman:** Does section 1 stand as part of the bill?

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I would just like to ask a question of the Minister on this. Before this Act is actually in force, is it intended to inform industry that this Act has come into effect? I know that we are all supposed to know the law—ignorance of the law is no excuse—but a number of firms might be completely unaware that this Act was passed. What does the government intend to do to let the firms know that this is now the law?

**Hon. D. A. Bales (Minister of Labour):** Mr. Chairman, under section 2, you will see that the Act is to come into force on a day to be named by the Lieutenant-Governor by his



proclamation. Prior to that time, we will see that there is publicity in reference to the proclamation and the date on which it will come into effect.

Sections 1 to 3, inclusive, agreed to.

Bill 45 reported.

### THE BLIND WORKMEN'S COMPENSATION ACT

House in committee on Bill 57, An Act to amend The Blind Workmen's Compensation Act.

Section 1 agreed to.

On section 2:

**Mr. C. G. Pilkey (Oshawa):** Mr. Chairman, I wonder if the Minister could explain the reason for the change. Is this just an administrative change? Explain this section 2.

**Hon. Mr. Bales:** Mr. Chairman, this is an administrative change. It is transferring the responsibility of the Act from The Treasury Department of The Department of Labour and for that reason this Act has been brought in at this time. The payments are made at the present time through The Treasury Department out of the same moneys—the consolidated revenue fund, but they are charged at the present time to the estimates of The Treasury Department. It was felt that it would be more satisfactory to have this done through The Department of Labour and the same procedure will be followed.

Sections 2 to 4, inclusive, agreed to.

Bill 57 reported.

### CONTROL OF FOREST TREE PESTS

House in committee on Bill 95, An Act to provide for the control of forest tree pests.

Sections 1 to 8, inclusive, agreed to.

Bill 95 reported.

### TOWNSHIP OF TAY

House in committee on Bill 96, An Act respecting the northerly boundary of lot 19, concession 14, in the township of Tay.

On section 1:

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, my remarks will be brief and pointed. Looking at the explanatory note, I was prepared, except taking into account the indulgence of this House, to launch into a long

metaphysical discussion about the confirmation of the non-existence of anything. I do not know how you can possibly confirm non-existence, but apparently that is how far the Minister's power extends—greater than God himself, or even Jean Paul Sartre. Thank you very much.

Sections 1 to 5, inclusive, agreed to.

Bill 96 reported.

### FOREST FIRE PREVENTION

House in committee on Bill 97, An Act respecting forest fire prevention.

Sections 1 to 5, inclusive, agreed to.

On section 6:

**Mr. T. P. Reid (Rainy River):** Mr. Chairman, in regard to section 6—"every person, and so on"—will the Minister explain how these officers will be appointed, and under what legal bill or aspect they have the authority to get this information. For instance, if I am in the woods or forest and the warden comes up to me, what legal right has he to demand this kind of information from me?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Chairman, officers described in the section are the fire warden appointed under section 8 and a special officer appointed under section 9, if there is not power to appoint fire wardens. This has been in the bill for quite a number of years. There is no change in principle in this matter and I am sure you will agree that this is desirable information that should be given—the name and address of a person who is stopped and asked. This is no change in principle, this has been in the bill for quite a number of years.

Sections 6 to 33, inclusive, agreed to.

On section 34:

**Mr. T. P. Reid:** Just a point of clarification, Mr. Chairman. These penalties refer also to the fact when in a forest fire emergency, if an individual is called upon to assist The Department of Lands and Forests in fire fighting and he refuses, is he liable to these penalties? Are you clear on what I—

**Hon. Mr. Brunelle:** I believe so, that he is liable for a penalty if in the case of an emergency a person is asked to help to extinguish the fires, and naturally if a person is available and he refuses he is liable.

**Mr. T. P. Reid:** I was under the impression, some years ago when I was engaged in fight-

ing forest fires, that there were only certain people who were—I will not say absolved—but who were not required, were excused, from firefighting duties, such as doctors, and possibly lawyers—why them I do not know—but certainly doctors anyway. For anyone else it was their obligation to take part or they could be prosecuted. Is that correct?

**Hon. Mr. Brunelle:** It is an obligation for a person, when he is called upon in an emergency, to report for fire work unless he has a reason for health or other reasons.

Sections 34 to 39, inclusive, agreed to.

Bill 97 reported.

### THE CHARITABLE INSTITUTIONS ACT, 1962-1963

House in committee on Bill 61, An Act to amend The Charitable Institutions Act, 1962-1963.

Sections 1 to 8, inclusive, agreed to.

Bill 61 reported.

### THE RETARDED PERSONS ACT, 1966

House in committee on Bill 62, An Act to amend The Retarded Persons Act, 1966.

Sections 1 and 2 agreed to.

On section 3:

**Mr. T. P. Reid:** I would just like to ask the Minister, what budget is there for assistance under this Act, for the coming year?

**Hon. J. Yaremko** (Minister of Social and Family Services): Perhaps we will take that question up during the course of the discussion of the departmental estimates.

Sections 3 to 7, inclusive, agreed to.

Bill 62 reported.

### THE HOMES FOR THE AGED AND REST HOMES ACT

House in committee on Bill 85, An Act to amend The Homes for the Aged and Rest Homes Act.

Sections 1 to 16, inclusive, agreed to.

Bill 85 reported.

### THE PUBLIC HOSPITALS ACT

House in committee on Bill 92, An Act to amend The Public Hospitals Act.

Sections 1 and 2 agreed to.

On section 3:

**Mr. Trotter:** I would just like to ask the Minister a question. What was the reason for having to bring this Act before the House, at least this section? Is it because some people were not being covered that should have been, or what was the reason?

**Hon. M. B. Dymond** (Minister of Health): Mr. Chairman, this grew out of a few cases which we found admitted to hospital for long periods of time and while in hospital becoming indigent for hospital purposes, and it was not recognized that their insurance was cancelled for lack of premium. They may very well have qualified for assistance through The Department of Social and Family Services, and municipalities were complaining because these were isolated cases of which they had no knowledge.

Some of these bills become rather sizeable and, therefore, we felt that it was necessary to put a time limit on the period in which the municipal clerk must be advised of the indigency.

**Mr. Trotter:** Well, Mr. Chairman, if the clerk of a municipality fails to notify the Ontario hospital services commission within that time limit, then the individual is going to be in a position where he is going to have to pay the bill. Is that not the case?

**Hon. Mr. Dymond:** The fault has not lain with the municipal authorities not advising the hospital services commission, the fault has lain in the hospital officials not advising the municipal clerks. We have not had cases where the municipality has refused to assume responsibility.

You see, the responsibility the municipality assumes in a case of indigency is very small. What happens is that the statutory rate is paid by the municipality, and the hospital services commission makes up the difference between that and the *per diem* rate. Then under the unconditional grants, The Department of Municipal Affairs repays or reimburses the municipality for up to 80 per cent of the amount of money that they paid in their statutory arrangement. But it is administrative confusion that the municipalities have been complaining about.

They feel that they have never been sure that their books could be closed in these various matters, and they asked for the time limit within which they should be notified. If they are not notified then they feel that the responsibility is no longer

theirs, and they will be able to keep their own administrative procedures more tight.

**Mr. Trotter:** One final question on this. This is the problem that I wanted to avoid. This is the case of an individual who enters the hospital, properly covered, who has paid the premiums. Then, as a result of a long stay in the hospital, they do not pay their premiums, either because they just do not know, they are too sick, and there is no one in the family to take an interest.

Is there any danger of such a patient being in a position either because they do not pay their premiums, or because an official of a municipality fails to act, that this patient will be stuck with a large bill? Is that the way that I understand this now?

**Hon. Mr. Dymond:** No, I would not say that. It is a possibility he will be charged for the bill. But there is also recourse through consideration on compassionate grounds, and many cases, as I am quite sure that the hon. member knows, where people because of their age or their inability to look after their affairs, and having no one to do it, have been reinstated after long lapses through compassionate consideration.

This is really an administrative housekeeping measure because of the fact that people have been or are liable to be faced with substantial bills as a result of a long stay.

Sections 3 to 7, inclusive, agreed to.

Bill 92 reported.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs) moves that the committee of the whole House rise and report certain bills without amendment and ask for leave to sit again.

Motion agreed to.

**Hon. Mr. Rowntree:** I would just like to comment on that. I think this is one of the most productive two day periods that I have seen during the current session, and I thank everybody.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain bills without amendment and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, in this private members' hour we will deal

with item 26 shown on page 8, being a private member's motion.

**Mr. Speaker:** Order! The Speaker wishes the floor for a minute.

While there are not many in the House, I would like to make this announcement now and ask that you tell your fellow members and I will mention it again on Monday. It is customary for the purpose of government publications to have a picture of the House in session and, we hope, with most of the members present in their seats. I have made arrangements with the Minister of Tourism and Information (Mr. Auld) that this will be done immediately after prayers on Tuesday next.

So, perhaps you will make a note of that and arrange yourselves to be present and tell your seat mates and those of your caucus who are not here at the moment. It will be announced again on Monday.

**Hon. Mr. Rowntree:** Mr. Speaker, in the same vein, with the permission of the House and your permission, I think it would be advisable for me to speak at this moment to the order of business on Monday, next.

For reasons beyond our control, we cannot continue The Department of Agriculture and Food estimates on Monday. We would like to proceed at the beginning of the House with the estimates of the Provincial Secretary (Mr. Welch), and then, under that same heading, the departments which are now up for estimates.

We will, sir, complete Agriculture and Food, the Provincial Secretary and then The Department of Tourism and Information, The Department of Labour, The Department of Social and Family Services and The Department of Reform Institutions.

**Mr. R. F. Nixon** (Leader of the Opposition): I might ask the hon. House leader, will we return to Agriculture and Food on Wednesday or Tuesday?

**Hon. Mr. Rowntree:** We will come back at the earliest possible moment.

#### NOTICE OF MOTION

**Clerk of the House:** Private member's notice of motion No. 26, Mr. A. B. R. Lawrence.

#### RESOLUTION:

That, (a) in the opinion of this House, the Ottawa transportation commission and other organizations in Ontario engaged in urban public transportation should no



longer be required to pay substantial sums to the Treasury of Ontario by way of fuel on diesel oil and gasoline; and (b) this House is further of the opinion that the government should produce a rational and comprehensive policy respecting the planning, development and financing of public transportation for all of the province's urban areas.

**Mr. A. B. R. Lawrence (Carleton East):** Mr. Speaker, I move resolution No. 26 standing in my name.

Mr. Speaker, the subject matter of the resolution now before us is, I believe, of great importance to the well being and orderly development of Ontario's urban municipalities.

The first part of the motion deals with the matter of immediate and critically needed financial relief for my own city's transportation commission. The second part relates to the need to rationalize and develop a total provincial policy with respect to urban transportation.

With regard to the matter of providing immediate financial relief, I will use Ottawa only as an example. It is the one with which I am most familiar, and one whose accounts reveal, in startling fashion, the inequities of our present system of taxation.

To begin with, Mr. Speaker, may I say that efforts to have the government deal with the problem with which the resolution is concerned go back many years, at least to 1961, and involve briefs and representations made by or on behalf of the Ottawa transportation commission, the Hamilton street railway company, other Ontario urban transportation commissions and the Canadian transit association. Also, of course, including direct representations, I know, by the hon. Minister of Transport (Mr. Haskett) of my city.

I myself have raised the subject several times in this Legislature since 1963, and at the same time have made direct personal representations to my political superiors. To date the only direct consequence that might be traced to these representations and these pleas was the government's action to relieve the transit systems of sales tax on vehicles purchased. This, depressingly, coincided with actual increases in the gasoline and fuel tax. The effect was to take away with one hand what was given with the other.

I recite this history, Mr. Speaker, to show that these transportation agencies have not been idle in pressing their case, and that the situation is getting worse and not better.

Further, I am convinced that the government must sooner or later come to grips with the problem and the sooner the better.

To some it may seem that continuing to ask for relief from fuel taxes is beating a dead horse, and indeed, I would be the first to recognize, Mr. Speaker, that it comprises no perfect or total formula to meet Ontario's urban transportation problems.

However, what I do suggest is that it is a necessary first step, and one that is needed now if we are going to support our transportation commissions in their efforts to maintain viable systems capable of meeting increasing demands.

The taxes in question, Mr. Speaker, are those on diesel fuel and on gasoline. The tax on a gallon of diesel fuel is 24 cents; that tax amounts to more than the purchase price of the product. The cost of a gallon is 13.74 cents. I submit, Mr. Speaker, these taxes are not only wrong in principle, but they are discriminatory in application.

I say wrong in principle because although buses operate virtually entirely within city limits, they bear the same tax burden for the support of our highway system as do inter-urban buses and heavy freight transport trucks operated almost entirely upon our provincial highway systems.

I say also, Mr. Speaker, discriminatory in application because while diesel and gasoline powered buses are taxed, as I have mentioned, other mass transit vehicles operating on city streets pay no similar tax on their power supply, even though the vehicles in this category may indeed be performing the same function in the same system.

The discriminatory effect of the taxes in question stands out boldly when we compare the situation in which the systems find themselves in Toronto, Hamilton and Ottawa. The tax burden expressed in cents per mile is as follows: Toronto 1.95 cents, Hamilton 3.33 cents, Ottawa 5.26 cents.

The tax burden expressed in another way, and this time, as a percentage of operating costs is as follows: Toronto 2.3 per cent, Hamilton 4.77 per cent, Ottawa 6.99 per cent.

The obvious reason for the higher figures in the case of Ottawa is that its equipment is entirely powered by diesel engines, while in the case of Hamilton and Toronto the equipment is made up of other type of passenger transport as well as a number of diesel buses.

All of these vehicles are doing the same class of work, namely, transporting passengers

within the urban municipality under identical conditions. However, the diesel and gasoline powered buses are paying a heavy road tax despite the fact that these free-wheeling buses are more flexible in traffic and require no wires or tracks, the extension of which is of course generally objected to in residential areas of a city, certainly in the newer subdivisions, and the removal of which I feel generally should be an object not only in the province of Ontario, but in urban centres across the whole country.

The case for abolition of these taxes is further based upon the incidental circumstance that in bearing passengers in volume, public transit is making a substantial contribution to the conservation of road space and thus saves the city and the province the very considerable expense which would be required if the same number of people made use of the automobile instead of public transport facilities. Indeed, is this not the very purpose of and justification for spending such an enormous amount on the development of GO transit?

In recognition of this, and realizing the difficulties facing urban transportation and the urgency of measures to retain this very necessary public service in a condition of health and vitality, some provinces of Canada have already granted the relief asked for in this resolution which I have moved this morning, not as a gift or as a subsidy, but in simple and logical recognition of the service rendered and the overall economy to the public which is effected. Such benefits more than compensate for the forfeiture of the taxes now collected from this source by the province, having regard to the very small percentage which this discriminatory tax now yields of the total tax take of the province.

To give a further illustration of the effect of provincial taxation on the commission in Ottawa, may I give you the figures for 1957 as compared to the figures for 1967: In 1957, the commission operated 6,900,000 miles in the city service. Its wage bill was \$3,071,000. Its provincial taxes amounted to \$162,000. Ten years later, in 1967, the commission operated 8,315,000 miles. Its labour bill amounted to \$3,904,000. The tax take had increased from \$162,000 to \$449,000.

The Ottawa commission now finds that in spite of a substantial increase in the fare it charges, in spite of an exciting increase in patronage and popularity, and in spite of marked increases in its overall efficiency, it is no longer able to generate any of its own investment capital and is likely to incur a

substantial deficit in its operations in this current year.

To sum up, Mr. Speaker, with respect to the first part of the resolution, tax relief on fuel would cut no large amount from the revenues of this province, but the immediate benefits that would flow to the transportation agencies would be very great and very significant indeed. These benefits are badly needed and would at least buy time for my city, a number of other cities and indeed the province, to deal with the matter that I have raised in the more general and second part of the resolution.

Mr. Speaker, I now wish to speak of the need to rationalize and develop a total provincial policy with respect to urban transportation. The history of urban transportation is basically common to most cities and falls, I would suggest, into four eras. The first was the era of private development based upon public franchises granted by municipalities. Cities expanded; the transit industry was affluent. It had no real competition, it was controlled and taxed by the municipality, it had little or no connection with the senior levels of government.

The second era was that of depression and war which lowered revenues and starved the transit industry of capital needed to renew plant and rolling stock. This coincided with the flowering of the public's love affair with that insolent chariot, the automobile.

The third era saw the rather general withdrawal of private capital from the industry, its replacement with public capital, the avoidance thereby of the federal income and corporate tax burden, but, on the other hand, a substantial rise in the provincial tax burden. In Ottawa in the last years of private ownership the tax bill was 10 per cent of gross income, most of this federal. In Ottawa in 1967 with public ownership, the tax bill was 11.4 per cent of gross income, and most of this was provincial. I ask, Mr. Speaker, where is the rationale and what is the philosophy behind this situation? I can see none.

I believe we have in the main persisted in thinking that the transit function of our cities can be left to do or die on their own as if they were still the profitable affairs of private entrepreneurs, still able to yield a tax levy which was appropriate in the affluent period when they had a monopoly on urban transportation.

We are, sir, entering a fourth era, a new era. I think we are beginning to recognize that an infinite extension of facilities for the

automobile will ruin our cities physically, aesthetically, socially and culturally. It will also place an intolerable burden on our municipal and provincial treasuries. We have seen the government of this province achieve outstanding successes in the field of public transportation in those two instances where it has become involved. I refer to GO transit and the TTC subway system. We have also seen the government of this province give outstanding leadership in the development of transportation—

**Mr. V. M. Singer (Downsview):** GO transit makes some sense, but the member is reaching a long way to ask us to give credit to the government for the TTC.

**Mr. A. B. R. Lawrence:** I believe—

**Hon. J. Yaremko (Minister of Social and Family Services):** \$30 million in one year.

**Mr. Speaker:** Order, order!

**Mr. A. B. R. Lawrence:** I had understood, without getting into a collateral debate on the issue, that the province, certainly as a matter of policy, supported the TTC in relation to its subway system.

**Mr. J. B. Trotter (Parkdale):** It took them a long time.

**Hon. Mr. Yaremko:** I trust the hon member will be there this afternoon—

Interjections by hon. members.

**Mr. Speaker:** Order, please. The member for Carleton East has the floor.

**Mr. A. B. R. Lawrence:** Thank you, sir.

The only problem with these transportation studies, I was going to mention, Mr. Speaker, was that again they are, in my opinion unhappily limited by their continuing preoccupation with the automobile.

Finally, Mr. Speaker, I suggest that we in this province are in fact coming to grips with the problems of urban housing, air pollution, water pollution, sewage disposal, education and health. I suggest we must immediately place among our priorities the question of urban transportation.

**Mr. H. MacKenzie (Ottawa Centre):** Mr. Speaker, as a representative of Ottawa, I am aware and have been for many years of the severe financial difficulties the Ottawa transportation commission has faced through the years in trying to provide adequate service to meet the needs of the municipality and adjacent municipalities. For a good many

years the commission has complained that it should not have to pay provincial taxes in any form. So far, there is no indication the government is willing to entertain the request. Just why is not clear, but undoubtedly it relates to lack of money coupled with the urgency of other problems. However, I suggest that the time has arrived when the provincial government should carefully review their position, with regard to municipal transit systems in Ottawa and other large municipal areas where rapid transit is very much a necessity, and a necessity to the same degree as sewer, water, roads, electric power and so on.

It can be argued that there is no comparison between these other services and rapid transit. In short-term considerations, those who say so are quite right, but if you consider the long term it would be quite hopeless for any municipality to get involved and grow in industry and commerce without rapid transit. It is quite hopeless for the community to try to integrate socially to the desired extent. It is quite fundamental that the people have mobility if the community is to progress in the desirable way. A municipality requiring rapid transit is of course one where the working area is of high density, for a combination of high density and sprawl. Ottawa, like Toronto, is one rapidly developing a high-density area, and also having a large amount of sprawl. The roads are reasonable in Ottawa as they are in Toronto, and like Toronto, their capacity has limits. Parking space is limited, and like Toronto or any other high-density municipality, the roads and parking spaces are completely inadequate to do the job without rapid transit, and to carry the large number of people.

Imagine if you can, Toronto and the adjacent municipalities today without the subway system, without GO transit, and without the buses and streetcars. Ottawa and other large municipalities, even though they have smaller populations, are in the same position. They must have rapid transit. I indicated earlier that the time has arrived for the government to have a close look at their position in the needs of public rapid transit. I suspect that they are already looking closely at this and are quite aware and sensitive to it, if the recent speech by the hon. Provincial Secretary (Mr. Welch) in Windsor on community unity reflects their thoughts. I read in his speech such excerpts as the following, and I quote:

However, with the explosive growth of the cities that is anticipated in the next decade, we have become concerned to bring



the long term resident and the newcomer together to work as fellow citizens towards common goals. This latter point is vital as Ontario is certain to receive a continuing influx of immigrants in the years ahead.

And again on page 4 of his speech, I quote:

For rapid growth is bound to affect the lives of each of us and, therefore, it should be a matter of thought and concern to all of us as citizens to reappraise and update our attitudes and approaches to the urgent needs and requirements for overall urban development.

And again on page 7 of the speech, I read:

Communication then is of particular importance. It is made even more urgent by the enormity of urban growth that we can expect over the next dozen years, or to 1980. Let me give you a few predictions by the economic council of Canada. The council suggests that Canada has had the greatest rate of urban growth among the industrially advanced nations of the world during the past 20 years. And that this trend implies a continuing and dramatically faster rate of urban growth to 1980, than in other industrial countries.

And again on page 8:

The council predicts the formation of an urban system stretching about 600 miles along the lower Great Lakes and St. Lawrence Valley from about Windsor through to a point beyond Montreal. All creating a new and complex web of inter-relationships that will require new methods and accelerated steps to be taken with regional planning. So it is plain to see that big city problems are here to stay, and the time is now to place great emphasis on community action programmes that will ensure that our cities are prepared for this anticipated rapid growth with its attendant problems, its impact on human beings.

And on page 8A:

In this area, your provincial government sees its role as one of helping communities help themselves.

That is the end of the quote. As I have said, when I read such excerpts, I believe that the government must be aware of the part that rapid urban transport plays in our municipalities, and of the severe limitations on progress and development without it.

There is tangible proof that the government realized it right here in Metro Toronto, and in the case of the municipalities, and move firmly on it as indicated by their

subsidization of the Toronto subway system, and by the creation of the GO transit system rather than attempt to provide the high speed, high-cost highways, which still would not provide the necessary capacity.

There are, however, certain aspects of urban rapid transit which the government shows no sign of recognizing, and which in all fairness to the people in the large municipalities such as Ottawa, must be given consideration; and still other aspects, if the government wishes to ensure the most efficient and economic system. The first is with regard to cost. The government can continue to pay 50 per cent grants on roads to municipalities, and encourage development, but it is seriously questioned if it is possible to keep up with the rate of increase of vehicles used in high density areas. Add to the road construction, the cost of land acquisition, plus the land for parking spaces, and the possibility of following this course is quickly realized. The only possible way to handle large numbers of people economically in dense areas is with rapid public transit. There can be no doubt that the best interests of the people of Ontario lay in developing rapid urban transit to its maximum in large municipalities.

I spoke of fairness to the people in large municipalities. At the present time, the only ones who can afford to own and drive cars into the central dense areas and pay the costs of parking are the affluent members of our society. Or, to put it another way, the ones who are using public transit are, in the majority of cases, those on low incomes who either cannot afford a car, or cannot afford the parking costs, or cannot afford either.

These are the people who are paying the fares from which are paid the taxes to the provincial government. Tax money which goes into the general account and which is used to pay the costs of operations of this province. This is to say that the low income people living in municipalities and who must ride public transit are indirectly contributing to the cost of operation of this province while, at the same time, the government pays grants of 50 per cent on roads so that the affluent members of this society may drive their cars. To give you some measure of what this means, last year the Ottawa transportation commission paid \$450,000 in provincial taxes—money which could have been used in a multitude of ways to improve the service to the people, or to reduce their fares.

Just one further point, Mr. Speaker, it has seemed fundamental through the years that any transit system should be operated in

such a way that it either broke even or earned a profit. Today with the rapid changes occurring, the same rules do not necessarily apply. There is no question that a public transit system must be economically sound, but in determining the soundness economically, due regard must be given to the total picture and the large part that the system plays in developing commerce and industry. It would be my belief, Mr. Speaker, that if the government used such thoughts regarding GO transit systems, surely the same thoughts are applicable and valid for other municipalities.

In closing, I would urge the government to move immediately to remove the tax burden from the Ottawa transportation commission and other municipal transit systems, and to create a new branch in The Department of Transport to assist municipalities to develop the most extensive, economically sound, transit systems possible.

**Mr. H. Peacock (Windsor West):** Mr. Speaker, may I just draw your attention, and that of the members of the House, to the arrival in the east gallery of students from Marlborough public school in Windsor.

Mr. Speaker, the member for Carleton East is to be commended for introducing this resolution and placing so squarely before the government, of which he is a supporter, its failure to come to grips with the challenge of providing extensive rapid mass transportation in our urban centres. I think that he might have put his case somewhat more strongly than he did in criticizing the government for its failure to act, but what I really take issue with in his presentation is the manner in which he suggests the government should aid his municipality and his transit commission in Ottawa and those of other centres in the province.

First of all, Mr. Speaker, the Ontario committee on taxation strongly recommended an abandoning of this form of hidden subsidization. In chapter 36 of volume 3, in paragraph 20, the commission stated:

Provincial enterprises should be liable for all municipal and school taxes.

This is a cardinal point of the committee's philosophy and it is recommended elsewhere in its report. The committee stated:

We approvingly note also that the province itself has held its enterprises liable for such expenditure taxes as those on retail sales and gasoline. The payment of provincial expenditure taxes, and the full municipal and school taxes constitute an

entirely legitimate expense of doing business in the province, and should be an integral part of any definition of providing service of costs.

In the opinion of our group, Mr. Speaker, the same principle should apply to the provisions of municipal transportation services. In another part of the committee's report, in chapter 2, paragraph 63, the committee stated:

We strongly endorse as an important principle, the assumption of full tax obligations by all government business enterprises in order that they may be on an identical plane with private firms.

In the present mixture of enterprise between private and public transportation agencies in this province's urban centres, I think the recommendations of the Ontario committee on taxation have some weight. When the study of the select committee of the recommendations of the Ontario committee on taxation is to be made this summer I believe that those recommendations will be supported in that work of the select committee.

I suggest, Mr. Speaker, that the government, in response to the hon. member for Cochrane East's request, take another tax, and that is again in line with those recommendations of the Smith report, that direct provincial aid be placed at the support of such essential public services that require larger and larger measures of financial aid from the provincial tax field.

The New Democratic Party group, Mr. Speaker, supports direct provincial assistance in the same manner that the provincial government has aided the development of the subway system in Metropolitan Toronto and has actually directly involved itself in the operation and development of the GO transit system.

However, Mr. Speaker, in taking that step in support of the Metropolitan and Lakeshore transportation systems' development into a mass transit system, the government has failed to develop the kind of comprehensive and rational policy governing the development, planning and financing of public transportation that the hon. member for Carleton East has proposed in his resolutions. What we have had in this administration, Mr. Speaker, as we dwell on in part during the estimates of that department, is that in The Department of Highways we have this headlong, insistent, unrelenting desire to move automobiles over as much of the geographical space of this province as the department can possibly manage.



The inclusion of the GO transit under the wing of the department is, I think if I can make a correct analogy, much like having the cuckoo sit on the eggs of the bird whose nest it has robbed. We need in the province, Mr. Speaker, a separate department, identical to those urban transit systems in Europe and elsewhere in North America. Not linked to this department with its single track mind on highways development, but one which will be very much closer to the advisory group at the Cabinet level and the senior civil service level, now supposed to be developing the inventory of the province's natural and human resources in the ten regional development areas of the province. Because it is utterly impossible to separate the planning of urban transportation from the planning of the growth of our major urban centres and the areas in the urban shadows surrounding them and those areas of farm land and other undeveloped land use beyond.

It is utterly impossible to undertake this kind of rational and comprehensive planning of public transportation facilities until we reach the point where the government of this province has set down an advisory provincial land use programme. We would know under the land use programme where our new centres of urban development are going to be placed, where the boundaries of our existing urban sprawls are going to be set out for the next 20 or 30 years. We would eliminate the need for this costly extension further and further from the inner cores of the cities of such services as urban transportation.

We also need, I think, as part of this plan to bring all transit systems in the urban centres of this province under public control, either at the municipal level, as it is now organized, or under the aegis of broader units of regional government, such as those proposed in the Smith recommendations.

In my own city of Windsor, Mr. Speaker, just by way of bad example, the Sandwich, Windsor and Amherstburg Railway Co. has persistently refused representation on its board by members of the city of Windsor council. It has persistently refused repeated requests from the city council of Windsor for lower fares for senior citizens to enable those who are on fixed incomes to commute in and out of the central part of the city where many of the services that senior citizens require are only available to them.

I urge for that reason in my own particular case, speaking as a special pleader for a moment, as the hon. member for Carleton East did in his remarks, that only through

the transposition of these systems into public agencies are we going to be able to implement the kind of plan that he suggests. I do not think, Mr. Speaker, after we have tackled the problems of housing and the problems of pollution control, that there is any other area of concern to us greater than that of enhancing our public transportation facilities when it comes to making our cities and the cores of our cities better and more attractive places to live.

In the last 20 or 25 years we have, in a sense, abandoned the market place—not in economic terms but in geographical terms. The market place for thousands of years has been in the centre of our towns and cities where people would come together, not just for the purpose of trade and doing business, but for the purpose of carrying on the social activities of conversation and the exchanging of news and gossip and the exchange of new ideas.

In the city of Toronto and other large metropolitan centres in our province until quite recently it was possible for a person to walk down one of the major business streets of the city and not spot another individual within blocks. Our cities died in the evenings and they died over the weekends, although there are some members in this House who are doing their best to revive the downtown sections in a very personal way. But let me suggest that there are ways of serving the broader public, Mr. Speaker, than just through certain members of the Legislature and through the development of systems such as the TTC subway and the GO transit expanding their operations. Taking up that example for our large centres, we can once again bring people back into the downtown sections of our city, not just for the purpose of doing business during the day but for the purpose of recreation and entertainment and social activities. I think we have got to preserve and have to encourage it, if our cities are not going to decay into empty canyons of silence amidst the concrete skyscrapers.

Mr. Speaker: The member for Hamilton West.

Mrs. A. Pritchard (Hamilton West): Mr. Speaker, I rise to support this resolution moved by the hon. member for Carleton East because I am convinced that its acceptance by the government will have a most salutary effect upon the problem of urban transit throughout this province. I believe it can play a very important part in preserving and strengthening our urban transit systems so that



they may better serve their communities and thereby eliminate the need for further vast freeways, which are so terribly costly in both land and money; and which simply lead to further congestion in the downtown areas of our cities.

I realize that the taxes that we are dealing with in this resolution are substantial. In the case of the Hamilton street railway company, it is estimated that the fuel oil taxes will amount to some \$260,000 this year.

These taxes are paid for exclusively by those bus riders who pay the full fare for their transit tickets. In general, these are the people who are least able to pay the moneys raised by this type of taxation. In recognition of this, I was instrumental in obtaining reduced fares in Hamilton for our pensioners.

I feel, too, Mr. Speaker, that this tax is discriminatory in that it asks the man or woman who cannot afford a car and has to use a bus, to pay moneys into the provincial treasury, which are then used for highway construction for the benefit of the man or woman who owns, and can enjoy, an automobile.

In this connection, I would suggest that the tax is particularly hard on our female population. Here, I am concerned particularly with those women who are widows, separated or divorced from their husbands. I think it is fair to say that generally speaking very few women in this category can afford to own and operate an automobile. It is also a fact that a good many women today hesitate to drive in the downtown areas of our cities because of the traffic congestion which exists. The point is, then, that this tax is discriminatory.

It is discriminatory also in that in many cities, streetcars, subways and trolley coaches propelled by electric power use the same city streets for the same purpose of transporting the urban population, and yet pay no such taxes to the provincial government either on power or street use. Neither do these vehicles pay licences, as is required by the self-propelled vehicles.

I realize that some of the funds collected through this tax are paid back to the cities in the form of grants for connecting streets which serve as through routes for provincial highways. It is equally true, however, that in most cities such as Hamilton, a large percentage of the buses never run on any of the streets on which provincial subsidies have been received from The Department of Highways.

And it is true also, Mr. Speaker, that when the provincial government assists the municipalities by way of grants—up to 50 per cent in some cases—for roadways within a municipality, it is really assisting only those who own property. The bus riders—many of whom own no real estate and pay no city taxes—are therefore contributing to the funds from which these highway grants are made and which in turn ease the burden on the taxpayer.

Mr. Speaker, I am pleased and proud of the significant strides which our government has made this year in helping to relieve the burden upon the municipal taxpayer. As the Provincial Treasurer (Mr. MacNaughton) related to this House not long ago, our government has this year increased its financial aid to local governments within this province by more than \$191 million. I would like also to remind our friends in the official Opposition that in the United States, large federal grants are made to urban transit systems. Although our federal government professes great interest in the plight of our cities, and has great plans for the construction of satellite cities, it has so far neglected to provide any assistance whatever to our urban transit systems.

It may well be, Mr. Speaker, that our province is simply unable to afford to dispense with these taxes for the fiscal year 1968-69. I would like to point out, however, that relief from these fuel taxes by vehicles restricted to the streets of our cities would, in effect, provide an excellent vehicle for subsidizing those municipalities in direct relation to the extent to which they provide transit services for their residents. With one or two exceptions—such as the cities of Hamilton and London—more than 90 per cent of urban transit systems in this province are running at a loss and must be subsidized by their municipal governments. In fact, in Hamilton our system is subsidized by an amount of \$130,000 this year to enable the street railway to maintain the reduced fares for pensioners which I mentioned earlier.

Granting relief from fuel taxes as proposed in this resolution would, in large measure, tend to alleviate the operating losses of these transit systems, and thereby assist in reducing the municipal tax rate by decreasing the amount of the subsidies required by these municipalities to support their transit systems.

I would strongly urge the government to give this resolution its most serious consideration. I am told that a national conference is planned for February of next year with all levels of government attending. The pur-

pose of this conference is to enquire into and to determine the aid necessary to enable urban transit systems to better serve their communities. I feel that early elimination of taxes on the diesel fuel oil and on gasoline used by our urban transit systems is one of the most important steps which can be taken to achieve this objective.

**Mr. Speaker:** There are five minutes of time of the official Opposition left, if there is a speaker. Otherwise, there are still five minutes of the government party's time left. Is there any speaker? Is there any further speaker from the government?

**Mr. J. H. White (London South):** Mr. Speaker, I am not in agreement with the first part of this resolution, much as I regret having to disagree with my learned and hon. friend from Carleton East. I think it flies in the face of the Smith committee report because every exemption makes the administration of the tax more expensive so far as the overhead of collection is concerned.

Second, by exempting good works of every kind we narrow the tax base, and we find ourselves in a situation such as we have with municipal taxes, where a multitude of worthy institutions like universities and student housing and YMCAs and so on, narrow the tax base. In this case, I am talking about property taxes, of course, and place an inordinate burden on the residential taxpayers.

I do agree that we should give new and fresh thought to planning public transportation. I would like to mention a number of ideas here in the next few minutes which may spark some thinking in this area. The Ontario government certainly has to be commended for the GO transit system.

There is no question that it is the most imaginative public transportation development in a very long time in this, or other Canadian jurisdictions. I remember a couple of years ago when town planners were meeting in Stratford. It was suggested that public transportation should be free, and I am going to argue for a minute or two that the province of Ontario should now select a community, perhaps London—

**Mr. Singer:** Oh, obviously!

**Mr. White:** —or Oshawa or Kingston or some other medium-sized and manageable city, perhaps Brantford. I am going to suggest that such a community should be singled out now for experimental purposes; that we should have free public transporta-

tion in this community to determine through actual experience what the costs would be, compared to the enormous costs of road construction and road maintenance.

Now, looking through The Department of Highways estimates, I see that we have approved capital expenditures of \$12.6 million for connecting links, \$87.8 million for municipal subsidies; on the operating side we have approved \$50 million for operating subsidies for a total of \$150 million.

Of course, there will be an overhead burden, so really we have approved municipal subsidies amounting to something approaching \$200 million. These subsidies are only a portion of the total costs, and the total costs may approach \$400 million. If one divides that by 1.5 million households, one ends up with a figure something over \$250 per household for municipal roads.

Mr. Speaker, this is a tremendous expenditure for the average household in this province. I am suggesting to your, sir, that it might be so much cheaper to stop building these tremendously expensive freeways, and instead to embark on a bold programme of public transportation. Two-thirds of downtown Los Angeles is freeways and parking lots. They cost a lot of money to build and to operate. In the process, they decrease assessment. Perhaps even more important, they contribute to the deterioration of the area and give rise to enormous social difficulties which are typified in our minds by the riots in Watts. Those costs cannot be calculated.

I was interested, sir, to see the efficiency of the public transportation system in London, England, where one finds a virtually endless parade of big red doubledecker buses one after another. One does not run for a No. 27 bus because one knows that two minutes later there will be another 27 bus behind it. I was interested that in Paris, France, where my family and I had an extended visit just recently, their bus system is likewise excellent. The method of access and egress from the buses was very fast. The buses were given priority at every intersection by the traffic policeman on duty. If there were private cars waiting, the policeman would stop them and give the bus the green light.

I think there might be some merit in copying the Parisian system of having some lanes exclusively for public transportation, and I notice that that was done in the core part of Paris.

At any rate, I do think we have to be ever so much more imaginative. I am wondering if a city like Brantford would not benefit from the minirail system, if this would not perhaps be superior to buses or street-cars. I am wondering if moving sidewalks could not be utilized in some of the downtown areas in communities like my own.

These are matters, sir, which must be given the attention of municipal authorities and, in that more than one municipality is often involved—for instance my own community, we would be talking in terms of not only the city of London but of Westminster and London township—it becomes once again a regional consideration. I think perhaps we have a duty and responsibility at this time to give some leadership.

For those several reasons I am glad to support section (b) of the resolution which has been moved by the hon. member for Carleton East.

**Mr. D. M. Deacon (York Centre):** I have listened with interest to the many suggestions concerning public transportation which have been made, and I heartily endorse any moves which will make better use of our roads and existing transportation rights-of-way, including the GO transit system, subway, buses and similar forms of public movement.

I believe that the example of GO transit in providing the capital funds for improvement in public transportation systems is very good. It provides incentives to municipalities to improve public movement of people, rather and encouraging the increasing use of motor cars with the resulting congestion and need for more highways than are sensible for good planning.

But I do not agree with the idea that these public transportation systems should be subsidized. I think they should pay their own way. I think that for a limited period some subsidization is perhaps justified, but on the whole, unless management has the incentive and is required to perform in a way that will attract the fullest use and occupancy, in an efficient way, of the vehicles and the equipment it has, then we do not achieve our end.

It is a great mistake to have an operation where management can look to a subsidy,

such as they have in the case of GO transit, which amounts to 60 per cent of the operating costs at the present time. We need to be sure that they are always conscious of the need to break even. Air Canada is one that does that, and so do most of our public transportation systems, including the TTC here in Toronto.

I have had a question on the TTC. The subsidy in the case of the TTC is in connection with capital expenditures, and I, therefore, recommend that the government introduce measures to provide capital improvements to transportation systems in the same way they have done in GO transit, but they do not subsidize these operations, but leave the responsibility in the municipality's hands of providing a good, satisfactory form of transportation people want to use because it is well run, conveniently run, and has good equipment in which they can ride and enjoy their movement from one part of the municipality to the other.

**Mr. Speaker:** Two minutes.

**Mr. R. D. Kennedy (Peel South):** Mr. Speaker, I believe Mississauga is on the threshold of introducing or instituting some type of bus transportation routes. I was intrigued by some of the earlier remarks and would urge the government to join with this most progressive municipality in the introduction of facilities and, in conjunction with it, studies which might lead to benefits throughout the province. Needless to say, financial aid would be considered favourably as well.

We have two very successful GO stations, Clarkson and Port Credit, and there is every indication that feeder lines could be introduced and again relieve the highways of some congestion and be of benefit, therefore, to the community and the province.

**Hon. Mr. Rowntree:** Mr. Speaker, on Monday we will proceed with the estimates of The Department of the Provincial Secretary.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1:00 of the clock, p.m.





# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, May 13, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 13, 1968

The House met at 2:00 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are starting out the week with visitors again: In the east gallery students from Gordon Graydon memorial high school, Port Credit, and Eastdale vocational school in Toronto; in both galleries students from Buchanan public school, in Scarborough.

Later this afternoon in the east gallery there will be students from Dougall Avenue public school, Windsor and Streetsville secondary school, in Streetsville; and in the west gallery the St. Michael's Choir school from Toronto.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE MINING ACT

**Hon. A. F. Lawrence** (Minister of Mines) moves first reading of bill intituled, An Act to amend The Mining Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Lawrence:** Mr. Speaker, this bill is mainly a housekeeping measure but there can also be some long range implications respecting one part of it that affects the revenue of the province.

The amendments fall into four main categories. The most important section relates to an increase in acreage tax and increases in annual rent for surface and mining rights. It has been the concern of the government for some time that there are vast tracts of patented lands controlled by individuals, and especially by corporations, which might have a great potential for mineral development but on which no present development work is being carried out.

Government policy in this respect was best summarized in the report of the Ontario nickel commission in 1917, and this quotation was referred to in the report of the 1966

select committee on mining, and I quote from it:

It is clearly in the public interest that prospecting and search for minerals should be stimulated and maintained and that unworked land should be available to the prospector.

We wish to exert pressure on the owners of undeveloped mining lands to examine them and to continue to examine them for deposits. If they are not examining them, we want to give other people the opportunity of doing so.

Even though these amendments will result in increased revenue to the government, the purpose of the amendments is not, strictly speaking, to do that. The purpose is to increase the pressure upon the owners of undeveloped lands to examine them and to develop them, and in our opinion an increase in the acreage tax at this time will increase the prospects of forfeiture to the Crown of these lands.

These amendments, therefore, continue the implementation by the government of the 1966 select committee report and also follow the recommendations of the Smith committee on taxation in respect of both the acreage tax and the rental for mining leases. These amendments increase the annual rent on the renewals of 21 year leases from 25 cents for both surface and mining rights to \$1 per year per acre, and for mining rights only from 10 cents per acre per year to 50 cents per acre per year.

Similar increases in the annual rent will also apply for renewals of the 10-year perpetual leases and on licences of occupation from 25 cents per acre to \$1 per acre. These increases, of course, will come into effect at the time of the next renewal with respect to leases and on the next anniversary date with respect to licences.

Of similar importance, and for the same purpose, these amendments will increase the annual acreage tax on mining lands from 10 cents per acre to 50 cents per acre per year as of January 1, 1969. I would like to point out to the House that this brings the Ontario rates more into line with those prevailing in most of the other provinces. For instance, the



Quebec rate varies from \$1 per acre to \$6 per acre, and Nova Scotia from 50 cents to \$1 per acre.

The present revenue on the acreage tax to the government is approximately \$156,000 per year and on that basis, with the increase of 50 cents per acre, the revenue would be increased to approximately \$780,000. However, it is the hope of the government that with the increased rate much of the land will be returned to the Crown so that our estimation of the increase in the tax collection will be to the approximate figure of \$550,000.

I wish to emphasize again that the prime purpose of these amendments is not to increase the revenue and not even to increase the rate of forfeiture of these lands, but rather they are designed to make it necessary for the owners of the patent to put the lands to worthwhile use.

Another category in the amendments provides clarification concerning supervision of the recording offices and provides for appeals from decisions of the recorder that affect the right of the Crown. There are also some changes in the manner of providing assessment work credits for diamond drilling, radiometric surveys and other scientific methods of exploration. This is to keep pace with the technological advances in the equipment used. It is also my understanding, Mr. Speaker, that this bill will go to the committee on natural resources.

**Mr. Speaker:** Before the orders of the day I would like to remind the members of the official photograph of the House to be taken immediately after prayers tomorrow afternoon. I mentioned it on Friday and I would hope that most members would be able to be here so that when the government folders are put out their seats will be well and truly occupied in the picture. Tomorrow afternoon, immediately after prayers.

We have questions from Friday. The member for Dovercourt has one which he might place and then I believe the member for High Park has a question for the Provincial Secretary.

**Mr. D. M. De Monte (Dovercourt):** The question is directed to the Provincial Secretary, Mr. Speaker, notice of which has already been given. Will the Minister indicate the cost of the select committee on company law?

**Hon. R. S. Welch (Provincial Secretary):** Mr. Speaker, the answer is \$196,623.84.

**Mr. Speaker:** The member for High Park has a question from Friday?

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a number of questions for the Provincial Secretary. They are all tied together—may I ask them all?

To the Provincial Secretary I have a question which carries over from Friday and a new question which I just got today, and I do want to separate things. I am not prepared to—

**Mr. Speaker:** Yes, the member will place the Friday one first, as I asked.

**Mr. Shulman:** Fine. Actually they are both part of the same subject. May I place the questions and the Minister may answer what he wishes, sir?

**Mr. Speaker:** Yes, the member will place the Friday question first, if he will.

**Mr. Shulman:** Question 1. Is Allied Innkeepers Ltd. Holiday Inn currently operating a number of liquor outlets in Ontario without having gone through the formality of obtaining a licence?

Question 2. Does Mr. David Rubinoff, of London, Ontario, own the Holiday Inn franchise in Oakville and elsewhere?

Question 3. Has the policy of the board changed in that it will allow a transfer of licence without a hearing?

Question 4. If the policy of the board has not changed, how did Mr. Rubinoff transfer his liquor franchise from the Dalhousie Motor Hotel to Allied Innkeepers Limited? And I have some questions to follow this.

**Hon. Mr. Welch:** Mr. Speaker, may I take the questions in the order in which they were asked?

1. I have asked the officials of the liquor licence board to check their records and, as of the moment, there are no liquor licences in this province issued in the name of Allied Innkeepers Limited.

2. With respect to Mr. Rubinoff's franchises—he makes reference to the Oakville Holiday Inn—our records would show that the Oakville Holiday Inn in owned by the British American Oil Company Limited and that the lessee at the time of the initial application was Oakville Motor Inn Limited, subsequently changed to Dalhousie Motor Hotel Limited. I have no knowledge as to what Mr. Rubinoff's personal holdings with respect to franchises might be.

3. With respect to the policy of the board insofar as transfers are concerned, Mr. Speaker, the policy of the board has not changed. All applications for the transfer of liquor licences go before the board.

4. Of course I have already stated there is no new policy. I really do not know what the hon. member means by liquor franchise, I presume he means a liquor licence. Our records show that there is no liquor licence issued in the name of Mr. Rubinoff personally and so therefore I am unable to answer question 4.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. Welch:** I am quite happy to allow the question. Whether I can answer it remains to be seen.

**Mr. Shulman:** In answer to question 2 I believe you said that Dalhousie Motor Hotel is operating the franchise in Oakville. Is the Minister aware that the Dalhousie Motor Hotel is a defunct company?

**Hon. Mr. Welch:** Well, Mr. Chairman, I understand some applications with respect to the amalgamation of a number of companies were in fact submitted to The Provincial Secretary's Department and this was one of the companies.

**Mr. Shulman:** Do you intend to take any action?

**Hon. Mr. Welch:** Mr. Speaker, will the questioner allow a supplementary question?

**Mr. Shulman:** Yes. May I answer the supplemental question, Mr. Speaker?

If a company is in effect, operating a liquor licence without having applied for a licence, what is the Minister going to do about it? The company I am referring to is Allied Innkeepers Limited which is operating the Oakville franchise of the Holiday Inn.

**Hon. Mr. Welch:** Mr. Speaker, the licensee at Oakville at the moment is the Dalhousie Motor Hotel Limited.

**Mr. Speaker:** Perhaps the next series of questions the member has might either confuse the matter further or elucidate it. Would he proceed please?

**Mr. Shulman:** With delight.

Question 5: Were annual meetings of the Dalhousie Motor Hotel held between March 9, 1962, and April 25, 1965? If no annual meetings were held, why were no charges

laid against Mr. Rubinoff and the other directors? If no annual meetings were held, why did the annual returns dated March 31, 1962, and March 31, 1963, in the Provincial Secretary's office say that meetings were held? If annual meetings were held, why did the annual returns in the Provincial Secretary's office, dated March 31, 1964, and March 31, 1965, say that no annual meetings had been held since the formation of the company? Were annual meetings of the Toronto Hotel Holdings held between November 5, 1962, and April 26, 1965? If such annual meetings were not held, why were no charges laid against Mr. Rubinoff and the other directors?

Have annual meetings been held by the other companies holding Holiday Inn franchises and having licences to sell liquor under The Liquor Control Act? If not, why were no charges laid against Mr. Rubinoff and the other directors?

**Hon. Mr. Welch:** Mr. Speaker, the amount of research that this question necessitates has prompted me to take this question as notice.

**Mr. Speaker:** The member has a question for the Minister of Reform Institutions.

**Mr. Shulman:** I have two questions for that particular Minister, Mr. Speaker. What was the cause of the inmates' disturbance at the Guelph reformatory last week? And when are those buildings at the Burch industrial farm which were condemned in 1953 to be replaced?

**Hon. A. Crossman (Minister of Reform Institutions):** Mr. Speaker, in answer to the first part of the question, the apparent cause of the disturbance at Guelph was the fact that six inmates had been removed for transfer to another institution because they were considered by the superintendent to be the hard core of a disruptive inmate group.

On May 9, a considerable number of inmates, apparently in protest of this action, refused to line up with their work parties. Work parties are now going out normally and the institution is operating on a regular routine. Mr. Speaker, I think that it is pertinent that the hon. member should know that in the last few weeks there has been reported to us from the staff working in the institutions, that a build-up of incidents among the inmate body and continual statements from the inmates that they can always, as many of them put it, "write to Dr. S.," if they do not like the way the institution is operated.

May I refer the hon. member to a statement I made in this Legislature, when answering a question of his on May 1, and I quote: "—but I must again advise the hon. member that this continuation of publicizing names and situations without accepting the full implications can be a definite catalyst in the emergence of very difficult situations—"

**Mr. Shulman:** What has this to do with my question?

**Hon. Mr. Grossman:** "—detrimental to the inmates, to the institutions, to the programmes in the institutions, and, in many cases, to public security."

**Mr. Shulman:** There were no names mentioned—the Minister is once again confused.

**Mr. S. Lewis (Scarborough):** He is out of order.

**Hon. Mr. Grossman:** May I also emphasize to this hon. member that even though in this instance, there was no damage to property, or personal injury, this does not minimize the difficult situation which had arisen. It can very easily arise again in that institution, as well as others, so long as the inmates, who are, after all, unwilling guests in these institutions, receive what they consider the slightest encouragement from the outside.

Mr. Speaker, in answer to the second—

**Mr. Shulman:** They certainly do not receive any encouragement from the Minister's department.

**Hon. Mr. Grossman:** —in answer to the second part of the question. After the war, the department took over a number of temporary buildings for use as industrial farms in various parts of the province, and as is in the nature of temporary buildings, their use tends to outlast their original expectation.

We have started throughout the department a system of methodically replacing all the temporary buildings. We have replaced the buildings at Montith with new brick dormitory buildings. We have rebuilt the accommodation at Rideau by putting new brick walls under existing roofs. We are currently rebuilding the training centre at Burch, and new dormitories have reached the first floor level at Brampton.

In other words, Mr. Speaker, we are proceeding to replace these buildings methodically, and in accordance with the ability of the public purse to pay for these replacements. The Burch industrial farm is in this

programme, and some start has already been made on some aspects of it.

**Mr. Shulman:** Will the Minister allow a supplementary question, Mr. Speaker?

**Hon. Mr. Grossman:** No, Mr. Speaker.

**Mr. Shulman:** Thank you.

**Mr. Speaker:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, to the hon. Minister of Municipal Affairs. Did the Minister inform the registrars of deeds and masters of titles throughout Ontario, immediately, of the passing of Bill 89, the amendment to The Planning Act, so as to prevent the registration of documents and the payment of land transfer tax on many deeds, transfers and agreements of sale, on the several days subsequent to its passage? If not, why not?

Would the Minister state the legal status of these belated instruments? Are they a nullity, and if so, how will they be deleted from the registers and will the moneys be returned?

**Hon. W. D. McKeough (Minister of Municipal Affairs):** Mr. Speaker, the answer to the first part of the question is that on May 2, a memorandum was sent to all registrars of deeds and masters of titles by the assistant inspector of legal offices, Department of the Attorney General, advising that on and after May 3, 1968, 10-acre parcels would no longer be exempted from subdivision control bylaws.

I am not entirely clear on the meaning of the second part of the hon. member's question. If he is referring to documents which a registrar of deeds may have registered after the effective date, I would suggest that the matter is then one of legal interpretation and should be referred to the Attorney General.

**Mr. Lawlor:** Would the Minister accept a supplementary question?

In what way were the notifications given to the registrars; by telegram, by mail or by telephone?

**Hon. Mr. McKeough:** All I know is that there was a memorandum sent out, as I have stated. You would have to ask the Attorney General this, because this does fall under the purview of the inspector of legal offices. As to whether they phoned or telegraphed, I do not know.

**Mr. Speaker:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I have a question for the hon.



Minister of Highways. Is the Minister aware that an overnight parking sign has been placed at The Department of Highways picnic grounds at the MacDonald River bridge, two and a half miles north of Six Mile Lake provincial park entrance on Highway 103?

Second, does the Minister appreciate that this is the only ready access to the popular canoe portage across MacDonald's Lake into MacRae Lake which, I understand, is to become part of the provincial park?

3. Is the Minister aware that the users of this parking facility have consistently maintained high standards of cleanliness and have in the main been people interested in wildlife conservation and the appreciation of natural beauty?

4. In view of the fact that it would be possible to accommodate from eight to 12 cars overnight at the lower extremity of the picnic grounds without interfering with casual parking of highway picnickers, would the Minister consider a revision of this local regulation?

5. What is the general policy of The Department of Highways in co-operating with The Department of Lands and Forests and The Department of Tourism and Information to promote the tourist industry by flexible arrangements such as this? Are interim arrangements possible pending transfer of jurisdiction when the MacRae Lake is developed into park facilities?

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, as it is necessary to get some of this material from our staff in the area, I will take this as notice.

**Mr. Speaker:** The member for Scarborough West.

**Mr. Lewis:** Mr. Speaker, I rise on a point of personal privilege, to seek from you a ruling on matters which materially affect me and my colleague, the member for Beaches-Woodbine (Mr. Brown). It has to do, quite simply, with our privileges as members of this House. In so seeking, Mr. Speaker, I hope to correct the serious imbalance which has come to characterize this entire affair and with which you are doubtless familiar.

My argument is more than the expression of resentment against the way in which false motives are so frivolously imputed and charges so cavalierly made. I object much more strongly to the circumvention of entrenched rules and procedures in this Legislature. The normal pattern is for the Speaker to rule in accordance with established customs, usages

and precedents. If the Legislature chooses an alternative route, so be it, but I very much question that judgment.

As I see it, Mr. Speaker, it is your authority which is seriously infringed upon. There is nothing within the current dispute which does not, by custom, usage and precedent, fall within your purview as arbiter of the proceedings in this assembly.

The rules of this House are surely clear. I ask only that the responsibility for their independent and non-partisan interpretation be exercised by the Speaker, that is why the Speaker is chosen.

Specifically, sir, I would ask you to:

(a), rule the first part of the private members' resolution on the order paper, in the name of the leader of the Opposition (Mr. Nixon) out of order on the grounds that it makes no specific charges of any kind whatsoever, but in the process manages to single out and to cast aspersions on my colleague and myself.

If the leader of the Opposition truly wishes clarification of the conflict of interest principle, then it is difficult to have it both ways. The principle is hardly secondary to the naming of two members. And the naming of two members without specific reference or incident, and supported by only a vague possibility of what may or may not occur at some future date, partly strengthens the principle. I submit, Mr. Speaker, that it is wrong for a motion of this importance to be couched in generalities which reflect so ambiguously upon the reputation and motives of members.

(b), to affirm that my colleague from Beaches-Woodbine and I have all the prerogatives to participate fully in all the proceedings in this Legislature without undue harassment, until such time as the Speaker deems otherwise, if that should ever occur. Some members have alleged, again without any recitation of specifics, that there are times when our debating and even our voting may constitute a violation of the rules. But that is precisely the point, Mr. Speaker. Such matters do involve established rules; there is a wealth of definitive precedents.

There are well defined procedures for raising such an issue and, I hasten to emphasize, not by way of michievous points of order. And above all, a wealth of parliamentary tradition supports the Speaker's right to make a ruling at the appropriate point in time. That is surely another principle that should not be violated lightly.

Mr. Speaker, attached to this request is a short memorandum further setting out reasons for soliciting your views. I await your observations at your earliest convenience. Where my colleague and I are concerned, we await those views with interest as, I think, do other members of this party.

**Mr. Speaker:** My recollection is that the matters in question were raised in committee originally and only reached the floor of the House on the motion of the leader of the Opposition. And, therefore, I will be most pleased to take the submission of the member under advisement and deal with it as quickly as possible and report to the House.

Orders of the day.

**Clerk of the House:** The 21st order; the House in committee of supply, Mr. A. E. Reuter in the Chair.

#### ESTIMATES, DEPARTMENT OF THE PROVINCIAL SECRETARY AND CITIZENSHIP

**Hon. R. S. Welch** (Provincial Secretary): Mr. Chairman, I do not propose to deal in detail with all the functions of the citizenship branch at this time. It is sufficient to say that I am very proud to be associated with all members of my staff in this truly service department of government. But I would beg the indulgence of the hon. members while I take the liberty of singling out several programmes in which, I am sure, each member will be quite interested. These projects provide effective examples of the co-operative nature of the work of the citizenship branch in researching the special needs of newcomers to this province and determining, through pilot projects, effective methods of meeting these needs.

In January 1967 the branch, in co-operation with a number of boards of education in Toronto, organized a one-day provincial conference for teachers of English as a second language—the first conference of its kind to be held in Canada. Some 1,200 educators attended this conference, a figure extraordinarily high when one considers that the American convention for teachers of English to speakers of other languages attracts fewer than this number from throughout all of North America. The response to our conference was so enthusiastic that a second one was held in February of this year. The attendance and response to this conference was no less gratifying than the first.

The purpose of these conferences is to provide a forum for exchange of opinions and experiences on the part of teachers, educators and voluntary agency workers who are involved in the fields of newcomer education and integration. The keynote speaker at the conference was Dr. Mary Finocchiaro of Hunter College, New York, one of the leading authorities in the world today on the subject of teaching English as a second language.

Included in the day-long programme were five demonstration classes shown on closed circuit television—and I think to the credit of our students at the Ryerson institute—of the latest techniques and methods in use in Ontario today in the teaching of English to newcomers, as well as panel discussions on teaching methods and problems of social and cultural adjustment. I know the hon. member for Lakeshore (Mr. Lawlor) was there in February and can attest to the enthusiasm of those who were in attendance. The day ended with a reception at which teachers from throughout the province met for an informal exchange of ideas.

The conference was a very dramatic success in terms of the number of persons from school boards and voluntary agencies across the province, along with a sprinkling of representatives from other provinces and the United States who attended. Even more impressive to me, as the Minister, than the number of persons involved was their interest and genuine enthusiasm in this work. Dr. Mary Finocchiaro, our guest speaker, remarked that there was more to be learned by the classroom teacher at this one-day conference than at the four-day American convention for teachers of English to speakers of other languages, which I felt was quite a compliment, coming from her.

Perhaps the best illustration that I can give you to demonstrate the impact of these conferences would be to quote two statements from the many written remarks we have received following them.

From a teacher of the province of Quebec: "My greatest wish would be that every one of us French Canadians would live the wonderful experience I have lived with you and feel the warm friendship I have felt from you all."

From a trustee from one of the Toronto school boards: "All in all, may I say that this conference was probably the finest example of co-operation between local boards and a government department that has been witnessed in Ontario for some time."



A report of the 1967 conference was distributed some months ago to the hon. members, who will also receive the 1968 conference report when it is completed.

Mr. Chairman, significant as well is the fact that the teacher-training films used at this conference were produced by the branch in co-operation with Ryerson polytechnical institute in Toronto. Since very few teacher-training films have been made in either North America or Britain, for that matter, the branch decided to produce its own. Our library now consists of 19 films—ten with adult demonstration classes, nine with children. The students' language abilities range from the most basic in some classes to highly advanced in others. Each film demonstrates a specific teaching technique, and the average length is 15 minutes.

These films have also been shown at many of the branch's teaching seminars, of which about 50 were held during 1967, and at the 1967 summer courses for teachers sponsored by the branch in Toronto and Hamilton. They have been on loan to groups of teachers of English as a second language throughout the province, and to school boards in Vancouver—whose school board has purchased copies of them—Regina, Saskatoon, Montreal and the University of California in Los Angeles. Several of the films were shown this March at the conference for teachers of English to speakers of other languages in San Antonio, Texas, where they aroused great interest because of the shortage of this kind of practical demonstration material here in North America.

The enthusiasm—and I underline that word again, I cannot find a better one—with which these films have been greeted by the practising teacher leads us, in the department, to believe that these 19 films represent an important pioneering effort in this particular area of educational television.

The other branch activity which is an example of the co-operative nature of its work is the pilot project the branch has been conducting in co-operation with interested voluntary church organizations. There is great emphasis in this function on the volunteer and what the volunteer can do for us in society. This concerns an experimental language and citizenship programme for immigrant women with pre-school children.

The first of these pilot projects was initiated in 1966 at Earlscourt United Church. In 1967 an additional three projects were added and are in operation. The four projects are designed to meet the needs of Chinese,

Greek, Italian and Portuguese women. One project of this type is also now being operated in Windsor, and I understand negotiations are under way for some work along this line in London and in Hamilton.

These pilot projects may be regarded as an experiment in co-operative effort between citizens and government to encourage the active participation of the whole community in the urgent problems of immigrant integration.

The aims of the experimental programme are to determine effective means of teaching and reaching the immigrant housewife by providing language classes at a time convenient to her in order to introduce her and her pre-school children to the new culture. It is felt that such classes would provide a means for welcoming the immigrant family as a unit into our society in a way that educational or language services to individuals have not been able to do. It is a great thrill, it is a real emotional experience, Mr. Chairman, which I would like to share with any and all members of the House, to attend one of these particular projects and to see the eagerness with which the youngsters, as well as their mothers, enter into this programme. Of course, a great benefit is derived from the volunteers, the many volunteers, who feel they are really doing something to develop a sense of community on the part of these people.

The mothers attend language classes taught by volunteer teachers while their children are cared for by volunteer workers in a nursery school environment. The children are introduced during their play activities to some of the same language patterns that their mothers are learning in the language classes upstairs. The role of the branch of course, is to provide paid staff workers who act as advisors to the voluntary workers and assist in the administration of the project.

The programme is also designed to introduce native Canadians to their new Canadian neighbours. It is hoped that the volunteer teachers working in the programme—and I am sure this does happen—would gain an understanding of the immigrant and his problems. Through this understanding the volunteer workers encourage the newcomers in active participation in the life of the community.

Finally, the hon. members will recall that the Speech from the Throne in February acknowledged that the source of much of Canada's strength and human wealth stemmed



from the cultural diversity of its people—and that nowhere in this broad country is cultural diversity more obvious than in this great province of opportunity. It also reconfirmed this government's commitment to the assurance of full and equal citizenship for all residents of Ontario, regardless of their national origin or their native tongue—a commitment to which, I am sure, every member of this House is in sincere agreement. The Throne Speech also indicated that the government would initiate a series of conferences throughout Ontario to foster interest in community affairs. The emphasis is not just on the newcomer, but native Canadian and newcomer alike, getting with it, getting out there where the action is and becoming very much involved in the life of our great community and to improve the communication between the newcomer and the established residents of our province.

As you will know, the first of these conferences was a one-day community unity conference held in Windsor in the early part of March. It was sponsored by this branch of my department in co-operation with the Ontario welfare council and the united community services of greater Windsor. The next conference is scheduled to be held at the Lakehead in the fall. Other conferences, which we hope to tailor to the specific needs of each region, will be held in different areas of the province as time will allow.

The initial reaction to the Windsor conference was that of marked success in affording an opportunity for representatives of various community organizations who, previously, had little or no contact with each other, to get together in order to take a united hand in finding solutions, and providing relief, to community problems generally. I think you will have seen this reaction in a report which was distributed just a few days ago, Mr. Chairman.

The broad objectives of these conferences is to create greater interest in community affairs and as a result to develop knowledgeable, critical and active citizens, interested in the preservation and further development of the best social and political concepts. Through open forum discussions, the conferences are designed to build an increased awareness of the problems that must be resolved if our communities are to provide the services and quality of life that we all desire as citizens in today's rapidly-changing world and environment. And so, Mr. Chairman, by bringing members of the community organizations together with representatives from every level of government, we hope to improve the chan-

nels of communication and thus to better define community goals in this era of exploding urban growth throughout the province.

We become concerned, as I am sure many departments of government are, that the economic council of Canada recently predicted that, by 1980, four out of five Canadians will be living in cities. This means that from now on we must become much more concerned with the quality of life and the new social environment that will emerge from rapid urban growth in the next dozen years or so.

The council goes on to point out a continuing and dramatically faster rate of urban growth to 1980. Regionally, the largest urban gain is foreseen for Ontario, where it is predicted that some 2.3 million people will be added to our cities and towns by 1980—or a number that is double the present populations of Hamilton, Windsor, Ottawa and the Lakehead cities all put together.

So we see the importance as we move to this type of environment that we maintain a people-centred outlook insofar as this development is concerned and that we really want to give some meaning to the legislative objectives which are so clearly spelled out for this very active branch of our department.

With regard to immigration forecasts for the next 15 years, the council also points out that Canada will likely receive at least 150,000 newcomers as an annual average—50 per cent of whom will continue to settle in Ontario.

I think that even the figures last year would show a little better than 50 per cent of our new people choosing this province as their home.

These figures point out and make it plain for all to see that big city problems are here to stay, and the time is now to put greater emphasis on community programmes that will ensure that our cities are prepared for this anticipated rapid growth with its attendant problems and more particularly its impact on human beings.

Now is also the time when we might well re-appraise the availability and quality of public and private social and community services, to ensure that there is equal opportunity for all citizens to participate in our society to the full extent of their abilities.

This would apply, not only to newcomers, but also to established residents who may feel, as the area gets bigger population-wise, a certain alienation in the bigness and as a result of the bigness. So the established resident is just as vitally concerned in these areas as the newcomer.

To sum up: this is what our initial community unity conference was all about. It is an activity which, limited only by time and manpower resources, will continue to occupy a great deal of the enthusiastic activity of the citizenship branch of the department.

These, then, are examples of the work of this very human branch of government, working closely with people, working in co-operation with communities and organizations and, where necessary, providing personal services such as free translation of educational, trade and other documents, or referring persons to those agencies best suited to solve their problems.

My personal involvement in the activities of this branch has been a most rewarding one. I look forward with eager anticipation to the development of further and even more effective programmes that will assist all our people, native-born and newcomer alike, to exercise full and equal citizenship within this great province.

Now, there are many other activities that fall under the umbrella of this department of government. Our citizenship aspects deal with corporate citizens as well, and we are registering the arrival of newborn citizens. We who are involved in this programme, are very much a people, either in a corporate or an unincorporated sense. And I might assure you, Mr. Chairman, that I look forward with great interest to discussing the programme of this particular department with my colleagues in the Legislature.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, as I rise to lead the debate in connection with this department, I am reminded that it is one of the oldest departments of government of Ontario. The British North America Act, when it established the province in 1867, provided for a secretary and registrar of the province. Thus no Act of the Legislature, which was necessary for the establishment of the newer departments of the Ontario government, was necessary to establish The Department of the Provincial Secretary.

I also note, Mr. Chairman, that it is the catchall of the provincial government. It is also interesting to note that The Department of Reform Institutions and The Department of Health were once part of this department.

I have also noticed, Mr. Chairman, that although a report was promised in 1966, page 3252 of *Hansard*, the Provincial Secretary has never tabled the report of his department in this House, although he gave a very fine report of his department verbally today.

I propose to examine three of the main sections of the department: corporations, companies and citizenship.

About two years ago, a select committee was established to inquire into and review the corporations Acts of the province and related Acts and regulations to consider the principles of corporations and the legislations of other jurisdictions. I notice that the report states that the terms of reference have not been fulfilled and I am wondering whether, as the committee suggested, the hon. Minister is considering the desirability of reconstituting the committee so that it can embrace the full range of topics included in the terms of reference.

I also notice, Mr. Chairman, that several recommendations which deal with the administration are worthy of note.

The first is that incorporation should be a matter of right, not an administrative privilege, and that the application form should be abolished and a simple certificate introduced, so that the corporate existence commences upon the filing of a certificate of incorporation so long as the certificate filed complies with the Act.

Such a procedure in my opinion, Mr. Chairman, would save the department time, personnel and money and it would also save a great deal of a lawyer's time in incorporation. This concept would be easy to institute and should have been so immediately upon the report being tabled, if the government is interested in saving money.

Another aspect of our corporate law is its artificiality. It is incomprehensible that the government has not considered the one-man corporation, which even under the existing Act is already a practical reality in private companies.

I note that the committee suggests that the requisite number of directors should be reduced to one for the private company. It would do away with the artificiality of legal secretaries and law students acting as first directors and even as permanent directors of private companies.

Another very crucial aspect of the recommendations of the report is the allowing of professional practices to incorporate. I wonder, Mr. Chairman, whether the Minister has instituted any negotiations with professional societies with a view to considering the feasibility of such a step. Has the Minister considered the implementation of the companies court, to hear matters pertaining to The Corporations Act and The Securities Act as the committee recommended?



I noticed that the hon. Minister, Mr. Chairman, spoke at length about integration, immigration and citizenship. It seems to me from the estimates that it is clear that the teaching of English to immigrants is becoming a major facet of The Department of Citizenship to the detriment of everything else.

It is the opinion of this side of the House that since these classes are purely educational, the administration should be done by The Department of Education which, by its very nature, is equipped to handle such a scheme. I note, Mr. Chairman, from a recent news release from The Department of Citizenship that the newly opened branch in Hamilton, and presumably the department in Toronto and in Queen's Park, is:

—charged with the responsibility of developing programmes which assist residents of Ontario in the full exercise of whole and equal citizenship.

The question arises—what is being done to generate and educate the immigrant population besides the making of a brochure which has only limited availability and which has only a public relations purpose? When we come to the question of citizenship, a much more crucial question arises; the question of integration into a society and community of the vast number of immigrants who come to our shores and our province. In dealing with the problem of language in exercising effectively the duties and privileges necessary for complete citizenship, I wonder, Mr. Chairman, if the Minister is just scratching the surface in this great search for integration.

I am the son of an immigrant who came to our great province in 1904. He learned the language and tried to integrate into the culture. I suspect, Mr. Chairman, that his problem was one of communication. Not of language alone but of culture, of mores, customs and other aspects that enter into the making of a people of different backgrounds. It is a question of communication. A question of understanding—understanding a person whose habits, customs, mores are different than your own. The mosaic of the people of this great province have enriched and, in my opinion, made our province a place second to none in the world. Indeed, we have found a place in the sun, a place to stand.

Fundamentally integration means three things—to be part of a community, to feel a part of the community and to be accepted as part of the community. This is the area in which The Department of Citizenship could make its greatest contribution.

It seems to me, Mr. Chairman, that when we scrape away the platitudinous public relations aspect of this department we discover that the hon. Minister and his department has done nothing about cultural relationships. Integration is a two way street; it flows both ways. This is the concept I want to leave with the hon. Minister. What prevents integration? It is indifference and disinterest. When we are able to conquer these two things, we have conquered the question of integration.

Mr. Chairman, there is another aspect of the integration question that is of utmost importance, and that is the problem of the children of immigrants. In this area the clash of cultures is most pronounced. The newly-arrived immigrant has, in a sense, comfort in that he does not really need to move from one culture to another. He can insulate himself.

But his children, who do not have a language problem, do have a cultural problem. The child is torn between two cultures. In his home he is subject to his father's ways. Outside his home he is subject to other and quite different ways. In this area, the psychological trauma is considerable.

Because of this aspect in the community a sort of stratification is taking place in our society, and I think Vance Packard, in his thesis on society, "The Status Seekers", brings this out very clearly. Vance Packard states that we are not only getting a stratification of living areas—the ghettos, the \$19,000 and \$20,000 homes, the \$30,000 and \$40,000 homes—we are beginning to stratify our society between groups of immigrants and between immigrants and the existing society.

It seems to me that the hon. Minister and his department have completely failed in this most important area of our society. My position as an Opposition critic might cause me to castigate the hon. Minister and his department for having done so little in this.

The truth, however, is that I have a great deal of sympathy for him, for it seems to me that he does not understand the problem. How can he? What we are asking for is that our society hold out its arms to a multitude of cultures, a multitude of creeds, a multitude of races, the blend of which is creating a new Canada, which is taking its place among the countries of the world as the first, and I emphasize the first, integrated multi-racial country since the dawn of history.

What is needed here is a commission which will bring together all of the academic



disciplines and the practical knowledge of the leaders of our ethnic communities who will work together to study this complex problem and report to the Minister. And, Mr. Chairman, I call for a commission now. We must develop an open society to which each can contribute and from which each can receive in such a way that there need not be a cultural surrender; an open society in which all members regardless of their origin can feel they belong with dignity and with self respect.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, The Department of Provincial Secretary and Citizenship is a grab bag of good things, or I suppose, a hodgepodge of indifferent things, depending upon the way one wishes to look at it. As I am under the power of positive thinking this afternoon we will regard it the first way, as the grab bag. As my hon. friend has indicated, this department has spawned a numerous breed. It is the department out of which other departments tend to grow. What is happening at the moment is that the members of this Legislature are witnessing not exactly a new birth, because it began in 1958, but the sibling state. The early adolescence of a brand new department is coming into being. It may be regarded diversely as we will see very shortly.

The department is formed, as I see it, of a secretariat analogous to the Secretary of State in other positions, handling numerous functions. One which interests me is its diplomatic role, through the Lieutenant-Governor, between foreign powers and between this government and the federal government. I understand that the hon. Minister is at the present time—it may be unknown to him—engaged in diplomatic relations with the state of Gabon, and is in very close accord with Jean Luc Chretien in order to bring about a new treaty for Ontario in secondary school education. I say it might be unknown to him but it is a possible adventure that he might undertake—would he then “*épter les bourgeois*”?

**Hon. Mr. Welch:** May I confirm that this is unknown to me.

**Mr. Lawlor:** It is, yes, I thought it would be. I invented it.

The second aspect of the department is the registrar general's branch—we can discuss under that heading the corporations—and, finally, the citizenship branch.

Just to mention the corporations situation, at no great length because it is largely of a formal and procedural character although it has a good deal of meat in certain sections of it. Bill 141 which was introduced last year and allowed to die on the order paper, as I understand it, will be brought back before this Legislature in a more elaborate form—I trust in the very near future. It will embody many of the recommendations made by the select committee on company law which the hon. Prime Minister (Mr. Robarts) has indicated at an earlier time will be reconvened, and will go deeper into some aspects of corporation work.

Among those aspects which I do not see mentioned in the format and in which I am particularly interested is the role and function of foundations, particularly as instruments of tax evasion, in this province. We will come to that when this new business corporations bill is introduced in this Legislature very shortly. We will give a thorough study to the corporate structure of this province and to its possibilities in all respects at that time.

I will just mention in passing that we will continue to hammer away at the returns problem, the disclosure problems, the failure to be able to locate sufficient information data as to who are the real people behind companies and the amount of the shared capital, the transfer of shares, and all this sort of thing, and the holdings that do take place, particularly in the relationship between subsidiary and parent companies.

Another thing which I will be requesting of the hon. Minister is as to whether or not he has cemented, or made closer relations between his department and The Department of Trade and Development with respect to carrying out investigations of companies which mult shareholders. Particularly I am thinking of the securities branch—I want to know whether that has been consolidated; it seemed to be in the wind and promised last year in reading *Hansard*—and what the intent of that liaison and the depth of it is a matter of interest to this Legislature.

**Hon. Mr. Welch:** You mean Financial and Commercial Affairs, do you not?

**Mr. Lawlor:** Well, all right, Financial and Commercial Affairs—securities regulations of all kinds. The select committee work grew largely out of investigations made in the state of New York, California and in the United Kingdom, and has gone a great distance in renovating our law in this regard.

My hon. friend of the Opposition has mentioned some points in which it has made considerable recommendations which unquestionably must be embodied in new legislation. The one-man shareholding company and the methods of incorporation. I would like to mention also that the companies will be liable for most pre-incorporation contracts and in some cases so should the promoters of those companies.

Secondly, the distinction between private and public companies, which always escapes me, will now be abolished, I trust, in the regulations. Professional groups of all kinds will then, for the first time, be able to incorporate themselves—in the case of certain professions keeping personal and direct liability to their clientele for malfeasance, non-feasance or misfeasance in the work that they carry out, such as doctors and lawyers. The abolition of the *ultra-vires* doctrine has been long anticipated, I think, and I would anticipate it would be contained therein.

Finally, it gives some cognizance to the duties and rights of directors, shareholders, auditors and trustees, and spells out in a way which has been vacuous and terribly vague in the past, to the detriment of numerous shareholders particularly, just what their rights are *vis à vis* the directors of a corporation. But the Minister, being a bright and imaginative man, is bored by all these things, I suspect. He is now tending a new baby and he is nurturing it and it is going to come to growth.

I would like to, for a moment, give a little of the background of the growth of that department. Before doing so may I say that year after year, in reading *Hansard*, in this department people have been taking away, or trying to add to—mostly taking away—all your jurisdictions and powers, Mr. Minister, through you, Mr. Chairman. They have wanted to take the corporations branch completely out of there and send it over either to Trade and Development or to Financial and Commercial Affairs—one or the other.

Another thing that we have repeated today is that the educational role that you are playing, particularly with respect to second languages in schools, ought to be returned to The Department of Education. You will see that I probably do not agree with that. It is the fundament upon which this new department, as I see it, will finally grow. I will only mention this; that it is rather unfair to the taxpayers of the province not to include in the budget somehow the \$1 million approximately that you intend to spend this year

on straight education. It is part of the educational budget of this province and the people who pay for it ought to be aware of that. To siphon it off to your department in this way is simply a camouflage, or a way of hiding the full impact of the educational costs of this province.

However, leave these departments alone. I would suggest that the Minister might add to this department, two or three other dimensions of either existing departments, or new departments. One might think that human rights ought to be taken from Labour and sent, in place, to your hands, particularly if under the new Act, you will be bringing forward, professional associations of all kinds are going to be involved. We all know the intricacies of the McRuer report in this regard, where human rights are vitally affected and the whole utilization of human rights in the content of citizenship is obvious; it is directly related to your department. Why on earth it is over in The Department of Labour is completely anomalous.

The other thing that I would say is that in the administration and role of professional bodies of all kinds, as they come under incorporation procedures, then you too, should assume the responsibility for policing them, looking into them, issuing the regulations for them and all that sort of thing. The third thing—and this is a new dimension I think—is that you, in effect, would become in due course, the Minister of Youth. The whole area of relations with youth rising out of select committee of this Legislature, could be very easily taken under your surveillance, arising out of The Department of Citizenship. What a dimension that offers for you. What possibilities for the good of this province, this would have. Attending one of the conferences last winter, I heard around the halls a number of arguments were offered against the expansion and this inherent growth in your department.

A person of your activity and élan cannot sit quiet. You might just, through sheer energy, be expanding yourself and, as we see in the estimates, costing us an enormous amount of money on a very nebulous, and terribly unsatisfactory programme, which no one can tie down, because of the very nature of the creature.

It is very hard to put your finger on this thing called citizenship, and you are out spending money like a wassailer in order to establish yourself and assert your own prestige and to give yourself something to do. If that is the case, then I think we had better be very



much aware, because this is the most rapidly expanding area that I can see in all the departments. It is extremely interesting.

Hundreds of thousands, millions of people came to this continent from Europe and around the world. They came to British North America, and particularly to the United States, in the 19th century. And they did not need the cossetting and care, the wrapping around with swaddling clothes that this Minister is apparently prepared to provide them.

They are people with a great deal of self-reliance and a good deal of forthrightness; they can look after themselves. They come with inherited skills. They put their teeth into the matter and get on with it. They do not want your interference. Certainly it is not necessary that the taxpayers' money be spent. They adapt themselves well enough in due course. There is no reason why you should interfere. This sort of argument was very prevalent. May I say, Mr. Chairman, that I think that this is completely haywire.

We are living in a complex, new civilization. The problems that face immigrants in our urban civilization are not at all comparable to the great western plains and the hewing out of a livelihood, building railroads, this necessary work in sawmills, and all the manual labour that was necessary to build the continent. That is no longer necessary. What we are doing here is taking people of varied skills and introducing them to an environment which requires a good deal of sophistication. They are being brought into that environment rather quickly, being usually rural people from far away places who are largely of peasant ancestry.

Under this heading, therefore, it is a problem that seems to me to have aspects apart from the central core of the thing. It is this much, is it not—a problem of introducing Canadians, the native-bred variety to the new people; to make them aware of the needs and roles of the people. And that would be another aspect in your department of which you are not unaware, but on which you have not as yet placed any emphasis.

The second aspect is that it seems to me that it is just not the people from foreign countries who need your benevolence and care. The people who already live in our own country, coming in from the eastern provinces, are as much culturally deprived as a whole and have as many difficulties—except in the speaking of the English—as these people coming in from other lands. The assimilation of such people into our environment, making them really living parts of that

environment, is another dimension of life that your department must become aware of and which I do not feel at the present time you are doing very much about.

But the Minister has vision, and he sees the expansion of his department. He wants to give meaning to the very concept of citizenship. Well, where did it all start? It began in the year 1958 under the Hon. T. H. Dunbar, when certain functions of the department were extended to include a section on citizenship. On January 27, 1961, an Act came into effect constituting the department. Here is a bit of a rundown of the Act under section 2 and I quote:

The Minister shall in his own initiative and through co-operation with the Ministers having charge of the departments of public service of Ontario and with municipal councils, school boards, and boards of education, and other organizations, and otherwise, in the cause of human betterment and advance and encourage the concept and ideal of full and equal citizenship among the citizens of Ontario in order that all may exercise effectively the rights, powers, and privileges and fulfill the obligations, duties, and liabilities of a citizen of Canada, within this province.

Then immediately preceding the passage of the Act, arrangements had been completed for the transfer from The Department of Education of a section of the communities programme branch, which was dealing with citizenship, over into this branch, and it became a division in your estimates. And under the Budget of Ontario I note that from 1961 through to 1964 and 1965, there is no separate item whatsoever. But beginning in 1965 and 1966 you appropriated \$318,000 to this end, and you actually spent \$400,000. In 1966 and 1967 you appropriated \$484,000, and you actually spent \$591,000—quite a difference. In 1967 and 1968 you appropriated \$631,000, and no one except yourself knows exactly how much you have spent to this time.

This department is the brainchild of the hon. Minister of Social and Family Services (Mr. Yaremko). It is the apple of his eye, as it is for the present Minister. This Minister has nurtured this polyglot child, fretted with its problems, changed its diapers, and not only established but made Topsy grow. He was the Minister extraordinary to all the peoples of the earth; this was his special preserve. He almost personally was going to teach them the English that Shakespeare



spoke and, as much as possible, in the precise way in which Shakespeare spoke it.

True, it did not quite work out that way. It was more *As You Like It*, than a *Hamlet* or *King Lear*. But, measure for measure he felt that it was not *Love's Labour Lost*. Anyway, he constituted himself a father figure for all the new arrivals in the province. All this did nothing to diminish his election prospects, his ego, and his party's appeal among immigrants, among all of those soon to be citizens.

You have to get up pretty early in the morning to beat a Tory. The Liberal government for a long time had been nurturing the immigrants. They told them over and over again in mid-Atlantic that they had better remember who had brought them over. But as I say, the Minister has found a way around all that now, and he gets closer to them than the federal people do. What is involved in this new vision of yours, this department, seems to me a whole new philosophy of life, and that is why I am rather pleased to be the critic of your department.

It is a whole new way of life, it is a concept of community coming into being. This is in the wind in many parts of the world. Among the leading thinkers in Europe this has been long written about. A man by the name of Max Scheler wrote a whole book on it. A woman who was persecuted and killed by the Nazis, a Carmelite nun by the name of Edith Stein, a phenomenologist in philosophy, has written on it.

These people, the existentialists and the phenomenologists, are terribly aware of the context of society and the role of community in that society, and these people have articulated it and worked it out to an extent.

Here in North America this is not true because we are still under the bane of an ugly individualistic philosophy. I find that the Minister in seeking to branch out his department, despite all his élan and all his courage within his own party is going to run into enormous difficulties. They are still possessed of that individualistic guff of which I spoke on an earlier occasion and the *laissez-faire* concepts of the atomic role of each individual in society—"well, we are not responsible for the other guy". The chief concept of citizenship at this time is, to put it simply, to be able to step into the shoes of another man and feel as he feels, to be like a stranger in a strange land.

In future, and the next time this comes up if I am still critic of your department, I would go into Minoan civilization; to what

the Jews did, to how the Greeks greeted strangers. These people who had very elaborate cults and modes of address—they were far kinder to them than what we are.

We are standoffish; we do not participate in the total life of the community. I have, when we come to citizenship, a list of possible ways in which we can improve our liaison, but it is going to mean a thorough revamping of your ugly economic doctrine. It means a new approach, such as we have long advocated, and which is at the very profoundest heart of socialism into bringing people into brotherhood and community and recognizing each other's ills.

**Hon. Mr. Welch:** Mr. Chairman, may I just say a few words in reply to the comments from the hon. member for Dovercourt and the hon. member for Lakeshore? I would be less than honest if I did not thank them very much for indicating the tremendous interest that they have in the work of the department. I think it is quite a compliment to the department that both of these members have researched the history and the background of this department as carefully as they have, and I thank them for that.

I would think that, although we may have our differences of opinion with respect to approach and emphases and priorities and the arrangement of programme, that our discussions during the course of these estimates cannot help but be a very helpful one as we invite the comments of all members of the House to help us to seek the ideals that are so clearly set out in the legislation for this department.

While it is still fresh in my mind, I would like to assure the hon. member for Lakeshore that I do not belong to the school of thought that feels that a socialist is the only one who feels any obligation to his brother. I never sensed at all that there was a monopoly on this type of concern by any political group. I am sure that he could not have been serious in attempting to suggest to me, and to all of us in this House, that we have not got this same concern. Surely we share this?

**Mr. F. Young (Yorkview):** You are out of place over there.

**Hon. Mr. Welch:** Be that as it may, may I say as well that the emphasis which he seeks within our department—I now refer again to the member for Lakeshore—that this emphasis will not just be on our newcomer problems, as real and as important as they are, but we would hope that we could move into this total programme.

I noted with interest the areas of government activity which he feels might be embraced within this concern and we will no doubt talk about this. I do clearly want to set on the record how much I have appreciated the initial comments by both my friends and how helpful, I am sure, they felt they have been.

In commenting, both members have made reference to the select committee report on company law. As you notice on the order paper, it is the intention of government to bring forth The Business Corporations Act. At that time we will have an opportunity to discuss it in some detail, particularly in reference to the recommendations that are set out in the report itself.

It is sufficient, at this stage, to say that I am very happy with the Act. I think that with one or two minor exceptions, the Act does make an attempt to incorporate the principal recommendations of the report. I do not wish to anticipate the Act in any detail at all, but sufficient, as I have already said, that the Act itself is a very realistic approach to the matter.

What has happened, as you know, is that in the last session the Prime Minister introduced Bill 141. This was following the tabling of the Lawrence report. There was wide circulation given to the select committee's report together with Bill 141 and the introductory statement of the Prime Minister with respect to Bill 141. We invited everyone interested to come in on it and in fact we got a great deal of mail, which was carefully read by an interdepartmental committee. As a result of Bill 141 and the select committee report and the replies from the business and commercial world and others who have expressed interest in Bill 141 and the report, we have put together The Business Corporations Act, which will soon be placed before this Legislature.

I know it is the wish of the Prime Minister when he introduces this legislation that it, too, will receive the widest possible circulation, so that there will be ample time given to all who are interested in this aspect of our work to have the opportunity to comment on this legislation.

In the meantime, I think I should make some reference to the fact that although the member for Lakeshore questions this, the Prime Minister has given the House the assurance that it is his plan to reinstate the select committee on company law to finish the other aspects of its work. I know the member for Riverdale (Mr. J. Renwick) will

know this, because of the areas of special incorporations, the co-operatives and the insurance and the other aspects of the corporate field which were not dealt with by the select committee report.

I am satisfied that there will soon be before the House some evidence of all of this work in legislative garb and ample opportunity to discuss it and the implications of this new legislation.

Other matters have been brought up of course. I draw attention once again to the fact that I, with my friends, singled out the citizenship function this year, because I felt that perhaps it would afford us an opportunity to consider the aims and objectives of this role. I could not help but agree that perhaps, when one thinks about all the work and all of the opportunities and challenges that face us, we are just scratching the surface. I think that is a very constructive piece of criticism. I doubt if there is anything around that is in a perfect state and the attitude of this government has always been that they keep doing things and they realize that everything can be better than it is and that creates the evolutionary attitude of legislation and government approach.

My friend, the member for Dovercourt, proudly refers to himself as the son of an immigrant. I stand before you as the son of an immigrant too. In fact, if you go back to the beginning of this century and realize what percentage of the people of this province are either immigrants or descendants of immigrants, you would realize just what this province owes to immigration and of the great human resource that we have. So we all share this. I am very proud of this and I know the pride that people who have come to this country have.

You approach the question of integration. The member for Dovercourt, quite within the realm of his own party's thinking, feels that the function can best be done by some other department. I say this, not only to the member for Dovercourt—

Mr. V. M. Singer (Downsview): You are redundant. I told you that last year.

Hon. Mr. Welch: —and to the member for Downsview, who has exhibited an interest all of a sudden in this too—

Mr. Singer: I am always interested.

Hon. Mr. Welch: —and that is that this is not just an educational function. So, if you premise the transfer on the fact that this

is merely an educational function, then it explains two things: why you want to transfer it to another department and why, perhaps, the member for Dovercourt does not feel that the programme of integration has been a realistic one, because it is more than just an educational programme.

This came up in the estimates last year, Mr. Chairman, and I might say that it is a pretty reasonable question. It was one of the first questions I asked when I assumed the responsibility of Minister of this department, because it had come up the year before that too. And so I was very anxious to have some meetings between The Department of Education and ourselves to discuss this. I mean, is this a legitimate point that is being raised?

I am quite satisfied that you could pick up the whole—let me say this—you could pick up the whole Citizenship function as it now is and place it under any Minister, providing you take the whole—the whole branch and not just the teaching aspect. There is the whole question of citizen participation, or rather, preparation. It is not just language training. Many of the things the member for Dovercourt has mentioned are embodied in it.

We are not the only department of government—we are not the only group in society interested in this work and doing it. Hundreds of volunteer people are helping to accomplish those things which the member for Dovercourt has mentioned. And I think, what this province needs, through provincial government leadership, is a separate entity known as citizenship—not some large department, with all of its other interests—that can act as the catalyst to bring together and to co-ordinate the activities that are going on in many departments of government. Something to give some special emphasis to this work and to carry out the work of integration, acculturation, to make sure that we are accomplishing some of these things to which the member for Dovercourt and the member for Lakeshore have drawn attention.

So, because as we move in—and I think we will find this as we go into more of our conferences—that there are functions of other departments which should be brought to the attention, not just of newcomers, but of many of our people. I sometimes wonder if our people know what is going on, what is available to them or where they can go to get information about these various things.

And my concern, quite frankly, would be to lose this in some larger department which is already quite busy with very worthwhile programmes of its own. And so I say that it is an activity which I think will grow and flourish within The Provincial Secretary's Department because of the encouragement it has received up till now. But I do not see this as a department of government which should attract great numbers of staff. I would like to think of ourselves as constantly working ourselves out of a job; looking for somebody else to carry on these functions, harnessing the energy of the hundreds and hundreds of volunteer groups and, indeed, individuals who are prepared to help us. Well, there is no sense in prolonging the reply, because you will perhaps have an opportunity in the exchange of questions and comments to go into these matters. I do not know whether I have covered all the particular points which have been well expressed by my friends. But I will end as I started—by thanking them for the obvious interest they have shown in their preparation. Perhaps we might now go on to discuss some of the specific items which are on the estimates.

**Mr. Lawlor:** Mr. Chairman, before we do, may I ask the Minister one question which arises from his department every year. I would like to hear what the Minister's intentions are with respect to the liquor control board and the liquor licensing board.

**Hon. Mr. Welch:** Well, as you know, the Provincial Secretary is the Minister responsible for these boards to the Legislature and it has been the policy in other years to allow some discussion on these subjects. I draw your attention to order 11 which is on today's order paper. We placed the two reports on the order paper, with the idea that, perhaps on some other occasion, the Prime Minister might call for order 11 and a discussion of the reports at that time.

**Mr. D. C. MacDonald (York South):** "Might" call, or "will" call?

**Hon. Mr. Welch:** Will call.

**Mr. Singer:** Mr. Chairman, on a point of order; which is it? Are we going to adhere, or do we get a definite commitment from the government that it is going to be done under order 11? Which will be called?

**Hon. Mr. Welch:** Well, I thought I made that point clear, Mr. Chairman—



**Mr. Singer:** Oh no you did not. You straddled the fence.

**Mr. MacDonald:** You said "might" call.

**Hon. Mr. Welch:** As the member for Downsview was stormily rising to his feet, I corrected the word "might" and said "will" to the member for York South—but I will repeat that again.

**Mr. MacDonald:** We are happy.

**Hon. Mr. Welch:** The plan is that they will not automatically follow these estimates, but the Prime Minister will call order 11 for discussion on the liquor matters, as we did last year.

**Mr. De Monte:** Mr. Chairman, is the hon. Minister going to give us some opportunity of discussing elections and election expenses? I notice that the hon. Minister's department pays for the Clerk of the House and I was wondering if we would have an opportunity to discuss it under that aspect of the estimates, or whether the hon. Minister will set aside a special time to discuss election and election expenses?

**Mr. Chairman:** Well that, I might say, is under the estimates of The Department of the Attorney General. There is nothing for elections in any section of the Provincial Secretary's votes.

**Mr. De Monte:** Well, on a point of order, Mr. Chairman, is not the Clerk of the House paid by the Provincial Secretary and would it be proper to discuss it under that item?

**Mr. Chairman:** No, the Clerk of the Legislature and the chief election officer come under vote 1706 insofar as the staff of the Clerk's office is concerned. But the election procedures and discussion regarding local plebiscites and general, or by-elections, comes under The Department of the Attorney General.

**Mr. Singer:** Where do you find out when it is debated?

**Mr. Chairman:** Well, I have not looked at The Attorney General's Department, but it is certainly not the Provincial Secretary's.

**Mr. Lawlor:** That is not so.

**Mr. Singer:** That is the whole point. Mr. Chairman, on a point of order. We get shoved around like this from year to year. We get pushed from department to department and when it gets down to the nub of

the situation, you find that there is nothing about elections in this whole book of estimates. Nothing there at all in this whole book. Now by your admission a few moments ago, sir, the salary of the Clerk of the House and the chief election officer comes in as vote 1706. It would seem to me that that would be the logical place to discuss it, because I am quite sure that no one can point to any other estimate in this book that has any reference to elections.

**Mr. Chairman:** I am told that the election costs come out of the proceeds of what are known as accountable warrants.

**Mr. Singer:** Well, I do not care what they come out of, Mr. Chairman. Surely the fact is that the members of the Legislature, during the course of estimates, must be entitled to discuss election procedures somewhere. It would seem logical and sensible to me that, when we come to discuss the salary of the Clerk of the House and the chief electoral officer, that would be the place to do it.

**Mr. MacDonald:** Well, Mr. Chairman, speaking to the point of order, I am not so much interested in where it is, as to find where it is and to get it nailed down. If it is not here, it is in The Attorney General's Department. Our experience of previous years is we were told it was not here, but elsewhere. When we got to elsewhere, it was not there either. Now that is all I want to avoid this year.

Do we have your assurance that this issue can be debated under the Attorney General's estimates?

**Mr. Chairman:** Not at this point.

**Mr. MacDonald:** Well in that case we shall attempt to debate it in this estimate.

**Mr. Singer:** In vote 1706.

**Mr. Chairman:** I would direct a question to the Minister. Does the Minister feel that he is prepared to discuss matters pertaining to elections under any part of his estimates?

**Hon. Mr. Welch:** It has always been my understanding, Mr. Chairman—and this is perhaps the place to have a full discussion—that I am not asking the House for any money with respect to the conduct of elections. I always understood that money for elections came under a warrant from Treasury, signed by the Attorney General. I am asking for money to pay the chief election officer and the staff, but there is no money in my estimates for elections.

Having made that point, I assume that what is before us is an examination of the budget of this department and what I am asking for to run this department for a fiscal year. I am asking for no money for elections. I do not know if that is helpful at all, but that is why I thought it was not debatable here.

**Mr. Singer:** Mr. Chairman, again on this point of order: that portion of the salary of the clerk, who, wearing his other hat, becomes the chief election officer, is surely used by him in the period between elections to cogitate about what might have gone wrong in the last one, to improve it for the next one, to think about forms and stationery that he orders in advance, to print pamphlets and directions to returning officers and poll clerks, enumerators and so on. What we are approaching—and I think it was pointed out very well by the hon. member for York South—is that if we are excluded here, we will probably be excluded from having any debate with any responsible Minister. If this is the case, then we will be deprived of our right in this House to criticize the conduct of elections. If that is so, sir, then we will have to express our views in the appropriate manner about our inability to criticize a matter that affects the members of this House.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Chairman, I wonder if we could pursue the earlier votes in these estimates and discuss them? We will not reach 1706 for a while. I, at the moment, cannot tell you whether it is the intention of the Prime Minister to reappoint the select committee on The Election Act or not. Can we not leave this for now and probably let the Prime Minister give us some direction when we come to it? Would that not be sensible? Or are we going to get into a debate now about whether we debate something on a vote that we have not even reached yet?

**Mr. MacDonald:** Well Mr. Chairman, I rise again on a point of order. The tactic of the Provincial Treasurer disturbs me, because I can see clearly what it leads to. If the select committee is going to be appointed, then we have no opportunity to discuss it here and that is precisely what we want to avoid, because quite frankly that select committee was set up simply for the purpose of procrastination. It had plenty of opportunity, at least to bring in recommendations on the most archaic aspects that everybody agrees on, yet it deliberately refused to bring in any report—after deliberately refusing to start its activities for months after it was appointed.

So you will forgive us if we are a little bit sceptical about the select committee being anything other than a vehicle for evading coming to grips with the subject instead of coming to grips with it. I just reiterate at this point, Mr. Chairman, that if the Provincial Treasurer is saying, in effect, that the reappointment of the select committee renders a debate in this House unnecessary, I would say the opposite is the case. If this select committee is going to be appointed, then there is even more need for a debate to see what the guidelines are and what, in fact, the government has in mind.

**Hon. Mr. MacNaughton:** Mr. Chairman, I suggest simply that we can proceed with the discussion of the estimates, until we come to vote 1706, and probably determine at that point whether you are to permit debate on the subject of that vote or not.

**Mr. Singer:** Mr. Chairman, just as a final postscript: if we are going to be directed in this ruling by what the Prime Minister thinks at that point, let me say that we, in this party, will insist that we have the right now, it is apparent we have the right nowhere else—that we have the right to discuss the whole question of elections under vote 1706. It may be that the House will deny us our right to speak; the majority of the House will want to keep us muzzled. If so, we will have to deal with it when we come to vote 1706, but I serve notice, sir, that that is what we intend to do.

**Mr. MacDonald:** For once we are with the Liberals. We are always with them when they are right.

**Mr. Chairman:** May I say to the members that—

Interjections by hon. members.

**Mr. Chairman:** Could we have some order and the chairman will attempt to dispose of the point of order. It seems to me that there is nothing, in any event, which could possibly be discussed on elections in votes 1701 to 1705. Now the chairman will undertake to make a ruling, or obtain information, as to where elections may be discussed before we proceed with vote 1706. Is this agreeable to the members?

**Mr. Singer:** We heard what you said.

**Mr. Chairman:** Is this agreeable to the committee? Fine!

On vote 1701.

**Mr. Lawlor:** I will not be speaking where I do not think it is necessary, Mr. Chairman, nevertheless in 1965-1966, the salaries for this department were \$258,100. In the 1967-1968 year they rose to \$411,500. It has grown \$150,000 in two years—that is about 60 per cent. Could we kindly have some explanation of all this?

**Hon. Mr. Welch:** I think under three general areas there have been the usual adjustments—the salary adjustments provided for in the negotiations with the civil service commission. There have been some complement changes, particularly in the office of systems and procedures, and in the operations branch, an increase of personnel. I would think that what with the increase in personnel, plus the salary adjustments, we could account for the principal increases to which you have made reference.

**Mr. De Monte:** Mr. Chairman, how many new personnel were hired? And for what departments?

**Hon. Mr. Welch:** Since when?

**Mr. De Monte:** Within the last two years.

**Hon. Mr. Welch:** In the neighbourhood of 11.

**Mr. Lawlor:** How many people are presently employed?

**Hon. Mr. Welch:** Our total complement is 171.

**Mr. Lawlor:** Within the terms of salaries, touching the operations branch—what is involved there? It seems to me that a systems and procedures section is there, and a special services section, having to do with orders-in-council and congratulatory scrolls, and all that sort of—is that the way that is broken down?

**Hon. Mr. Welch:** Yes, what you have said so far is correct.

**Mr. Lawlor:** Is there any division within the operations section other than the ones I have mentioned?

**Hon. Mr. Welch:** There is the recording office for the whole department.

**Mr. Lawlor:** I see. Fine.

**Mr. Chairman:** Item 1 agreed to.

On item 2.

**Mr. Del Monte:** I note that the travelling expenses have gone up \$10,000. Is there any reason for that vast rise within one year? To where would the travelling expenses—

**Mr. Chairman:** Travelling expenses—\$13,000 total?

**Mr. De Monte:** Yes.

**Hon. Mr. Welch:** I think in the accounting procedures, as I understand it, the travelling expenses of the Ministers without Portfolio are charged to the main office of this department as well, and that accounts for—there being two of them, their expenses were charged here as well.

**Mr. De Monte:** Why is there such a vast difference between this year and last year then? The expense is up about \$10,000. Were any special trips made, or anything like that?

**Hon. Mr. Welch:** Oh, no. It is not a matter of special expenses, but it is a matter of new expenses having been added—new responsibilities.

**Mr. De Monte:** Were the travelling expenses of the Ministers without Portfolios paid out of this fund before this year?

**Hon. Mr. Welch:** I think in the preceding years there were not these two particular Ministers without Portfolio.

**Mr. De Monte:** I see.

Item 2 agreed to.

On item 3.

**Mr. Lawlor:** Mr. Chairman, I notice that the workmen's compensation board grants have disappeared from the estimates this year entirely; I will just make mention of that. The only other thing I want to mention under this particular section is that, lo and behold, the expenditures have actually gone down and I want to congratulate the Minister on the drop. It went down from \$119,000 in 1966-1967 to \$108,000 this year.

**Hon. Mr. Welch:** If you are making specific reference to the lack of the workmen's compensation awards, they were so small that they were incorporated in the general maintenance item there.

Item 3 agreed to.



On item 4.

Mr. Chairman: The member for Dovercourt.

Mr. De Monte: Mr. Chairman, I would like to know to how many people dinners were given by the province under this general fund. I notice that the Minister has asked for \$25,000 more and, I trust, this year they will not be making a further request, as he did in past years. I would like to have details, Mr. Chairman, as to where these government hospitality funds were applied.

Hon. Mr. Welch: Which particular year do you want the information for? As you know they are published in the public accounts in those reports for 1966-1967, which you already have.

Mr. De Monte: That is fine. I will look them up in the public accounts, Mr. Chairman.

Hon. Mr. Welch: Pardon?

Mr. De Monte: I will look them up in the public accounts.

Hon. Mr. Welch: No, I mean they are there in some detail in the public accounts. I am wondering was there some particular function that you wanted—

Mr. De Monte: No, I would just like to know to whom they were made out.

Hon. Mr. Welch: I think you asked a question there with respect to the increase. For a number of years this was a fairly fixed amount at \$40,000, although each year the question came up that the actual expenditures were more than \$40,000 by the time we got to the end of the year. It is a matter over which we can sometimes exercise very little control, when you think in terms of the function of having these particular affairs. We thought this year we would be a little more realistic and put in the average amount that we were actually spending on government hospitality.

Mr. Lawlor: Yes, that has been going on for many, many years—that \$40,000 item, which rose to a much greater sum. This year it is set at \$65,000. Obviously inflation has set into hospitality, like everything else, and the Minister is inflating along with it.

However, I would ask the Minister, as a good fiscal Tory, to live within his budget. Let us not see, now that he has his \$65,000, the actual expenditure in booze and beef-

steaks burgeon up to \$75,000 or \$80,000 as it comes through the public accounts.

This item has always caused great difficulty with the Legislature and there have been prolonged debates on it, I notice, but I do not intend to do that at all. I would like the Minister, if he would let us have—my friend and myself—a statement of the various items—it would take quite a while to read the list. What I am interested in, can the Minister tell me offhand whether there is any duplication from year to year of the same organization or the same group deriving benefits?

Hon. Mr. Welch: That is a very fair question and I would be very happy to provide the hon. member with the list as he requested.

The guidelines, I suppose is the best expression he can use in this regard as far as what governs the hospitality fund. We attempt to avoid repetition from year to year, the point being that being a hospitality fund, the principal function is, of course, to provide hospitality on the part of the people of Ontario to those who are coming from outside the province to some particular function. In many cases they only come to Ontario once as they move around the country as far as their conventions and so on are concerned. Also, and I am now repeating myself, we attempt to avoid any repetition in this way. It is hard to pinpoint the matter in any more definite way. We live within the budget as best we can and hope that we are in fact being good hosts to these various groups.

Now other than the information which is in the public accounts, I would be glad—and we are making a note of it here—to provide the member with grants from the fund for the 1967-68 year so he can study them.

Mr. MacDonald: Is there a total?

Hon. Mr. Welch: The heads of states visits in 1967 amounted to—rather, the general hospitality payments—to \$120,565.93.

Mr. Singer: On a budget of \$40,000.

Mr. MacDonald: How do you pick \$65,000?

Hon. Mr. Welch: Well of course, you realize last year was centennial year and we were faced with a good many extras last year, because of the centennial year, to maintain our part in celebrating Confederation.

Mr. MacDonald: Mr. Chairman, maybe I am breaking the speaking queue here, but

perhaps I can tidy this up. Was the Minister separating general hospitality from the admittedly unique characteristic of last year, namely centennial year and visits by many heads of state? Was the \$120,000 figure for general hospitality apart from heads of state?

**Hon. Mr. Welch:** Yes.

**Mr. MacDonald:** Well let us not confuse the issue with heads of state.

**Hon. Mr. Welch:** Did I mention heads of state?

**Mr. Singer:** You certainly did.

**Mr. MacDonald:** Yes, the Minister certainly did. He said last year was the centennial year.

**Hon. Mr. Welch:** Well that is right, but—

**Mr. MacDonald:** My question is: Is the \$120,000 the hospitality bill for the government in the centennial year; or is the \$120,000 for general hospitality apart from the hospitality to heads of state in centennial year?

**Hon. Mr. Welch:** I repeat, \$120,000 is general hospitality other than heads of state.

**Mr. MacDonald:** That means the Minister overspent his budget by 200 per cent?

**Hon. Mr. Welch:** Well whatever those calculations would be.

**Mr. MacDonald:** I would just be curious to get either yours—or more particularly the Provincial Treasurer's—rationale and justification for a 62.5 per cent increase in the budget this year as compared to last year, in a year when he has been ruthlessly paring to the bone?

**Mr. J. B. Trotter (Parkdale):** It was an election year last year.

**Mr. MacDonald:** Now there is silence.

**Mr. De Monte:** Mr. Chairman, I would like to ask the hon. Minister to how many organizations in Ontario the hospitality fund was made available. How many organizations in Ontario were given a dinner?

**Hon. Mr. Welch:** For 1967-68 as we now have it, we had 80 different functions.

**Mr. De Monte:** For organizations within Ontario, not out of Ontario?

**Hon. Mr. Welch:** Oh that type of breakdown!

I am sorry, I do not have that information now. If the member will leave it with me I will get that breakdown for him.

**Mr. De Monte:** Would the Minister make that breakdown available please?

**Hon. Mr. Welch:** I do not have it broken down that way, I am sorry.

**Mr. De Monte:** Is the hon. Minister going to make that available for me, Mr. Chairman; a list of organizations within Ontario who received benefits from the hospitality fund?

**Hon. Mr. Welch:** I think this is a good point at which to make sure we understand the member's question. I have already said I would.

**Mr. De Monte:** Oh I am sorry, I did not understand that.

**Hon. Mr. Welch:** All these functions are held in Ontario.

**Mr. De Monte:** Oh yes, but there are certain organizations outside Ontario and within Ontario to whom the fund—

**Hon. Mr. Welch:** I understand, yes. That is what I understood the member to ask. I will give him a list of all the functions and then we will give him the breakdown.

**Mr. De Monte:** That is fine. Thank you, Mr. Chairman.

**Mr. Trotter:** Mr. Chairman, I have had occasion to speak in this House regarding this matter from time to time. In those days I complained that the bill was \$40,000 a year and then it would go to about \$52,000; now it just keeps going up.

For example, in the public accounts ending March 31, 1967, I see they had to get a Treasury board order of \$30,000 in order to carry them over. Now admittedly part of that was unexpended, about \$12,000 was unexpended. We estimated for the year ending March 31, 1967, a total of \$40,000 and ended up spending almost \$58,000. I feel that there is a point where the government simply has to get tough on how much they will spend, being good fellows.

I admit last year you were faced with the heads of state and that was an exceptional problem, I think it was over \$120,000 the Minister said we had to spend last year.

**Hon. Mr. Welch:** That was separate.

**Mr. Trotter:** That was separate? In other words over and above, the \$120,000 was the heads of state?

Well it is obvious that this is getting completely out of hand. I will be curious to see lists that the Minister is going to table in the House. After all, the government is not trying to sell anything and very few companies really have a hospitality fund that comes—well I used the example, to \$1,000 a week; this was back in the years when we spent \$52,000 a year. Now we are spending over twice that.

Very few companies, in fact I do not know of any, have that type of hospitality; and a private firm can bill a lot of it to taxes and they are trying to sell something.

We do not want to offend anybody, and of course we do not want to offend the press, but there is always one item, Mr. Chairman—year after year it comes up—that really bugs me. I see back in the 1967 public accounts \$4,148 for the By-line Ball. I do not think the government has any business subsidizing the By-line Ball. Why in the world do they not go to Mr. Bassett or Mr. Atkinson or Mr. Webster; they can bury it in their income tax returns. I do not see why we, the taxpayers, should pay that type of money.

I just picked out a couple of examples. It is not that I do not think the By-line Ball is a good thing, but it is not something that should be subsidized by taxpayers.

Again a very good group, the Kinsmen national convention, why should we have to—this was back in 1967—I do not think that this type of group should be subsidized; nor do I think the Eastend Argo football team should be subsidized. It will get completely out of control so that if the Beaver patrol from Moonbeam comes down to the big city they too will expect to have a bun-feed at the taxpayers' expense. Some place, you have got to draw the line.

I think this Minister has been far too easy going in this item, it is under the administration of the present Minister that this has grown out of all proportion. Giving him all the excuses of centennial year and all the good will and all that; accepting all that it is still away out of hand.

I think he should get tough. I know that during the centennial year these state dinners—I think that I had about maybe 12 or 14 invitations, I have lost track of them; I went to two. To me most of this stuff is a waste of money, but it may be I am a dull type; I only went when I really had to go.

Mr. MacDonald: That was twice as many as I attended.

Mr. Trotter: I think most members go to this type of thing because they feel obligated. Public functions can come too often and are always too expensive. It is my opinion this is something of which we should have less and less in government, when we find it is virtually impossible to get a grant for the big brother movement or something like that, where the money is really needed, and then look at the big bun-feeds, well I think that we must get tough.

Mr. Singer: Mr. Chairman.

Mr. Chairman: The member for Downsview.

Mr. Singer: I just do not understand!

The Minister says that he spent \$120,000 for other than heads of state when he only asked for \$40,000. I think the Minister has got to have some better explanation than just to say that he did it. Why did you exceed this item by three times, why did the expenditure go up 300 per cent?

Mr. MacDonald: Two hundred per cent, to be exact.

Mr. Singer: Yes, and why, if that is your experience that it was necessary for the fiscal year ending March 31, 1968, why have you chopped it back to \$65,000? Is there any indication that you are not going to spend \$180,000 next time; do your figures mean anything? Do you come to us with sincerity when you say that the figures in these estimates are the figures that you want?

If you do not—and obviously you do not, because you exceeded this one by three times during the last fiscal year—what is the point of having these estimates at all?

You come in and ask us for \$40,000. You gladly stand up and say, "Sorry, I spent \$120,000, but this next year we will only put it in at \$65,000." Does this mean that we can count on your spending \$120,000, or \$195,000—three times \$65,000? What does it mean, what do your figures mean? Are the rest of your estimates as meaningless to the Legislature and the people of Ontario as this one?

Hon. Mr. Welch: Well, I have already said that this is a very reasonable answer. But last year we had the same entered because for years it was put in at \$40,000, just a nominal amount. And every year, through Treasury board orders, we went over it because of special circumstances involving the extension of government hospitality. I have



to give you the facts because you have asked the question and you get the answers. We have come to the conclusion on the basis of studying years, taking centennial year out of the picture, that we have arrived at a realistic amount in \$65,000. And I can tell you now that we are making every effort so that on the basis of average this is what we are going to live within.

When the member for Parkdale says get tough and say "no", keep in mind that with every yes, we have got about six no's going out now. He only has to drop over and take a look at the files. If he thinks that everybody who writes in for government hospitality gets it, drop over sometime and take a look at the file. Keep in mind also that the year we are talking about was centennial and not governed by normal policy, and we are flattered to think that it would happen, that many Canadian organizations sought to have their meetings in Ontario in 1967.

After all that is where the capital of the country is. And we extended hospitality from this province to these groups. You will see them and I cannot make it add up any less than it is. I asked the Deputy Ministers of four different departments to act as a special committee for helping to sort out all of the requests that came in, to attempt to put some guidelines into these particular matters. And all I can say by way of answering your specific question—and I am sure that the Provincial Treasurer who is here will agree with me—is that we have gone through this as far as the Treasury board is concerned.

We have come up with an amount that we feel is realistic in view of past performance, and we intend as far as is humanly possible to live within these guidelines, keeping in mind that every year for the last many years it has been hard to predict down to the last few hundreds of dollars as to what these things will come out to. I do not know if I am answering your question. If you have anything further, please ask.

**Mr. Singer:** No you are not at all.

**Hon. Mr. MacNaughton:** From what the Minister said, and I do not want to intrude into his estimates, but I have heard from many members who have sat in this chamber for a number of years, great criticism about the fact that this \$40,000 goes in the estimates every year and it always turns out to be more. The Treasury board took what I think was a rational stand this year and said, find the figure that you think that you can live with—let us be realistic. Put it in

the estimates and get away from the subterfuge that the member for Woodbine used to accuse us about every year; and try and live with it. This is precisely what has been done.

It would have been quite simple to put the \$40,000 in again, and it would not have been realistic. In the face of everything that was examined, the Minister would have had to come back to the board again and get Treasury board orders and then we are faced with it all over again. He has told you that he is going to try and live within this and the Treasury board is going to try and see that he does. So, how do you win around here? We used to get clobbered over the type of subterfuge that you are critical about, and now we get realistic and you clobber the government for that.

**Mr. Singer:** Well, I am sorry that we have to clobber the government, but the government asks to get clobbered the way that it does these things. It is unfortunate—

**Hon. Mr. MacNaughton:** Be consistent.

**Mr. Singer:** All right, I will be consistent. The Minister stands in his place and says that other than for heads of state we spent our budget three times over on this item last year. We asked for \$40,000, and we spent \$120,000. Now, of that \$120,000, none of which was for heads of state, how much of the \$120,000 was directly attributable to special centennial non-recurring type of celebrations?

**Hon. Mr. Welch:** A great deal of it, I would think. I would have to go through it all, but the very point that I tried to make earlier, Mr. Chairman, in answer to the member for Lakeshore, was that we try to avoid repetition. Many of these groups are—good gracious, one could name the Canadian mental health association and the Canadian pharmaceutical association as among those who will not be back in Ontario. I would think that if this was your standard, we would in fact not see applications or requisitions from these groups for many years on the basis of the fact that in the rotation of their meetings around Canada they will not be here for a while.

If any one of these groups were to ask for hospitality in this, unless there is a very good reason why, they should be treated a second year in a row, their requests for hospitality would likely be refused.

**Mr. Singer:** The explanation is still awfully fuzzy, because the Minister says it might not

be the Canadian mental health association, and if it is not Canadian mental health, it will be what my friend calls the cub scout group from Moonbeam, Ontario.

**Hon. Mr. Welch:** Well, this is the problem—that we receive requests from many different types of organizations.

**Mr. Singer:** All right, what I want to know—and I would think that the Minister in preparing these estimates should have been prepared to tell us—is what part of the \$120,000, either specifically or in specific categories, will not be spent again? Because what occurs to me, Mr. Chairman, notwithstanding the explanation of the Provincial Treasurer, is that if it was realistic in the fiscal year ending March 31, 1968, to spend \$120,000, why is it going to be more realistic in the fiscal year ending March 31, 1969, to only spend \$65,000? Your \$40,000 figure was a phony, and you out-spent it by three times. Really, the answer that we are asking you for is why is your \$65,000 figure any less of a phoney than your \$40,000?

**Hon. Mr. Welch:** I will not comment on the word phony. I think what we have been trying to tell you that this was a token amount from year to year. We tried this year, because of the points I thought were legitimately raised last year, to come to a more realistic figure, and we think \$65,000 is, as the Provincial Treasurer has just told you.

You have asked me a specific question and you are entitled to a specific answer: How much of the \$120,000 is not going to be spent again. I can tell you that as far as we are concerned and as far as Treasury board is concerned, it amounts to about \$55,000, because that is the difference between \$65,000 and \$120,000. And that is exactly the point that we are trying to convey, that we are now arriving at this figure of \$65,000 which is \$55,000 less than we had to spend last year, and that is the amount by which we are striving to reduce this to keep within the budget.

**Mr. Singer:** We are back to the old business where Minister after Minister stands up and says, "Trust me, we are going to try." In all the years that I have been here, and this is the ninth set of estimates that I have been looking at, we have the same story from the various gentlemen who have occupied that portfolio. They all say that next year they are really going to try to stick to their budget. Well, this is the most flagrant abuse; you have taken three times what you

asked for last year. Maybe this Minister is a little better than his predecessors, but I just would not want to bet that it would be within shouting distance of the \$65,000.

**Hon. Mr. Welch:** Let me comment on that for a moment. We had no idea of the implications of the centennial when we prepared the budget for last year. But aside from that, the very problem which he himself has anticipated and the one I am faced with, is this. Say on the basis of legitimate guidelines, we approve hospitality for a particular year. Then, when we are nearing the end of the budget but are only three quarters of the way through the year, along comes a very legitimate case. Is he telling me that, notwithstanding this, the answer is simply: "I am sorry, the budget is now spent; see us again when you are back in five or six years?" Before he answers that, all I am saying is that these are some of the difficulties we were faced with last year. Having gotten over that particular year, and having realized the necessity of approaching it in this way, we are going to have to be very cautious to make sure that the year is divided into, perhaps, quarters. This way, we can save for the contingencies that come up. In all fairness, we could have no way of knowing when we prepared our estimates last year, just what would be required of this province in meeting its obligations as a host for that special year.

**Mr. Singer:** What, in fact, I am saying, Mr. Chairman, is that I think most members of the House would have more confidence in these estimates if you had come in with a figure that bears some relationship to your overspending in past years. We have no confidence at all in the figure that comes before us. I expect, and predict, that we are going to hear the same sort of story next year: "It was unforeseen—and really you would not want us to ignore this worthy organization." I would have much more confidence if the Minister asked for \$80,000, \$90,000 or \$100,000 and came back to us next year and said: "What good boys are we, we saved you \$20,000." I say that there is no indication here at all of what the people of Ontario are going to spend for hospitality. You know it; I know it and all members of the House know it, Mr. Chairman.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** I would just like to make a momentary comment, Mr. Chairman, on how well the

centennial affairs were conducted by our government during the year. The name which comes to my mind is Mr. Cozens, who did a remarkable job with limited staff in what, I am sure, were trying circumstances. And there are, perhaps, the names of other people whom I do not know.

Some hon. members: Hear, hear!

Mr. Chairman: The member for Lakeshore.

Mr. Lawlor: In continuation of that, how much was spent for the heads of state?

Hon. Mr. Welch: Heads-of-state visits during that fiscal year cost \$45,608.95.

Mr. Lawlor: A further question, not arising out of that—how many requests made to you were turned down last year?

Hon. Mr. Welch: I do not have that information here, but I can certainly provide it.

Mr. Lawlor: What is the criteria, in general, for refusing requests?

Hon. Mr. Welch: It would be the guidelines, as I explained them earlier, in reverse. We have the committee of Deputy Ministers of Trade and Development, Tourism and Information, the Provincial Secretary and the Deputy Minister in The Prime Minister's Department. We met and thought we would impose certain guidelines with respect to the nature of the function, the nature of the sponsoring group, whether it was intra or extra provincial and this sort of matter. So, if some groups were not given hospitality, they did not meet these particular guidelines. It may have been a purely local or provincial group was asking for help with respect to their own convention, rather than a group bringing in people from outside the province as guests to whom we would extend hospitality.

An hon. member: That is your chief criteria, then?

Hon. Mr. Welch: That is one of them—not the chief—but certainly one. I would have to take each individual case and tell you what the reasons were behind the refusal.

Mr. Lawlor: Perhaps next year the Minister might give us a formulation of these guidelines and set them out. This sounds very *ad hoc* and as though there are no overall rules or way of determining. What we are afraid of is that this is a pork-barrel item and the Minister knows it.

Hon. Mr. Welch: It certainly is not a pork-barrel item. I think that is an unfortunate expression. I think the member will appreciate the fact that it is very difficult to set down fixed guidelines in the matter. The books are open and the people who benefit are shown. It is published and if the member wants to drop over any time and take a look at them, he is very welcome.

There have to be some general guidelines within which we attempt to operate as well as some flexibility. I put it this way: if we could develop some hard-and-fast rules that would not need any flexibility we would be delighted to look at them.

Mr. Chairman: Is item 4 carried?

Mr. De Monte: On this very item, Mr. Chairman, I see some of the grants—for instance, the provincial lawn-bowling tournament and the Ontario public service quarter century club. What the guidelines for allotting funds to these organizations? Is there a policy that certain people and certain organizations get it and others do not get it? I would like to have some sort of guideline followed by the Minister.

Mr. Chairman: Surely the Minister has recited his guidelines, or his attempts at guidelines, many, many times. I think the members are becoming very repetitious on this question. Would the Minister like to reply?

Hon. Mr. Welch: Mr. Chairman, as you mentioned, I just finished them again for the member for Lakeshore. The point was that we attempt to be hosts to those who are coming to this province in convention or to some group activity and we attempt to avoid any repetition of groups from year to year. You mentioned the provincial lawn bowling, when the guests were, I understand, bowlers from the United States.

It is my fault that I have not been able to convey to you the individual attention given each invitation within these very general guidelines and to satisfy you that we are extending hospitality and not simply giving a grant to help defray the cost of the function.

Items 4 and 5 agreed to.

Vote 1701 agreed to.

On vote 1702.

Mr. Chairman: Item 1. The member for Lakeshore.

Mr. Lawlor: Mr. Chairman, in the overall situation touching the companies branch, I



note that in 1965-66 the Treasury board orders for \$83,000 give a total figure actually spent of \$610,000. In 1966-67, the Treasury board order was \$131,000 over the \$530,000 asked for—giving a total of \$661,000. Now, have we got a figure of what the Treasury board orders have been during the year 1967-68? Whether we have or not, what is the difficulty with this corporations branch?

One would think that you would have a fairly smooth-running, clear-cut operation, and here you are coming back year after year with monstrous Treasury board orders to cover your situation. Would the Minister kindly explain why?

I have another question on salaries, as such.

**Hon. Mr. Welch:** After we established our budget, this branch had an increase in staff of eight people. There are salary adjustments as well, which would not be reflected in the earlier budget and which would have to be recovered for staff by way of Treasury board order. I think those two account for the larger percentage.

**Mr. Lawlor:** You were not there of course, but has this been happening for a number of years to account for these—

**Hon. Mr. MacNaughton:** Mr. Chairman, the matter of salaries, by various classifications, is under constant review on a cyclical basis. Adjustments to salaries are made following negotiations or in some instances arbitration. It is obviously impossible to provide for such adjustments with any degree of precision in the estimates and I am sure hon. members will agree it would not be prudent to do so while negotiation or arbitration is underway.

**Mr. Lawlor:** I am very pleased with the Provincial Treasurer's reply. This turns directly to salaries, then, under item 1 as such. In '65 and '66 they were \$472,000 and only \$5,000 was taken out of the Treasury board. The following year they were \$479,000—but there was \$91,000 taken out. This year it jumped from \$479,000 to \$632,000. I would like to know what, over and above that, was obtained by way of Treasury board orders. Again it seems to be an excessive jump, however it may be explained by negotiation within the civil service or elsewhere. There are enormous differences in your structure and salaries.

**Hon. Mr. Welch:** Well, I can only repeat what I have already said. In addition to the salary increases that were awarded there was

also the question of an increase of eight more people by way of complement.

**Mr. Lawlor:** I have other questions.

Were there any increases in excess of \$1,000 a year to single individuals?

**Hon. Mr. Welch:** Salary increases?

**Mr. Lawlor:** Yes.

**Hon. Mr. Welch:** You realize that we are talking about 117 people in this branch.

**Mr. Lawlor:** I did not choose the figure of \$500 either. I chose \$1,000.

**Hon. Mr. Welch:** No, no. But, as I say, 117 people—all together the salary increase would account for about \$50,000 of that \$91,000, and \$36,000 of it would be, in fact, for the increase in staff by eight.

**Mr. Chairman:** On item 1, salaries.

**Mr. Lawlor:** Just one other comment, Mr. Chairman, if I may. It kind of ranges out, but I can see no other place I can place it in.

Has the Minister considered, of recent date—I know two or three years ago you raised the fees for the services provided to your department, I would think, but for the benefits of incorporation, and for the amount of work that you have to do in supplementary letters patent, and so on, that your department should take under consideration a substantial increase in fees to bring revenues into this province.

**Mr. Chairman:** That is not in the estimates. The member for High Park.

**Mr. M. Shulman (High Park):** I think that—

**Mr. Chairman:** It is not in the estimates.

**Mr. Lawlor:** Where would you get it in?

**Mr. Chairman:** We are dealing with the companies branch salaries—the amounts of the salaries.

The member for High Park had indicated to me, before the member for Lakeshore had resumed his seat, that he wished to speak on salaries. If he did not wish to speak on salaries—

**Mr. Shulman:** I do want to speak on salaries, if the hon. member for Lakeshore is finished.

**Mr. Lawlor:** Go ahead!

**Mr. Shulman:** Under the companies branch, I am intrigued as to just what some of these

people do to earn their salaries. You may recall earlier in this Legislature—

Interjections by hon. members.

**Mr. Shulman:** I have been down—I go down there every day. One of the things they do, I presume, is to look over the files—the annual returns that are filed with your department, is that correct?

**Hon. Mr. Welch:** I must say I am sorry. Would the hon. member mind repeating his question?

**Mr. Shulman:** What are the duties of the men who work in your department? Has somebody down there a duty to look over the annual returns that are filed in your office?

**Hon. Mr. Welch:** We have an annual return section in the companies branch which would involve about nine or ten people insofar as the receipt of the returns and the filing of the returns and dispatch of the returns and so on is concerned. It is called the annual return section.

**Mr. Shulman:** In the annual return section, when the returns come in; are they just filed or does someone look at them?

**Hon. Mr. Welch:** A lot of the operation there is very mechanical. The purpose, of course, of the annual return is to simply solicit certain information from the people carrying on this way for purposes of being placed on file in the public office. So, other than the actual receipt, much of this is done in a mechanical way now and sent down to the public office, with which you have already made some contact, I am sure.

**Mr. Shulman:** Yes, I have made some contact. The point I am after is: When this annual return comes into your office—and we presume that the part is not done mechanically is seen by some human eyes—and that annual return shows that there is a law being broken—specifically states it right in the return—what does your department then do?

**Hon. Mr. Welch:** Our system in no way would be involved in checking, with respect to accuracy, the information we get back. As you know, the return calls for a certificate to be signed by one of the directors, that the material which is coming back, is in fact accurate.

**Mr. Shulman:** I am not suggesting the hon. Minister should check the accuracy. What I

am saying is, we all presume the returns are accurate, let us suppose that one of these returns comes in and it says on that return that no annual meeting has been held for ten years. We presume that they are telling the truth and this is accurate and this is breaking a certain law. Does the Minister then take some steps?

**Hon. Mr. Welch:** If, in fact, that were observed in the—and it is not likely that the returns are read that carefully—if, in fact, that was done there may be some attempts on the part of the officials there to notify the company. But we could not pretend with, I think, 90,000 or 100,000 annual returns, to even begin with nine people to check them in any detail at all.

**Mr. Shulman:** Well, then—I am sorry—I just want to pursue this a little further.

Let us presume you do not check them and they are just filed and nobody cares whether the laws are being followed, when—

**Hon. Mr. Welch:** Let us not put it that way.

**Mr. Shulman:** All right. Let me put it another way.

When it is drawn to your attention that a certain law is being broken according to files in your own department, do you then lay charges?

**Hon. Mr. Welch:** I think that is a very much better way to put the question. I think the policy of the department, with respect to that matter, was, in fact, incorporated in an answer to a question, Mr. Chairman, that I gave to the member following a question on that very point.

The Department of the Provincial Secretary is in no different position in this regard than any other person who has information with respect to a breach of the law. Without making reference to the particular matter, we will take a situation that makes it very clear to the hon. member who raises a point about a company which, according to information on its annual return, has not held an annual meeting.

As I say, we are in no different position than the member himself who found the information as far as going to a justice of the peace and laying a charge. But before we would do this, as a department of government, I tell you, we would have to be satisfied that some public interest is, in fact, being affected by the failure to comply with that particular section of the Act requiring the

answers for that question on the annual return.

**Mr. Shulman:** There are two points you have brought up there. Let us take the public interest last, as is the custom in this government.

**Hon. Mr. Welch:** This government takes the public interest first.

**Mr. Shulman:** If you take the public interest first, surely the Minister is not suggesting that it is in the public interest to have a law in the books which is applied to some people and not to others?

I am coming back to our good friend E. P. Taylor and to Canadian breweries, and I am coming back to Peller breweries. You may recall, my very first words in this House were to ask this particular Minister if charges were going to be laid against the directors of Canadian breweries. With great glee, he proceeded to say, "we would not lay charges against Canadian breweries, because if any charges were to be laid they should be laid against the directors of Peller breweries." The fact that the two are exactly the same people really, was, I presume, irrelevant, but let us go on.

You now have a case which I have detailed to you, where you have, in your department, written proof that a number of men, after a period of some ten years, ignored one of your government's laws. Are you suggesting, that, with the written proof in your department, that you have no greater responsibility—

**Hon. Mr. Welch:** Well, Mr. Chairman—

**Mr. Shulman:** Please, I am asking two questions:—that you have no greater responsibility than the rest of us, who do not have this written proof, to pass this information on to the Attorney General (Mr. Wishart) to see that charges are laid? Are you also saying that in some cases, it is in the public interest to lay charges and at other times it is in the public interest to ignore this particular law? Is this what the Minister is saying?

**Hon. Mr. Welch:** Now, Mr. Chairman, let us get this matter quite clear. It is like asking me when I stopped beating my wife. I mean, this type of questioning belongs to another era. The member in this House knows that, and I assume, he wants to be very fair.

In putting his earlier question; there was no glee in the way the Minister answered. I knew that the man who asked the question

would want to be very accurate and I answered the question then. The answer to that specific question that is in *Hansard* is the answer that I would give if he asks it tomorrow afternoon. Now if, when he says written proof, he is referring to written proof—I say this because one cannot take anything for granted when he is answering questions from certain people. I want to make sure that I am answering his question.

Now if he means by "written proof," am I going to act on written proof, it being that this company has not had an annual meeting, the answer is the same. The information is there; I have no evidence other than what is there, that any public interest is being prejudicially affected by the failure of the directors of that company to hold an annual meeting.

All I say to him is he has this notice—I do not know whether he is a shareholder of Peller brewery or not. If he feels aggrieved as a shareholder, or if he knows of any others who feel aggrieved as shareholders, or if there is some reason best known to himself, or themselves, that some action should in fact be brought, I have yet to receive it on my desk, notwithstanding the publicity that the question has received in the paper, from anyone other than himself.

I wanted to be very careful in the answer to that question because, in fact, corporate law would insist that if we brought any action it would be against certain people who held certain office and within a prescribed period of time. All I am saying to him, in all fairness, is the fact that if that is what he means by "written evidence," we have got it. It has been there every year that the return comes in when the question is asked and they give the actual date of the last annual meeting.

I understand that this is the policy of my department and I really cannot quarrel with it. To suggest that it brings with it some double standard in this province, with respect to who enjoys rights, is really an irresponsible statement on his part. The same things apply to anyone. With nine people reading 100,000 returns they cannot be expected to give them the amount of attention which he would seem to suggest they require.

**Mr. Shulman:** Mr. Chairman, through you to the hon. Minister, let us get this point settled very clearly.

We have a law in this province which states that every company must have an annual meeting. The purpose of that law, I



presume, is obvious to everyone in this House. It prevents moneys and other matters from being mistreated.

When a Minister of this government has it drawn to his attention that a company is not obeying that law, are any more facts necessary when that proof is available right in the Minister's office in a return signed by the directors of that company? Should charges not be laid; is it not the responsibility of the government to lay the charge? Or is the Minister saying that in case of an aggrieved shareholder, it is up to the shareholder to lay charges? Is there not a duty on government when facts are brought to it?

Let us leave aside the matter of your nine people and the 90,000 returns. Here is a case which has been pulled out, which has been drawn to your attention, in which certain facts have been presented to you—where \$1 million odd was removed from the company and where, 13 years later—now let me finish, please.

**Hon. Mr. Welch:** Mr. Chairman, on a point of order. I have been waiting for this, because I think this man has been very unfair. He is now bringing in another issue, an internal issue that surely is a matter between the directors and the shareholders of the company. He is taking my answer to a question concerning an annual meeting to try to suggest that I am a party to some inner corporate transaction that went on in this company, and that is not fair, Mr. Chairman.

He is entitled to bring this matter up, but surely not in the context of trying to attach the answer to my question to government policy concerning persecution of a company not having an annual meeting. To take that along now and say I am condoning some type of transaction that went on between that company and some other company—they are just not connected. I think that this man, in all his attempts, I am sure, to be fair and responsible, would not want that impression to be left here in the House.

**Mr. J. Jessiman (Fort William):** Is this the Shulman hour again?

**Mr. Chairman:** I must rule that the member for High Park is straying too far from the subject matter of this vote and I think we should proceed with the matter under discussion at the present time. Now does the member for High Park have any other questions?

**Mr. Shulman:** Yes, I still have my original question. I will leave aside these other matters since the hon. Minister does not wish this \$1 million discussed. I will go back to my original question—

**Hon. Mr. Welch:** I did not say I did not want the million dollars discussed. I said you are discussing it in this context. If you are trying to label me as to my disinterest in that on the basis of my interest in something else; they are just not related.

**Mr. Shulman:** I will label you exactly as the situation is. We have a law in this province and you have said it is not in the public interest to enforce that law.

**Mr. Chairman:** Order! Address your comments to the chair.

**Mr. Shulman:** Will you please tell the hon. Minister to also address his comments to the chair? He would expect impartiality from the chair.

Now to carry on with my question, and I shall come back again to the same question. The hon. Minister has said it has to be shown it is in the public interest for this government to enforce the law. If it is not in the public interest to enforce that law, I ask the hon. Minister, does he intend to have that law removed from the books? If he does not intend to have that law removed from the books, I ask the hon. Minister, does he intend to enforce that law? I will give him other examples of other companies in the same situation.

**Hon. Mr. Welch:** I think that is reasonable and I think it also affords one the opportunity to explain something of the philosophy behind this one matter.

The role of our department, as I see it, is not a policing function. Our role, through the wording of the Act, is to make sure that information is available upon which people can take certain action. So we are, in this sense, an information gathering agency. So that it then goes into the public records and is available for the public to examine.

All I am saying is, with respect to—and we are talking about people violating the law, we are now talking about a section in The Corporations Act which requires a company to hold an annual meeting, as is specified in that particular Act. There is a question on our annual return that asks when one was last held, and that goes into the public record for people to see. All I am saying is, that as far as activities from the standpoint of laying an

information is concerned, on the part of our department, we would want to have some information other than simply the fact that a meeting was not held—that in some way the public interest was prejudicially affected. If the member in question, Mr. Chairman, will provide me with that evidence, other than the fact that it has not been held, I can assure him that the matter will, in fact, be studied by our department right away.

**Mr. Shulman:** Then, may I ask it through you, sir, to the hon. Minister, if sufficient other evidence would be proof that \$1 million had been taken out of the treasury of that company?

**Hon. Mr. Welch:** I would have to have some more information than this.

Obviously I have not made my point that if the member has knowledge of some criminal act, then why is he trying to transfer his responsibility to someone else? Why doesn't he, if he has this information, lay the charge, or somebody who feels himself affected by this matter?

**Mr. Shulman:** May I say to the Minister, through you, sir, that it is not the duty of individuals in this province to lay charges; that is the duty of the Attorney General and this government. Surely the government should realize that.

**Mr. Chairman:** The member for Downsview has the floor.

**Mr. Singer:** Mr. Chairman, I think the reason that we are in this difficulty is that the Minister is defending the indefensible.

This is the point that I have been trying to make over a number of years. I thought it had been abundantly well pointed out, not by any committee that has a particular members' name attached to it, but by the committee called the select committee on company law. We had in that committee, all of us, including the Chairman. I am sorry the Minister of Mines (Mr. A. F. Lawrence) is not here now, I think he was the Chairman, if my memory serves me correctly. He had his picture in the front of it, in any event, and he gave great press releases with his name on the front as though he had taken over the committee, but he really did not; there were several other members on the committee.

One point that was carefully made in that was that the operation in your department of gathering this information is redundant. That, in fact, you are serving no purpose. A code of

behaviour within companies as it concerns the individual shareholders is fine. We have departed from all this Mr. Chairman, over the recent years. We have got another Minister there, the Minister of Financial and Commercial Affairs. Government has assigned to him the responsibility for policing in various aspects of consumer affairs and securities and all this sort of thing.

I would think that if the Minister had looked very carefully at the report of the select committee—and it was a good report, it is one of the most constructive select committee reports that has appeared, certainly in my time in this House—that there would have appeared to him, all sorts of reforms that could have been made, not the least of which would have been to bring all of the company efforts within government under the control and jurisdiction of one Minister.

It would seem to me, then, if you had looked at those recommendations, that much of the unnecessary information and the foolish questions that you ask in those returns would have been done away with. That is why, Mr. Chairman, I say the Minister is defending the indefensible. The Minister does not give a hoot—nor, as the Minister, do I believe he should—whether a meeting has been held annually or not.

There are other remedies available to shareholders, if you find out whether or not there have been annual meetings. There are civil procedures that they can take through the courts to enforce their rights. But the Minister raises in the mind of a person not trained in the law, such as the member for High Park, a question. He looks at the statute book and the statute book says, "You must have an annual meeting." He picks up a return, the return says "no annual meeting", therefore there is a breach of the statute.

He is right, there is a breach of the statute, and it is admitted that there is a breach of the statute. But there is no longer any point in the statute. There might have been once, in somebody's mind; no longer must there be that kind of enforcement.

We have thousands of pages of statutes where there are certain things that there are required to be done which people do not do. I had some great sport one day, Mr. Chairman, in pointing out a number of sections in The Municipal Act. I do not think you can have a barn without having a ladder stretching to the roof, or carry a lighted candle into it and under penalty of a fine of \$2. They are all there, they are still there. They have



never been removed and nobody could care less whether or not they are there.

And these sections in The Companies Act are there in the same context today and they are there against the best and the most recent recommendations that you have had. This brings me to my point, Mr. Chairman—and I think that this is the most important point that I would like to hear from the Minister on behalf of this government today—when at long last are you going to implement the recommendations made by the select committee?

I have heard about a white paper—we have not seen it. I have heard about planning and thinking and examining, and we have not seen any of it. We did back the Minister of Financial and Commercial Affairs into a bit of a corner a while back, and he said, "Well, maybe there is some sense in combining the two branches. Let us not have the corporate responsibilities spread in two directions. Let me think about it for a while." And I do not know whether I got this far with the Provincial Secretary last year, but it seems to make good and abundant sense to me.

My colleague from Dovercourt made a very good point today insofar as your citizenship function is concerned. He thought you were redundant and I agree with him completely. It should be in The Department of Education. And I have made this point before. I think The Department of the Provincial Secretary in the context of this government in the task that it has to do is in fact redundant.

Your function and role insofar as citizenship is concerned belongs much better in The Department of Education. And your function and role insofar as companies is concerned belongs with the Minister of Financial and Commercial Affairs who has been given by this government the job of being the policeman.

What is the point of gathering all these forms and sending out all these notices and so on which nobody really pays any attention to? You do a good job insofar as your names are concerned, and I am not suggesting that this be done away with. But why not put it all under the one roof? Why not keep it all together so that one department and one set of civil servants, one Deputy Minister, and one Minister advising as to policy has complete charge and responsibility for carrying on these functions? That, Mr. Chairman, is what really arises out of this estimate on the companies branch. You have a report there and, in my humble opinion, it is one of the best select committee reports that has ever been submitted.

It was worth all the time and all of the effort and all of the technical advice that was given to it. But it is just like so many other reports that the government sits and holds and thinks about year after year after year, and apparently is going to do nothing. I would expect that the Minister is going to get up and say that it is under careful consideration and maybe soon you will see a new statute. Let us hope so, because then we can get rid of some of the misunderstandings that the member for High Park refers to. Because it is a different kind of a philosophy. The whole idea of this is that there is a code, and there has to be a code in The Companies Act of what is good corporate practice and what is not. So that when the aggrieved shareholder goes into court on a civil basis and says, "I have been wronged, there were not annual meetings, I did not get my statement", and so on, the civil courts can make orders in certain ways.

The member for Riverdale—he is not here now, but he and I and others who were on that committee spent many, many hours and we thought we were performing a pretty good function for the province. Along with the chairman of the committee, Mr. Davies, who was counsel and the variety of secretaries that we had, we were trying to improve company law in the province of Ontario. But to date nothing has happened. And this is my complaint, Mr. Chairman, about this department.

This is my complaint about this estimate, and as long as the government does not move then the queries like the query from the member for High Park are going to continue. You cannot blame him, really. He was not a member of that committee and he is not playing the know-all. He picks up the statute and says there is something that does not happen; why do you not do something about it? That is the position we get into, and I would hope at long last we are going to get some promise from the government and we are going to move forward and take advantage of that very fine report.

Hon. Mr. Welch: Mr. Chairman, I want to thank the member for Downsview, because from the philosophical point of view I have read the select committee report. I started out as a member of that select committee and I am very much impressed with the quality of that report. And I say, Mr. Chairman, through you to the member for Downsview and, indeed, the member for High Park, that if I gave any impression of intolerance with respect to the questions from the member for High Park, I apologize, because it certainly



was not my intention. And I do thank the member for Downsview for reminding me of the fact that there is a philosophical approach to this from the standpoint of the role which is being performed.

When you think in terms of policing functions and what is now being carried on by The Department of Financial and Commercial Affairs, and what the recommendations of the select committee report would, in fact, make possible for shareholders or creditors and those aggrieved to take some action, one can see this thing much more clearly. Also keep in mind that certain sections requiring certain things to be done will still have to be there to give some meaning to what a shareholder may in fact want to do.

The select committee report makes no comment as to where this particular function should be performed and whether it should continue in this Ministry or the Ministry of Financial and Commercial Affairs.

In fairness you will recognize that is not there, and that will be a matter of government policy to decide. With respect to the report and its implementation, I have attempted earlier in the estimates to say that you will find in The Business Corporations Act, which is now on the order paper ready to be introduced, the legislative clothing for many if not most of the recommendations of the select committee report. And I was hoping at that time that there we might in fact see develop this particular emphasis which was in the select committee report.

We will have that legislation very soon. It is just about ready to come into the House. The Prime Minister will introduce it and at that time make some statement along these very lines, because this interests me very much and I can appreciate the fact that there are sections there that are not being observed in this respect, that some people have difficulty. But as the member for Downsview has pointed out, there are other such sections, I suppose, and that is why at this stage of the game we would want some of this further evidence.

May I say that I doubt very much, whatever is done, if we will ever do away with an annual return. Other than perhaps some approach as to what the question should be on an annual return, we will still have to have some information. We have about 4,000 searches a month in the public office of this department, looking for head offices and who are behind these corporate shells. So I doubt very much if we will ever eliminate the need

for a return. We may well arrive at a point where we might not need all the information that we are now asking for on the return, and this is of course a matter which we could discuss at that time.

**Mr. Shulman:** On this particular point, I would like to suggest to the Minister and to the member for Downsview that perhaps having an annual report is perhaps a little more important than the law requiring candles in barns and ladders up to the top of the barn. And in other jurisdictions, particularly in the United States, it is not the duty of the shareholders, when a company does not hold an annual return, to go to the courts and get relief. Government down there has recognized their duties.

The result of this is that we have a flight of capital from this country for investment in the United States and I understand some very excellent books have been written recommending just that type of investment, because it is so much safer. The reason that it is so much safer is because government down there has not sloughed it off and let the shareholders look after it if they have a grievance. By the time the shareholder has a grievance, the company has been robbed, the president is at the Balmoral Inn in Nassau, and the government says, "well, we will have a Royal commission to look into it." You have a duty here to enforce the law. You cannot slough that duty off to the shareholder, and when you do it, you are not just unfair to the shareholders, you are unfair to this country and to this province. This encourages more people to invest their money in the United States where the SEC understands their duties a little bit better, perhaps, than this hon. Minister.

**Hon. Mr. Welch:** Well, I suppose that this discussion could go on for some time, as helpful as I hope it might be, but I might say that I take a little umbrage at having my loyalty questioned in this House with respect to my country. I think that if anyone should be a little embarrassed by raising that question it would be the author of the unnamed book who would recommend American investments as far as Canadian people are concerned. That is for him to decide.

All I am saying is that there is a philosophy of government here as to just how far we go to ensure that people have the information upon which they can make their own decision to take advantage of their rights, as the member for Downsview has so well expressed it, and that we are also satisfied that

there are methods by which they can do it. This may indeed be the role of the government in this field rather than as policemen having to go along and enforce every one of these violations along this particular line.

And here we have a difference of approach apparently. All I can do is recommend to the member who just spoke a reading of the select committee report to which the members of his party, and I might say made a valuable contribution, and that he read this very point discussed in a philosophical way; I am not saying the specific point, but the general role, of government as it is well put out in the report.

**Mr. Shulman:** Mr. Chairman, I want to thank the Minister for recommending the report to me. I can assure him that I have read it. I would like to recommend to him last week's *Financial Post*, which made the very same recommendation that investments in the United States were perhaps a little safer. After reading the *Financial Post*, which is not too far to the left of the Conservative Party, perhaps he will consider enforcing the law which he—or his party—was wise enough to put on the books.

**Mr. Chairman:** Well, there has been full discussion—the member for Lakeshore?

**Mr. Lawlor:** Mr. Chairman, in my introductory remarks I asked for information on disclosure of information rising out of these returns between the securities branch and his own department. If there is such a liaison, are there incidents or cases of disclosure made by individuals, or stuff let out of returns, or complaints made to your department arising out of the failure of annual meetings? And do you inspect the returns of the files and securities branch in order to see just how this thing works? Is this your present policy? You have no liaisons?

**Hon. Mr. Welch:** I am just answering your last question. No people from our branch go over to check the returns and the securities in the securities branch of The Department of Financial and Commercial Affairs. Our job is to send out annual returns. We get them back and they are filed in the public office through the annual return function. The information which the securities commission requires our companies to file is, of course, information they require under The Securities Act, and we have our returns. But we do not go over to read their returns, and I doubt very much if it would be necessary for them to come and read ours, because they

have all the information they require on those forms being sent back to them.

**Mr. Lawlor:** Suppose you had complaints arising out of the object clauses in your charters whereby someone said that the charter ought to be cancelled or at least taken under review. Or, say, there had been some misappropriation of funds. Your information return would not disclose just what manipulations took place behind the scenes. Would you not then have access to these files? And would you not go to those files and check this out to see if there was any legitimacy in these complaints? You have after all the power to cancel charters.

**Hon. Mr. Welch:** Well, now, this introduces another matter. As far as close working relations between departments go, there is the closest relationship. Any investigations may be conducted and so on. I mean, it would be hard to answer your question in a general way—except to assure you that there is co-operation between these branches of government. If you had a specific case in mind, we could illustrate it. Other than that, I could not give—

**Mr. Lawlor:** Well, have you had occasions to ask for access to those files over in the securities branch in your tenure of office.

**Hon. Mr. Welch:** Well, there are certain powers vested in the Minister in respect to some investigation on complaint. I cannot for the moment name any particular file, but—

**Mr. Lawlor:** You have done so?

**Hon. Mr. Welch:** Well, it is sufficient to say this: the interdepartmental committee—which was charged with the responsibility of studying the select committee report on company law and giving some thought to its implementation was made up of officials of The Department of Financial and Commercial Affairs, The Department of the Attorney General and our own department. So there has been the closest working relationship. As you know, when the securities legislation is changed or amended there are complementary changes in our own legislation that have to be looked after too. There has been the closest liaison between Financial and Commercial Affairs and this department, since securities legislation has been developed to make sure The Corporations Act would reflect those same approaches. Now, that is a—

**Mr. Lawlor:** Just one more question Mr. Chairman, it is all very fine to have these working relationships as to amendments to



the statutes and so on. But has the Minister, for any purpose and on any occasion, actually had access to—or requested access to—the securities information filed by the companies?

**Hon. Mr. Welch:** I must apologize to the member—would he mind rephrasing that?

**Mr. Lawlor:** All I want to know is if the Minister has—on any occasion and for any reason—asked that the files of the securities branch and the returns that have been sent to the securities branch, be placed before him for him to peruse?

**Hon. Mr. Welch:** I have not made such a request.

**Mr. Lawlor:** Mr. Chairman, just one other point. I did mention previously about the possibility of raising fees in his department for the Treasury of this province. Has the Minister any comment to make on that?

**Hon. Mr. Welch:** I understand that in 1965, we did, in fact, introduce a 25 per cent increase in the fee structure that was prevalent at that time. In keeping with the recommendations of the Smith committee report on taxation insofar as the revenue of the province is concerned, we have been asked to give some thought to the general revenue implications insofar as our department is concerned. We have arrived at no definite conclusion in respect to that as yet.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, through you I would like to ask the Provincial Secretary a question. If he does not have the information available, perhaps he would be kind enough to get it for me. In going through company files in the secretary's office—this is one of my more pleasant occupations—I went through the Prudential file as far back as November 24, 1959. You must forgive me for going back so far, but unfortunately I was not in the House at that time to question the then Minister. I found that, on November 24, 1959, Prudential Finance was sent a letter from the Provincial Secretary's office stating that its request to split its common shares 100 for one had been refused by the Provincial Secretary as a matter of departmental policy. They had requested this permission to split the stock so that they could sell it to the public. On November 24, 1959, this request was refused. But exactly ten days later, The Provincial Secretary's Department ignored its own statement of policy

and its own letter by giving the Prudential everything they had requested—including the 100-to-one split. I wanted to ask the hon. Minister if he would be so kind as to go back into the records and explain why the government or the Provincial Secretary changed his mind in this particular matter, which led to such dire consequences as we are all aware?

**Hon. Mr. Welch:** Here again, Mr. Chairman, I think we have come to a conclusion that whatever happened as a result of what the Provincial Secretary did, in fact ended up in the problem. I want the record to show that what the connection was between the actual default of that company, or whatever you want to call it, and what the office of the Provincial Secretary did, is really a matter for other people who have perhaps some other opinion on it. The hon. member raised this question in the House on March 7 last as part of some speech which he delivered in the House at that time. The facts I have before me with respect to this application are that after receiving some additional information, the department was satisfied that the application was consistent with the policy of the department. Perhaps I should point out to you, Mr. Chairman, and through you to the member, that attached to the draft application to which he has made reference was a copy of a letter dated June 2, 1959, from one George Owens, manager of the estate planning division of the Montreal Trust Company, to this Mr. Onley, to whom the member made reference in his remarks in the House on March 7. Mr. Owens sets out in detail his reasons for his opinion that, at the time of writing, the 1,200 no-power common shares of the company did, in fact, have a value of \$125,000. This letter is on the public file which the hon. member would have seen if he, in fact, did go through the public files.

Mr. Owens is a recognized authority on the subject, having, to my knowledge, spent many years on behalf of the federal Department of National Revenue valuing shares of closely-held companies for estate-planning purposes. Among other things, he now lectures on this same subject to the bar admission course. On the basis of that valuation—nothing to do with Mr. Onley and nothing to do with the Provincial Secretary, but relying on that information—the 100-for-one sub-division of the common shares was strictly in accordance with the then, and the present, departmental policy. Therefore the approval was granted.



**Mr. Shulman:** What is the date on that letter?

**Hon. Mr. Welch:** I am sorry?

**Mr. Shulman:** The date on the letter please?

**Hon. Mr. Welch:** June 2, 1959.

**Mr. Shulman:** Well then may I point out to the hon. Minister that this letter was dated June, 1959. The letter was received by the department, was considered and then the request was refused in November of 1959.

Now let me ask the same question because I would be glad if we could get through to the Minister.

**Hon. Mr. Welch:** Wait a minute!

**Mr. Chairman:** Order please!

It seems to me we are dealing with the companies branch under vote 1702 and it is not the purpose of this committee at this time to delve into the details of any specific case that happened nine or ten years ago. If the member were to put general questions as to the procedures in the department I would think it might be in order, but he is relating his questions to one specific instance and trying to extract detailed information. I do not think that is relevant to the vote before us.

**Mr. Shulman:** I am sorry, Mr. Chairman, perhaps I did not word my question as I should have done.

I am using this as an example. I have gone through files and have found things which I felt were incorrect. I am asking a simple question which can be answered very quickly if the Minister has the answer. If he does have the answer he should just tell me.

What happened between November 24, 1959, and ten days later to make the department change its mind? It is a simple question.

**Mr. Chairman:** I must rule that has nothing to do with the estimates at this particular time. It is a specific instance. The member is attempting to get information on this specific instance.

He has posed a series of questions to the Minister and I must rule they are out of order in this specific case.

Vote 1702?

**Mr. Lawlor:** Coming to items 2 and 3 under that vote, travelling expenses: In 1966-1-67, Mr. Chairman, \$2,000 was asked for and no further sums were taken out of

Treasury. Actually the sum of \$890 was spent, which is quite commendable.

Nevertheless, in the face of that, in 1967-68 the sum of \$4,500 was asked by the Minister and he is now asking for a lesser amount—\$1,000 less this year—\$3,500.

First of all, could the Minister indicate to me what was actually spent in the previous fiscal year; and second, my question concerns who is doing the travelling and what is the purpose of the travelling in this department?

**Hon. Mr. Welch:** I think one of the reasons for the fluctuating amount is that we have fewer legal officers in the department at the moment than we had at one time. We encourage our legal people in this branch to do some travelling to other jurisdictions with respect to procedures and methods. We are also very anxious that our department be represented at conferences and seminars involving the professional people who deal with our department so that our departmental policy and attitude can be quite properly understood; and also that people, particularly from outside the Metropolitan area, get the chance to meet some of the people with whom their contact has been by letter only. We think it is very helpful, and it is encouraged. Of course the amounts will vary directly with the number of people we have available to do this type of work.

**Mr. Lawlor:** Do you have the figures for last year?

**Hon. Mr. Welch:** I do not have any figures before me as far as the last fiscal year is concerned.

**Mr. Lawlor:** In the next item, with respect to maintenance: In 1966-67, a total of \$49,000 was asked for, and then Treasury board orders for almost the same amount, \$40,000, of which you spent \$84,000. In the year that just ended you asked then, very sensibly, for \$74,500, up from \$49,000. Now you are asking for an extra \$5,000.

Again I would be interested in seeing what you actually spent and whether the situation—this recurs throughout your estimates, all the time—whether that situation of spending \$40,000 in a single year over and above your estimate is likely to recur. Is it endemic to your department? What may we expect in the future on these estimates as truly reflecting what your department actually spends on maintenance; and finally, what maintenance?

**Hon. Mr. Welch:** I think I can help you understand this by relating it back to the

change in complement and salary adjustments to which I made reference earlier. As you know, I pointed out to you that we had to increase our complement by eight. That, plus the salary adjustments, and a request for an increase in equipment and materials and also the casual people who performed the functions which these regular people eventually took on—I think in those three general areas, Mr. Chairman, we could in fact account for the sums to which the member has made reference, which we had to raise by way of Treasury board order.

**Mr. Lawlor:** Again, have you an actual figure, for last year?

**Hon. Mr. Welch:** The sum of \$73,500 would appear to be the answer to that question.

**Mr. Lawlor:** Yes, you saved money. Good!  
Vote 1702 agreed to.

On vote 1703.

**Mr. Chairman:** Seeing this is the citizenship branch and it would be difficult to separate the items, I think we will permit discussion on the branch dealing with the total vote. The member for Dovercourt.

**Mr. De Monte:** Thank you.

I was wondering, Mr. Chairman, what the Minister has done under this section for immigrants who come to Ontario with specific professional qualifications or very high trade qualifications; who come to our province and are unable to find work for some reason or other. I am wondering whether the Minister has done anything in his department to solve this problem.

Apparently there are men with very high qualifications doing very menial jobs in Ontario. I wonder if the Minister is going to set up some type of department to handle this type of immigrant.

**Hon. Mr. Welch:** Mr. Chairman, I do not think at the moment that we see our function particularly as an employment agency. We have attempted, when called upon, to provide some opportunity for people who have some criticism or concern in this area to get together with other branches of government, both the federal and provincial, in order that they might air their problems. It is a question of evaluating their qualifications.

Now the department is well aware of the special problems of the professionally trained, or indeed as you call them the highly skilled immigrants. There are many with these prob-

lems. They are difficult to solve because of the numbers of the professions and the various groups involved in studying the credentials and the qualifications for entrance into their particular profession or trade.

You will also appreciate that no one department of government has the authority required to give direction to all of these groups. To give you a case in point, there were a series of articles being written in one of the Italian language ethnic papers, and widely circulated in the Metropolitan area, bringing some of these problems to public attention.

We felt we could perhaps provide a service by acting as host to bring together the originators of these articles and the representatives of the federal Department of Manpower and Immigration and Ontario Departments of Education and Labour to hear some of these stories to which you have made some reference. From our observation it would appear that increasing numbers of professionally trained and highly skilled immigrants are unable to find work in this country and particularly in the fields in which they are trained. From our studies, for what they are worth, the major problems in finding suitable employment are first, the language handicap, which the newcomer is unable to overcome for a considerable period of time. You can understand and appreciate this. The first concern he has is to find a job, and he perhaps does not have the extra time that would be required in order to equip himself with this facility.

Under the new regulations of the manpower retraining programme, comparatively few of our immigrants are being accepted in the language training programmes and this is regrettable, because under the previous arrangements they qualified under programme 5 when they received some type of an allowance. We thought that this was a skill which should be acquired. In fact, I pay him tribute now that he sits at the table before me—the director of citizenship for Ontario, Mr. Colombo, who was very instrumental in persuading the federal manpower people to include language training as one of the skills under this programme. We are a little concerned about this now because of these new regulations that are being brought in with respect to language training.

Second, there is also a requirement by some employers that a worker have Canadian experience and this is creating some hardship. It puts the immigrant in the impossible situation of not being able to find work in his field without having some experience in this

country, and he is unable to acquire the experience unless he finds a job. So it is a pretty vicious circle in which he finds himself.

Third, we have some difficulty with these trade certificates which are often not recognized by the organized labour groups or by professional licensing bodies and so on, which is something which they deal with. So this situation, quite naturally in some cases, does result in feelings of bitterness and frustration on the part of many of our newcomers. We have taken some action and I have already mentioned one meeting. In fact, it developed into three different meetings. We have also made representation to some professional associations on behalf of individual newcomers. We have made the strongest possible recommendation to the federal Department of Manpower and Immigration and no doubt my friend will assist us in this regard.

I think his voice might be heard down there and help us to convince them to change their regulations in order to permit the entry of these newcomers to the adult retraining programme, where they could receive an allowance at the same time they learn the language; this is pretty important.

We have had these meetings in my office to which I made reference and to which we brought together many branches of government, both provincial and federal, to see how helpful we could be. It is hoped that from these discussions some concrete solutions can be reached, and I appreciate having the question because it gives us an opportunity to show that we share with you the concern. It is a very important part of the whole integration process.

**Mr. De Monte:** On the same point, Mr. Chairman, I am wondering whether the hon. Minister has pointed out to the federal department the con game going on in Europe about these highly qualified immigrants who come over here and cannot obtain proper employment in their profession or in their trade. The department should point out to the immigrant that when he does come over here he must learn the language and also that Canadian experience is different and that their educational certificates might cause trouble.

But the problem seems to be that when these highly qualified and skilled persons come over here, it is a question of education, and it is a question of educating the immigrant or the professional man to the way we do things here. I notice also, Mr. Chairman, that the trade unions are very loath to take these highly qualified men in some en-

deavours without a trade union card. They are not going to get a job in their highly qualified trade and I think perhaps the liaison between The Citizenship Department of the hon. Minister and the trade unions might help solve this problem.

In connection with the adult retraining programme, the hon. Minister has the facilities to teach English, but as I said before, the question of language is not important because most of these highly qualified immigrants do speak the language. It becomes a question of non-acceptance by a labour union, non-acceptance by the medical profession, non-acceptance by the nursing profession. I have a case here of a woman, a graduate nurse, who came here from India. She was not accepted as a nurse in Canada—although she practised in India for quite a while—until she got her grade 12 all over again.

I think that this is wrong, because certainly this woman was qualified. I am not blaming the hon. Minister for this, but if she had been told before she came here that she would have to get her grade 12—if it is explained to these immigrants, these highly qualified immigrants, that they are going to have a problem, that we will try to solve the problem for them when they get here, then I do not think that there would be any problem.

I had an immigrant who came to me who ran a hydro plant in Italy. He was the superintendent of a hydro plant and he was told when he came here that he had to learn the language. When he learned the language, he was told that his qualifications were too high and they could not pay him.

Things like this cause these immigrants to go away disgusted—immigrants who can really contribute their professional and trade skills to our country.

The other thing that I would like to point out to the hon. Minister is that when he liaisons with the federal government, tell them to stop the con game that is going on in Europe. They say that they do not want the unskilled immigrant and that they will take the skilled immigrant, but when the skilled immigrant comes over here he cannot get a job. They should accept the immigrants who come and turn out to be good people and good Canadian citizens. If a skilled man comes over here I think that he should be told that he is going to have problems, and if he does come that we will try to solve his problems.



When the federal government refused to train these immigrants under the adult re-training programme, I think they made a great mistake. Certainly, I know of one immigrant with highly qualified skills who had to go back because he could not learn the language. He had to take some very menial job in order to live in Canada and finally got disgusted and went back to his country.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** I would like to ask the Minister what is being done to use the good offices of the Provincial Secretary to persuade the federal government to extend the office hours of the immigration offices in our province to truly encourage citizenship?

In my own experience of canvassing, every poll has anywhere from two to five families which are immigrant families who are not citizens. So on a pilot project of my own I began asking why and I learned from the people that they are reluctant to take the three days away from their work. Most of those people are in the sort of position that they may very well lose their job, never mind just the income for the three days.

I think if the federal government is reluctant to extend its hours to suit these people, even to the extension of Sundays, that perhaps in light of some of our more recent legislation regarding Sundays we might consider extending our Sunday activities to the field of immigration. I am thinking also of the fact that perhaps through your own department—through offices throughout the Metro area or throughout the province, your services might be extended to fill out forms, to inform the people of their particular position even though you would not be acting as a federal office.

**Hon. Mr. Welch:** Mr. Chairman, the hon. member is making reference to the preparation for taking out of citizenship by our people, that is, the inconvenience of holding courts at rigid times rather than at their convenience.

**Mrs. M. Renwick:** I am speaking mostly, Mr. Chairman, of the time lost in going to the immigration office where sometimes the best part of a day is spent. Most of these families concur that the time spent at the immigration office was three days—the trip to find out what they do, take the forms, fill them, bring them back and in all cases they

invariably spoke of a three-day time spent at the immigration office.

**Hon. Mr. Welch:** I want to make sure I understood the question, because I have reason to believe that on request the federal government's citizenship courts are held in the evenings, on the weekends, at special times to cover this very point. The other problem with respect to the availability of civil servants in this field, to help them with respect to their forms and so on, had not come to my attention before I had the question, but I would be very happy to speak to our counterparts in the federal department to see whether or not this problem has been brought before them. If it is a matter of convenience, certainly it would seem to be worthwhile following up. I would be very happy to check into that aspect of it.

I do know that we have held a court here in this building. I understand that they had them on weekends and had evening courts, in order to accommodate them for the actual granting of the papers. As far as the preliminary steps are concerned I will check into that, Mr. Chairman.

**Mr. Trotter:** Mr. Chairman, can I just emphasize on this point?

I have heard more complaints of immigrants who want to be sworn in as citizens, but find that taking the time off just cost them too much. I know it is important to be sworn in and someone might say surely they can take the time off, but to most of these people who have only been in Canada a few years, a day's pay is a great deal of money.

I know that courts are held sometimes in the evenings and, occasionally, on a weekend. There is no law against it, but it is so seldom that they are held that it really is not that much help. The other thing is that a number of people who would take advantage of a weekend court on a Saturday or on an evening, do not know that it can be done. They just do not know. I would ask the Minister, through you, Mr. Chairman, that the Minister use his good offices to encourage the federal authorities, not only to establish more evening courts and more weekend courts, but to let the immigrants know that such courts are held, or can be held, at those times.

**Hon. Mr. Welch:** A very reasonable request, Mr. Chairman.

**Mr. De Monte:** Mr. Chairman, I would like to know from the Minister, what item 5—research and grants—what research and grants

are taking place in connection with what type of immigration or citizenship?

**Hon. Mr. Welch:** Yes, I can break that \$30,000 down, Mr. Chairman.

We give \$10,000 for the year to the international institute to assist that particular group and the work they do among our new people. We budget another \$10,000 for our conference for the teaching of English as a second language, together with our summer schools in Hamilton and Toronto. We give \$3,000 to the travellers' aid to assist our mobile population and attend to their needs.

York University benefits to the amount of \$5,000. Although I do not want to take the time of the House, there is a very interesting project being undertaken there for us. Dr. Richmond, of York University is doing some special research into the problems of pre-schoolers, and so on, and I think you would agree that much more research needs to be done. We have a pretty happy relationship with the federal department, in this regard, too. We find them very much interested to join with us in this type of activity, so there is no duplication. We are studying immigrant children, and so on, and then we have \$2,000 to provide us with some extra funds for projects which may come up during the course of the year.

**Mr. De Monte:** Mr. Chairman, what would be the purpose of the \$3,000 to the travellers' aid?

**Hon. Mr. Welch:** The travellers' aid society, as you know, located at the bus terminal, at Union station and, I think, at Malton, to help the travelling public. We felt that this had a very direct relationship, particularly with new people—newcomers into the larger area. They were given some grant to assist them in providing services to the large numbers of newcomers who would, in fact, congregate at those particular points.

**Mr. De Monte:** Then I take it, Mr. Chairman, that of the \$30,000, only \$5,000 is really being allotted to research. Is the international institute—I know it is on College Street, or was on College Street—is that a research organization?

**Hon. Mr. Welch:** I think it is a combination of both, Mr. Chairman. I think a lot of the practical research in which we are interested would be conducted there, but in addition to that, and perhaps even more important than that function, is the community service which it provides there as well.

**Mr. De Monte:** I appreciate that, Mr. Chairman, but really, of this \$30,000 only \$5,000 is going towards research. I would like to comment to the Minister that perhaps we could allot, when the budget permits, more research into the problems I pointed out in my opening statements.

**Hon. Mr. Welch:** I must say I will not argue with that point at all. In fact, I will support it.

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** I said earlier today and I will say again, because it apparently has not gotten through. I think the Minister will agree with me that what we are witnessing here is the birth of a new department of government and that its range, directions and functions should be cognized by people in this House now to see whether or not it should be aborted or whether the little creature should be allowed to grow, because she is getting pretty large. Maybe it is misconceived completely. If such is the case, then it is our job as legislators to be aware of that and to steer the Minister aside from the path that it seems to me he is taking.

It is not just a question of giving language instruction to immigrants any longer. One-third of the population of this metropolitan city are immigrant peoples of recent vintage. It is not that. It is not a question of giving translation services—it is a question of integration of the community in a particular way of life to instill in all of us, a particular quality of life, a certain relationship. It is being worked now through the immigrant population.

It is desired by this Minister that we, as Anglo-Saxon types, open ourselves and become more aware of, make ourselves sensitive, to the needs of these people. He sees a department in the future that will have social implications, deep-rooted in the sense of our history, our destiny and our interrelationships as human beings. As he says, it is a highly personal department. It is a terribly sensitive type of thing that he is trying to do here.

I do not know whether a government—those heavy handed things called departments—can work out the kind of rapport—the kind of sensitivity and interpersonal relationships that are envisaged, intrinsically and necessarily in this particular kind of task and direction that he is taking. This department of the government provides information at the present time.

It works in close co-operation with various community services, some of which have been mentioned. The travellers' aid, the international institute of Metropolitan Toronto, who have published over the last few years a number of extremely penetrating and deeply felt little books on the role of newcomers; the last one in 1966 was on educational development. The first one, I recommend more highly, if not quite as technical, was called "Newcomers in Transition," by Edith Ferguson. That is part of your research project. I would take it, and it is altogether beneficial.

It gives one an immediate insight into what it is costing. The Italian community has done an enormous amount—the YMCA, the YWCA, the various churches. I notice one of the churches, I think it is St. Clement's, but I will look it up this evening, has been very badly battered by the grants structure and has been refused by The Department of Education necessary moneys, which went directly to the purposes of your overall objective, sir.

Mention has been made of immigration policy. What is complained of by Mr. Barry Lowes and a host of other people who have spoken to these conferences, is that the federal government, in its lofty way in effect dumps these peoples—goodly peoples now, but leaves them in the municipalities. It brings them over, and leaves them bereft. Does nothing whatsoever. And with this goofy constitutional concept that is being voiced abroad by Monsieur Marchand and others as to the straight lines of responsibility between federal and provincial governments, it simply does not work. Here is a crucial area which proves that it does not work. They bring them over and they abandon them to whatever the amenities of the situation may be in a hostile environment.

The Minister, the provincial government and the municipalities come along to provide them with a host of necessary services and information and otherwise, as we will come to in a moment.

Mr. Marchand says that he will do nothing further for them. The people beg for grants. I shall read in a moment the statements which have become familiar to us, I think, of Ying Hope, chairman of the board, as to what he thinks about these particular procedures. Ask him what he thinks about the straight lines—the straight line drawing of constitutional, isolated, and compact divisions between one area and another. As I say, we will come back to that.

As a second thing about this federal government's operations, at the present time—it brings only the skilled over. Its whole implication is not humanitarian, but wholly economic. Read the white paper on immigration policy, which I have before me. There is nothing else there. That is not the purpose of this Ontario government. Their purposes in the past, and commendably, have been humanitarian largely, but that is no longer true about our federal government.

When they strip the poor impoverished nations of the world—India, Indonesia, Pakistan, and a hundred others, of their highly skilled people, who are worth every ounce of their weight in pure gold to the economic function, and invite them over here, I think that that is a dereliction of world responsibility. A complete lack of the sense of human dignity is being exercised by the federal immigration policy, at the present time.

Cases have been mentioned of the numerous people, who are highly skilled, and have been brought over. I have personal experience of some people from Jamaica—men who are teachers, coming to teaching jobs in this province, lured to this province, not by you, but by The Department of Education. And they cannot get jobs when they get here! There are men with families in the city of Toronto today, one of who spoke to me the other morning, of this very problem. I have taken it up with the Deputy Minister of Education, and perhaps they will. His qualifications were all right when he booked to embark on the boat. It was when he got here that he was given a dishwashing job and other menial occupations. The man is practically out of his wits with anxiety and torment, that he cannot be a teacher when he thought that he had all the qualifications and so did they. Maybe that bad situation will be rectified.

I will not labour the position of the various other skilled trades, particularly doctors with high qualifications. We know this discriminatory bunch places its heavy hand over such immigrants' means of making a livelihood. I would have them read the chapter on professional services in McRuer where he says the role of professional bodies is not to exclude, but to open their doors to everyone who is properly qualified. Their first responsibility is to the public—not to protect their own members.

I want to know, and as we go along in this estimate, what precisely is the co-operative role between the federal government immigration policy and your department. I refer



to the white paper on immigration where they say at the bottom of page 2: "There will be new consultative machinery to assist in additional efforts to help immigrants to learn our official languages, adjust to the ways of Canada, and become personally well established".

In other words, the federal government appears to recognize a certain degree of responsibility here, which they have not, of course, carried out. They go on to talk about a national advisory council with a number of national advisory boards spread throughout the country. Are these things in effect? Do you co-operate with them? What is the scale of your relationship? Should we not co-operate if they are prepared to go any distance? Should you not urge them to co-operate in order to relieve the Treasury of this province from the increasingly heavy burden, as we will see in a moment in these estimates. The thing is escalating by multiples geometrically as this department develops. Should this not really be the responsibility of the federal government? If there is any area in which they ought to participate, ought not to be aloof, it is with your department which bring about these matters. Again, in a moment, I shall give you some concepts as to what I think should happen. Those manpower centres, for instance, ought to be turned into orientation centres. We will discuss that in a few moments.

I would like to take a few moments of this House's time to quote what Ling Ying Hope has to say. He said:

Immigrant students face a bleak future in Canada, unless more time and money is spent on special school programmes for them.

This is Ying Hope, chairman of the Toronto board of education:

They come to to Canada and they are hustled into school. Their language problems affect their school subjects and they act as sociological and psychological handicaps. They cannot communicate socially with Canadian teachers and students, so they become loners intent to integrate among themselves. There is a breakdown in assimilation. Their social life and cultural knowledge are far behind the normal Canadian type of existence. He said that federal financing of elementary and secondary schools was essential. At least \$10 million will be needed annually by 1972 for immigrant programmes, compared with the \$2 million Toronto schools now spend. There are withdrawal classes, and addi-

tional funds will be necessary for withdrawal classes for immigrants. They are held in special rooms at the present time with a language teacher who drills them in English for two or three hours a day. There are now 94 withdrawal classes in 59 schools, but that is only a sprinkling of one to two classes per school. Each school has a need for four to five times that number.

And he goes on to say that he is also trying to attract the mothers of immigrant children—as you did previously—to come to school to pick up English classes after 3:30 p.m. to 4:30 p.m. The teacher stays behind, and offers English instruction to mothers. This helps to break the language barrier. To quote again:

In Toronto 42 different languages are involved so it is practically impossible to have the problem ideally corrected. At present, 12 reception centres and 12 schools give some immigrant students full time instruction to help orient them faster. There are 110,000 students in schools administered by the Toronto board, but only 11,000 of 30,000 immigrant children are being helped through withdrawal classes and special instruction classes in English. Arthur Edwards, principal of Lansdowne public school where the 800 students are mostly Chinese or Portuguese said: "I agree with Hope and I am right behind him." Edwards said that some immigrant children have never been in a subway train and do not know what a teacher means by a loaf of bread. It takes a considerable amount of money, over and above the allotted amount, to take children on field trips and to show them these things.

It is that sort of thing that gives you a real background and picture of what is happening in this province at the present time. Immigrant children are forced into ghettos—intellectual ghettos—where the whole fact of life and the automated process are left behind. They are going to be on the welfare rolls as long as this lasts.

I want to say a word about unions and their role in this thing. Mention has been made of The Apprenticeship Act and its restrictive quality. I would think that the Minister might—although it does not fall strictly in his department—look at that Act, and see whether it cannot be ameliorated to the conditions of immigrants. There are two schedules under the Act. Bricklayers, electricians, plumbers and all these trades—about

18 or 20 of them—are caught up within the terms of that rather restrictive Act. Now, I think that the trade unions should be made aware that they are responsible to the people. They should provide people who speak their language in order to inform them of their rights within the unions themselves, and to introduce them to the ways of union activity and the economic life of our country. And to the extent that they fail to do this, the trade unions of this country are vulnerable to attack.

Also, I wonder whether the courts system—not just the business of hearing immigration cases—the business of getting your certificate as a citizen—but court procedures could possibly be conducted in the language of the immigrant. I find that the interpreter system, and the system of translators in our courts is a rather haphazard and hopeless business. These people certainly cannot defend themselves or even understand anything but their own language. Very often they kick around the hall for considerable periods of time waiting for an interpreter to show up. I think that we should consider special immigrant courts, where Portuguese people, or Polish people or whoever cannot speak the other language would have their cases heard in their own language, or if that seems to be an impossibility, then at least they should be heard in an atmosphere which is favourable to their position at times when they will not lose a day from work. This is a cruel experience and they will go to great lengths to avoid it. They are hard working, their pay is not very great and they work as long hours as possible to pay for their homes and to provide the means. Anything that will accommodate their interest in this regard should not be too much of a burden. Take that up with the Attorney General and see if it is not possible.

Before I come to my summary remarks, I simply want to say that we are not outgoing people. It seems to me that we do not put ourselves out either to understand or grasp their cares or needs. We are withdrawn and lofty Anglo-Saxons. We look down our noses, by and large, at this flood of immigrant people who often have more joy and vitality and a greater sense of the meaning of life than we, with our narrow concepts completely allied to the one dimension—namely money. In any case, I just want to make mention of another personal thing. I attended this winter, perhaps one of the most joyous things I have ever done. I became Zorba the Greek for a night, if you will, at the Mardi Gras festival, given by the Greek people of this city com-

pletely on their own, as far as I can determine. They hired the Queen Elizabeth building, the place was jumping with that strange quality of semi-oriental music that they have and the rapport among individuals, the sense of fellowship, and so on. I have never experienced the like, except one afternoon in Spain. In any event, I understand the Portuguese people in this city have now got their own festival going too.

Perhaps the Minister could give some thought to assisting them, if they really need it, because of the wide diversity of our population and the considerable number of people who are not of Greek or Portuguese extraction attend these things now. If they are in financial straits and would have to call this thing off, perhaps consideration might be given to assisting them, as I say.

Just to run over about 15 points that I have at the moment, which may assist the Minister in the development of this baby in the future, and so on. These will be no longer narrow-minded and restrictive, but part of your own imaginative grasp of what is involved in this whole thing.

The immigrant child with the special programmes—a good deal could be said about that. The head-start programmes which are carried out in some of the schools, but not nearly enough.

The Minister mentioned the role of the women, they must be according to the reports given from the newcomers in transition; the women must be taught the language quite separate and distinct from the men; if they are together they all drop out. There is a sense of pride or something in that the men will not learn in the presence of the women and vice versa, so they have gone to some length from this thing, as undoubtedly the Minister knows

I have mentioned previously the splendid role on youth that this Minister can take under his governance. Some of us in this Legislature are getting to be older people and have lost our touch and do not understand really what is going on. This is almost a cliché now, but we have to understand that if we are to give future development of this province, where else better can it be done than in your department?

Problems of the professional qualifications and employment practice and the discriminatory acts that occur throughout there have been mentioned and I will not push it any further. Your department so far has almost entirely restricted itself, by and large, until this recent Windsor conference, and then you

did not come to grips with the immigrant population. I mean these were all highly educated Anglo-Saxon types sitting around a table talking to each other, by and large, as to what they might do with the immigrant who was somewhere outside in the cloisters. To really come to grips with the immigrant—sure you have to map your strategy and get the view in advance—but to get down to the grass roots level, the rubbing of shoulders with these people is the next step and to try and bring the various elements in this population into such rubbing of shoulders. So you have dealt with the great sum of money which is going to go out this year with respect to the teaching of English in the communities. In questions of legal aid, I have mentioned the question of courts; things can be done about that, as I have indicated, and on which I could go on at considerably greater lengths, so indicating.

It seems to me that, while there is the Mardi Gras festival for instance, very little effect has been made by the department in stimulating a getting-together, a common meeting ground for various folk. In our parks, in our recreation areas, and so on, providing music and various native dancers and that sort of thing would bring the various elements together.

Mr. Chairman, in our schools, and particularly in the community colleges—what better places to utilize than the facilities of these dormant buildings, some of them magnificent structures resembling Aztec ruins? What better use to put these things to than to hold conventions, conferences, discussion groups, and various forms of entertainment among all the peoples of this province? Put these schools to use.

The thing about a society such as ours is that if you really want to get democratic participation you multiply, if possible, the role of the various infrastructures in the community. In other words, have as many institutions as one can get and have many people belonging to these diverse cross-sectioning institutions as one can possibly get. What I would have to recommend—and it is against my anti-Babbitry—is “be a joiner” and get people to be joiners. Get them to live together, get them to participate in various institutions and any way that your department can engender this sort of social body or institutions is all to the good.

That is the only way that you can set up a whole penumbra, a whole galaxy between the powers of state up here—which are usually

inhuman, impersonal and obnoxious—and the population individuals down below, by the increased use of institutional structures.

The blue book, as I call it, the international institute book, recommends—and this could be an immediate area for your investigation—a citizens’ advice bureau. It should be located, not in some septic ward down on University Avenue, in a big building, but located right in the neighbourhood of these concentrated immigrant populations to give them orientation, to give them advice and to co-operate with the federal government in this regard. Not to have those manpower centres placed in brick and concrete, formal and removed—these people will not approach those buildings, they are terrified of the prospect of an official because they do not understand the forms and they do not understand, first of all, the language problem. Civil servants are often very remote people who place them at a considerable disadvantage, so they must be brought into the community and they must be in a neighbourhood community thing. I would recommend that thought be given to these citizens’ advice bureaux, working in conjunction with the manpower centres and to take the manpower centres out of the steel traps that they are in at the present time on main thoroughfares, and so on. Bring them in and speak to the Minister of Immigration about that and tell him to forget his foolish constitutional notions and try and do something to help with these problems.

You can use these centres, or they could be diverse; they could be separate. Orientation centres. If the federal Minister is unwilling to consider this, as I suspect he will be, because of his predilections, then you should do it. You should consider setting up these bureaux and you should urge them then also in the manpower centres to turn them from manpower centres, where they are simply employment factories, into a much wider and more humane purpose. Make them orientation centres for these new Canadians; provide them with a wide range of information and services. Tell them how to make out forms. This, apparently, is a great trouble to them—they do not know how to make out income tax forms, they do not know how to make out workmen’s compensation applications, and all the plethora of things which come too easily to us but which, for them, is a blank wall in a desert. So that particular range might be considered.

Another thing the government might consider doing is setting up a revolving fund for immigrants on a repayable basis, according as



they need moneys. Nothing can place a man who is a stranger in this land—and very few people, particularly people like the Portuguese, who are not a highly integrated community unto themselves—nothing could leave them more bereft than not having anybody to turn to when they need a buck. They are hard-working enough that they will pay it back. They again cannot speak the language and they are out at the heels, and the ability to come and get a few dollars—nothing great—would be the one that would set them up and give them a sense of dignity and purpose.

Those are various thoughts that I throw out to the Minister as this department takes on its spirit. I would recommend them to him; I think they have some merit. A good deal of thought has been spent on them. And I am altogether on your side, as to the extending and transforming of the whole immigration function, and so on. That teaching of English business is simply the base upon which you are going to grow and give these new people, that will be pouring into this province over the next decade, a new lease on life and a sense of direction and a sense of welcome.

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I would like to make a few remarks on this item. I will not be as long as the member for Lakeshore or maybe cover the field to quite the extent he has, but I think this is an extremely important vote, particularly the item under teaching costs, \$660,000.

I rather question if the teaching costs should be in this department at all. I think that should really be in The Department of Education, but it is here and so this is where we will have to talk about it.

My great concern is that government, be it on the local level, the provincial level, or on the federal level, is simply doing enough in regard to teaching of the English language.

Many people have said to me that hundreds of thousands, nay millions of people, have come to this country and they did not know how to speak English; why should we worry about it at this point in time? The answer, Mr. Chairman, is simply this: The world has changed so vastly that the old days, when people who arrived in this country, if they could not find a job could head west and get a farm for free, or almost for free, have gone; and today everything is education, education.

I remember one man who succeeded very well in the business world who had very little education. He said in his day the motto was work, work, work; but today it is education, education, education.

I am deeply disturbed, Mr. Chairman, when I see a family that has not been in this country too long coming to see me, and they have a 14-year-old daughter and they want me to help her get a work permit so she can quit school. Today we simply have to have an education. And what also concerns me is that more of our population are tending to locate in ghettos of a particular group, be it Portuguese or Italian. It is not the fact that it is Italian in one particular group, or a Portuguese against the so-called "wop" or the English-speaking people; it is the matter of education that seems to be a bible, regardless of what the backgrounds may be. If we have a good education and can get a good position in the community in this country we can do well.

It seems to be that no matter who you are, it is what can you do. If a person can teach and has the proper teaching background; or is a lawyer or a doctor; they are going to be a part of the Canadian community no matter what their background. But so many hundreds of thousands of immigrants have come to this country since the war, Mr. Chairman, that they are literally in economic ghettos. This is where our emphasis must be, because if there is any type of lay-off, if there is even a slight depression, these are the first people on the welfare roles.

Once they are in Canada and they are out of work they are going to cost us money, whether we do something or not. It is far better business, if you want to look at it in a very hard-boiled way, it is far better business to invest in these people, in teaching them English so that they have an opportunity to do well. I think it can be most dramatically proven that the more aggressive persons leave their homeland seeking a better homeland here in Canada or in the United States or wherever they might go. I am quite convinced that many of these people are most anxious to learn English.

When you see the response to the trade schools and to the English classes that have been set up, I think that it is obvious they want to learn. And bear in mind that many of these people are up at six in the morning to be at work at seven, and they get home in the hope of being in time to get to class. Very few of us could go through that rou-

tine, and yet many hundreds of them are doing it.

Mr. Chairman, I was complaining to this Minister on another vote that we are spending too much, and that was on the hospitality vote. Well on this vote, I am complaining that we are not spending enough. What annoys me is that we get into these hassles as to what is the responsibility of Metropolitan Toronto or the city of Hamilton and it is in these large areas you have these immigrants who need this help. Or we have the conflict between Ottawa and Queen's Park. But here, education is the responsibility of the province of Ontario and I feel that here is where we must look first for help for these people.

Mind you, I disagree to some extent with the remarks of the member for Lakeshore when he pointed out that we were rather too cold in dealing with people who have come to Canada's shores. In part this is true, but if you look at the history of our government, regardless of their party politics, we in Canada have been pretty generous with the immigrants who have come here; and this particular vote that we have under the citizenship branch has shown a genuine effort on the part of the government to accommodate peoples who have come to our shores.

It is to this country's advantage, it is to our own advantage, to help them. You will find in very few countries in the world today such votes as we have here. I commend the

government for it. But the weakness today, under modern circumstances, is that it is simply not aggressive enough.

Years ago it would be absolutely unheard of that government funds would be used for this purpose. But I urge the Minister to make an even greater effort.

We have been fortunate, particularly in the Metropolitan Toronto community, that we have had such organizations as Costi, the group that has been working with the Italian community. Father Carraro has been a tremendous pioneer in this work and his example should be seized upon not only by this government but by other communities across the country.

Their efforts have succeeded to a great extent because they did something, and also because this government has made a sincere effort. But when we look at the hundreds of thousands of people in this province particularly of Italian, Portuguese, and Greek backgrounds—you have to make a far greater effort than we have in the past. I think it is very important to us, not only for our cultural development of Canada, as we live here in large urban centres such as Toronto and Hamilton, but it is extremely important in the economic future, because these people are going to need our help. I hope that the government will make a greater effort.

It being 6:00 of the clock, p.m., the House took recess.







# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Monday, May 13, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, MAY 13, 1968

The House resumed at 8 o'clock, p.m.

**Mr. Chairman:** The member for Peel South.

**Mr. R. D. Kennedy (Peel South):** Mr. Chairman, we have with us in the Speaker's gallery, the Peel South Young Progressive Conservative association, and I am sure that members of the House will join with me in welcoming them here tonight.

## ESTIMATES, DEPARTMENT OF THE PROVINCIAL SECRETARY AND CITIZENSHIP (Concluded)

On vote 1793:

**Mr. Chairman:** The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, I have one question I would like to ask of the Minister with regard to this vote, item 17. In the second interim report of the select committee on The Municipal Act and related Acts of March, 1963, on page 14 in the "Observations", the use of the words, "Canadian citizen" would be more appropriate than "British subject", and the necessary changes where these words occur should be made.

The recommendation of that committee said that the words "Canadian citizen" should be substituted for the words "British subject" wherever they occurred.

I asked a question of the Minister of Municipal Affairs (Mr. McKeough) quite early in this session, and he said that they were well aware of the recommendation and were taking it under advisement. He said that at the present time, if the necessary changes were made to comply with this recommendation, that it would disenfranchise some 180,000 people in the province of Ontario. Those remarks were not elaborated on and I am wondering if the Minister would care to substantiate that statement that it would disenfranchise 180,000 citizens in the province of Ontario.

It seems to me that if Canadian citizenship is to have any meaning at all, if it is going to be meaningful at all with regard to The Municipal Act and the enfranchisement of Canadian citizens voting at all levels, it creates no end of trouble when you get somebody who is a landed immigrant who, in effect, after going through the necessary channels becomes a Canadian citizen, but in effect, somebody coming from the British Isles can come over here and is never really recognized as a Canadian citizen, just a British subject. So, if the words "Canadian citizen" are going to mean anything at all, I do not know why that should not be the prerequisite for voting privileges and the many other privileges we have in the province, rather than the term "British subject."

It was given complete study by the committee which did bring in a report, the select committee on The Municipal Act and related Acts. I do not see any reason why that cannot be implemented, and I wonder if the Minister would care to comment on it.

**Hon. R. S. Welch (Provincial Secretary):** Mr. Chairman, this question did come up in the House and, as the hon. member mentioned, the question was directed to my colleague, the Minister of Municipal Affairs. He was kind enough to refer the matter to us and do some investigation along these particular lines. We have the situation in this province that two of our statutes now call for this qualification of Canadian citizenship, The Public Schools Act and The Secretary Schools Act. The Boards of Education Act and The Separate Schools Act do have that qualification now. Back in the committee stage they substituted the words "Canadian citizen" for "British subject".

All other Acts, as I understand them now, The Municipal Act, our own Election Act—as far as the qualifications here and, indeed, the federal ones, use the expression "British subject", except that in Canada they did it just a little differently. They called them "Canadian citizens and other British subjects." That is how they got around the qualification there.



I cannot substantiate the numbers; I mean this comment as far as enfranchisement is concerned. I have no way of calculating it, except to say that I think the point that my colleague was attempting to make was that if, in fact, we made it a condition of citizenship in this country with respect to voting, then those who had enjoyed this privilege by virtue of their being British subjects would, in fact, be disenfranchised. As to the number, I do not know.

All Canadian citizens are, by our Citizenship Act, as I understand it, deemed to be British subjects, but the reverse is not the case. All British subjects are not deemed to be Canadian citizens, and so the qualifications with respect to a British subject as far as voting is concerned are, I think, a year's residence in the province. As far as becoming a Canadian citizen, they are no different than anyone else as far as the length of period they must wait in order to qualify for citizenship, namely, five years.

I think that presents a factual picture. At the moment, as you know, they are taking the enumeration for the Canadian election. If you are a Canadian citizen or a British subject of a certain age, you are entitled to be on that list. The change which is recommended and to which the member makes reference would, in fact, disenfranchise those who up to now have been able to vote or to hold office by virtue of their being British subjects and not necessarily Canadian citizens.

Mr. Justice McRuer also deals with this question of citizenship with respect to admission to professional bodies, which is another matter. But it, too, is of some interest in the way he has treated the subject.

Mr. Stokes: If I might just make one further comment. It would lead one to believe that we have different classes of citizenry within the province and, in effect, all of Canada, because after one year of residence in Canada, people of British origin can exercise their franchise—within a year. A landed immigrant must wait five years and then in effect he does become a *bona fide* Canadian citizen.

I have lived here all my life and I cannot prove that I am a Canadian citizen, I am a British subject, but yet a landed immigrant can show tangible proof that he is a Canadian citizen. I cannot, even though I was born here. I am a British subject.

So, you do have this differentiation between somebody who went through the normal processes and after having been resi-

dent in this country for five years passes the necessary examinations, and is accredited as a Canadian citizen.

Mr. J. B. Trotter (Parkdale): Is that the case?

Mr. Stokes: Anybody else cannot do this. I do not see why, if it is going to disenfranchise somebody or a number of people for a year. Certainly this is not an insurmountable problem. In effect, it would make Canadian citizenship much more meaningful. I cannot think of any reason why we cannot have all people in Canada classified as Canadian citizens as opposed to British subjects. It creates no end of problems with ethnic groups in northern Ontario who are asked to swear allegiance to the British Crown. They cannot even hold property legally within a municipality unless they swear that they are a British subject.

Hon. Mr. Welch: Well, Mr. Chairman, I think just to be clear I was not arguing the merits one way or the other of the committee's recommendation. I thought that I was only trying to expand on the reasons that were included in the answer of my colleague, the Minister of Municipal Affairs. Whether or not the qualifications for office or franchise is to be changed will depend on those Ministers who have control of that legislation.

May I say two or three things with reference to your factual background. I was hoping that you would not try to suggest two standards of citizenship. We are not just talking about people of British origin, we are talking about British subjects, and of course people can be British subjects irrespective of their origin, so to speak.

As far as the hon. member is concerned, Mr. Chairman, I would be delighted to assure him that all he would have to do is make application by virtue of his birth, and he would get a card too, right away; just in case there is any doubt in his mind as to his Canadian citizenship, we will look after that right away for you.

Mr. Stokes: I am a Canadian citizen, and I will fight it to the last ditch, but why should I have to prove that I am?

Hon. Mr. Welch: I take his word for it, Mr. Chairman. I am not asking him to prove anything. He was just saying that he was not sure, and I was just assuring him that I thought that there would be no question about it.

Mr. Stokes: I mean that other people may have to prove it.

**Hon. Mr. Welch:** The point is that insofar as owning property is concerned, I think others will assure you that there is no qualification as far as holding property is concerned. In the registration fees and so on, there is no qualification on that line as far as holding property is concerned.

Now, if you want to get into the merits of this as to what the legislation should be and what the qualifications should be that is another matter. I was just trying to point out to you some of the reasons, or rather, I suppose, the implications behind any change, that is all. The hon. member is entitled to his view on that subject certainly.

**Mr. Chairman:** The member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, I was wondering in the report that was put out last year in relation to item 4, could the hon. member or the hon. Minister inform the House as to how many of the classes set out in the language and citizenship classes in Ontario are actually language classes, and how many of them are citizenship classes?

**Hon. Mr. Welch:** I think that the easiest way of answering that is that they are all language classes, and that they are combined with citizenship preparation as well.

**Mr. De Monte:** Could, the hon. Minister tell us how many teachers are involved in teaching? Does this involve teaching classes for teaching languages, or classes in general? It is a \$660,000 item, item 4.

**Hon. Mr. Welch:** I am afraid, Mr. Chairman, that I do not quite understand the question. I think I heard the hon. member asking how much of the \$660,000 is actually for teachers?

**Mr. De Monte:** Yes.

**Hon. Mr. Welch:** I would think roughly, \$600,000 of that \$660,000.

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, one of the beauties of this House, which makes it most attractive to the legal mind, is that you can blow both hot and cold if you please. I am going to blow cold.

I am going to attack now for a little while, having been so kind to you.

Sometimes, looking at the estimate here on vote 1703, I wonder whether the Minister is

trying to assimilate new citizens, or simply to bankrupt old ones.

In 1966-1967 he requisitioned \$481,000 and got Treasury board orders again for \$125,000, spending \$590,000. The next year he spent \$631,000. We have not got any figures before us of the actual amount spent, and now this year he is asking for \$990,000, it is upped 50 per cent.

Just what is the justification for these figures? If I may continue for a moment on this, I suspect that a good deal of it devolves into those teaching costs again, about which, if I may set forth these figures: In 1965-1966 you asked for \$145,000, picked up another \$138,000 almost an equal amount by Treasury order, and spent \$282,000. The following year you asked for \$272,000 and then on Treasury orders again you picked up another \$125,000.

This department is forever picking up sums almost equivalent to the amounts they originally asked for, and as to what their total expenditures are going to be. In 1967-1968 you asked for \$418,000 and now, you are asking for \$660,000 in order to cover these particular costs.

Could the Minister give us some justification?

**Hon. Mr. Welch:** Well, I think the best justification, and one which I am very proud to share with the member, is the fact that we have more students and more classes than we anticipated or estimated as we were preparing the budget, and our students are staying in class a little longer. There are more of them and, therefore, the need for more classes. We go back to the Treasury board to ask for more money in order to do this, much in the line the member for Parkdale—

**Mr. Lawlor:** How many students have you got?

**Hon. Mr. Welch:** About 18,000.

**Mr. Lawlor:** 18,000, that is all classes?

**Hon. Mr. Welch:** That is right.

**Mr. Lawlor:** May I ask a series of questions on this? 18,000 students—how many of them are women?

**Hon. Mr. Welch:** How many are women?

**Mr. Lawlor:** Yes.

**Hon. Mr. Welch:** Well, Mr. Chairman—

**Mr. Lawlor:** How many of the good women are you trying to teach English to?

**Hon. Mr. Welch:** Mr. Chairman, I am unable to give a breakdown of the class by sexes.

**Mr. Lawlor:** You do not know how many adult people are taking night school courses?

**Hon. Mr. Welch:** These are all adult people—18,000.

**Mr. Lawlor:** Oh. How about the children? Are you not responsible—

**Hon. Mr. Welch:** We have nothing to do with—I should not put it quite that way but the programme of our department does not involve work among school-age children. That is the very thing that is excluded from this programme.

**Mr. Lawlor:** You have been working with St. Christopher house?

**Hon. Mr. Welch:** We work with pre-schoolers as I told you this afternoon. We have a variety of projects with the pre-schoolers and their mothers who come to class. Our whole programme is adult education and we have no involvement at all with school-age children.

**Mr. Chairman:** Is vote 1703 agreed to?

**Mr. M. Shulman (High Park):** Not quite.

**Mr. Lawlor:** On maintenance, I noticed in 1966-1967 you requisitioned \$110,500 and you know, lo and behold, you spent everything but 9 cents. I have written down here: "What calculation! What shrewdness!"

The further question I have to ask is that I hope you do not keep up the record and hit the jackpot every year. Have you any idea what you spent on the following year on maintenance?

**Hon. Mr. Welch:** \$128,365.46.

**Mr. Lawlor:** What is the maintenance of this department? What is included under that heading? It seems to be rising considerably every year.

**Hon. Mr. Welch:** I suppose the best way, Mr. Chairman, that the working tools of the branch—textbooks, teaching-aid materials, stationery, all the day-to-day operational material which our people would need to carry out the function of the branch—

**Mr. Lawlor:** Textbooks, did you say?

**Hon. Mr. Welch:** Textbooks, teaching aids, equipment I suppose, too.

**Mr. Chairman:** The member for Dovercourt.

**Mr. De Monte:** Mr. Chairman, through you to the Minister, what is programme 5?

**Hon. Mr. Welch:** Programme 5 is the programme inaugurated under the joint federal-provincial programme which is now called the adult retraining programme. Just a minute, where is the reference to programme 5 in this vote?

**Mr. De Monte:** It is in your booklet here and I know what programme 5 is now.

**Hon. Mr. Welch:** Mr. Chairman, now that the member has asked the question, he obviously wants to know the answer; he would not have asked the question if he did not.

**Mr. De Monte:** In your booklet here you discuss language instruction provided—

**Hon. Mr. Welch:** The books I have before me are the estimates of this department, where I am asking the Legislature to vote money in connection with this department. I do not see anything about programme 5 here at all, but programme 5 is now—

**Mr. De Monte:** I know, but you do mention it in your booklet and I wanted to find out what it was and I know what it is now.

**Hon. Mr. Welch:** Oh, I see. As the member will know, programme 5 has been discontinued and we have the adult retraining programme now.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** Mr. Chairman, through you to the hon. Minister, I have raised this matter twice before during the course of this Legislature, and there has been a rather stony silence from the government. I shall try once again in the hope we get a reply.

I would like once again to recall to the hon. Minister the action of his predecessor (Mr. Yaremko) when he held this particular post. You may correct me if I am wrong; I believe under the direction of the government he travelled to Austria at the time of the tragedy which occurred in Hungary some years ago, to encourage citizens of that unhappy country to move to Canada. And I have tried twice to encourage this government to take some action on behalf of those British citizens of Asiatic origin who are now trapped in Kenya. Our federal government has taken some small steps. I would like to ask the Minister, through you, sir, if he has



any intention of taking any steps on the part of the government of Ontario to assist these people, or some of these people, to come here.

**Hon. Mr. Welch:** I have no such plan at the moment, Mr. Chairman—

**Mr. Shulman:** Is it under consideration, Mr. Chairman?

**Mr. Chairman:** The Minister explained, "not at the moment." I think the Minister was quite clear.

**Mr. Shulman:** I am sorry, Mr. Chairman, it is not clear to me. Does the Minister have any plans under consideration at the moment?

**Hon. Mr. Welch:** No, not at the moment, Mr. Chairman.

**Mr. Shulman:** May I suggest, Mr. Chairman, that it should be under consideration. This is a matter of humanity. Surely this government could take some steps in an international problem of this nature, and do something in this rich province for those people who are in this horrible situation. May I suggest to the Minister for the third time, that perhaps he should take it under consideration.

Vote 1703 agreed to.

On vote 1704:

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, in connection with vote 1704, I was wondering what the actual function of the people represented in these salaries is. Is it to delegate, or put out contracts pertaining to others? Just what is the role of those employed by the government, represented by these salaries of \$165,000?

**Hon. Mr. Welch:** We have a staff under the Queen's printer which handles the responsibilities assigned to the Queen's printer with respect to the submission of tenders for the printing for various departments of the government, the examination of those tenders when they come in, and the general billing operations. We do no printing, Mr. Chairman; that is, the Queen's printer has no printing function as such, his is a management role with respect to the printing needs of those departments of government which order their printing and supplies through him. The whole organization is based around this. The salaries which are included in our budget here for the

payment of his personnel are for the 30 employees in that particular branch.

**Mr. Deacon:** Mr. Chairman, the Minister knows we have had a little unfortunate experience in connection with some of the Queen's printer's work which has been done for members. I wonder to what extent this work is tendered, and how are the printers that the Queen's printer uses selected in the case of ordinary smaller jobs being done.

**Hon. Mr. Welch:** It is my understanding that the terms of reference, if one can use this expression, Mr. Chairman, are: For those requisitions which are estimated to come under \$1,000, there is some rotating system which the Queen's printer uses to allocate these printing contracts to various printers who are listed with him. As you know there is a system whereby we divide the whole province up and share this work with all the printers who are listed with the Queen's printer. Over this amount, selection is done on an invitation-to-tender basis, and there is a very strict procedure with respect to the examination of these quotes when they come back.

**Mr. Deacon:** Mr. Chairman, I just hope that the review of the work that is going out in amounts of less than \$1,000 is rather carefully done in the future, because if our experience is any criterion the government is overpaying on these smaller jobs by a considerable amount. I feel that a review of the list that they have should be carried out each year to be sure that competitive prices on these smaller jobs are obtained.

**Hon. Mr. Welch:** The only thing I could say to that, Mr. Chairman, knowing the particular circumstances surrounding the member's question, is that of course there is nothing to prevent the member from getting his own quotations outside the Queen's printer. In other words there is no obligation for a member to deal through the Queen's printer, particularly if he in fact feels that he could get more competitive pricing in his own area.

**Mr. Deacon:** Mr. Chairman, I am not concerned about the member's part in this case. We are quite free to go elsewhere for our printing, but I am concerned about what the government is paying for work that is being allocated out by the staff of the Queen's printer; it is government work rather than members'.

**Mr. Chairman:** The member for York South.

**Mr. D. C. MacDonald** (York South): At this point the Minister said we are free to seek our own quotations. If we seek our own quotations and get an appropriate price, are we still free to put it through the Queen's printer?

**Hon. Mr. Welch:** As a member you are still able to have it billed and have it charged to your stationery accounts—oh yes, that is not in question.

**Mr. T. P. Reid** (Rainy River): Mr. Chairman, I would just like to put one point to the Minister through you. When was the last time your department did a study or analysis of the costs of printing for the different departments? Would it not be cheaper to have a Queen's printer as they do in Ottawa? When was the last time you investigated this situation?

**Hon. Mr. Welch:** Mr. Chairman, I suppose we have never gone into this in any detail because the Queen's printer has never done any printing as such as far as this government is concerned. We do not maintain any printing presses at the Queen's printer or carry on this function, it is merely an administrative function, sending work out to printers throughout the province and also through the suppliers of stationery.

**Mr. T. P. Reid:** I am suggesting, Mr. Chairman, that perhaps because of all the voluminous reports, and so on, turned out by this government, *Hansard* and everything else, the reports from various departments, would it not be cheaper to have the Queen's printer do this; having a government body doing this?

**Hon. Mr. Welch:** Well, I have nothing to compare so I can only give a personal view. As far as I know, on the basis of this competitive bidding and the number of people who are, in fact, in this business and the number of taxpayers who are involved, perhaps the most economical way is to continue the way we are doing now and to have it on a competitive basis throughout the province.

**Mr. T. P. Reid:** But you are not certain of that.

**Mr. Trotter:** Why do you not try to find out?

**Mr. T. P. Reid:** Why do you not investigate to see if it would be cheaper to have a Queen's printer as they do in Ottawa?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Free enterprise party over there.

**Mr. T. P. Reid:** Free enterprise for the Conservative printers.

**Mr. MacDonald:** Mr. Chairman, it is not simply—

**Hon. S. J. Randall** (Minister of Trade and Development): What is the matter with free enterprise? Why put the small printers out of business?

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, there are two points here.

If government printing has grown to the point where it would save the public treasury by having a Queen's printer who was in the printing business and not just putting out printing contracts, well I am not so certain but that the query with regard to whether or not you are having competitive bids, and that you are not overpaying in the small contracts does not—

**Hon. Mr. McKeough:** You have an evil mind.

**Mr. MacDonald:** I am not evil-minded. I am not so certain that this is not one of the Tory pork barrels. You know, your shocked indignation on the point always confirms this because you are most indignant where you are most vulnerable.

Mr. Chairman, there is another point I wanted to raise, and that is that one of the great values of having a Queen's printer who is in the printing business is that when you get, for example, into an issue like *Hansard* you can get *Hansard* printed the next morning, not three or four days late.

The Minister is not even on the right wave length yet. We are raising with the Minister the proposition of the government having its own printing business, not a Queen's printer that gives out the contracts to somebody else. If you had a Queen's printer who was in the printing business, you then might be able to set up, for example, for *Hansard*, the same business as in Ottawa where *Hansard* gets top priority.

The transcript of what happens in the House is out to the printers that night and we get a new arrangement for checking it somewhat more quickly. Next morning at 9:30, the printed *Hansard* is back.

**An hon. member:** When do they sleep?

**Mr. MacDonald:** They do not sleep, that is the whole point. They produce over night.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, let us not confuse the issue with partisanship to the point where we lose what we are trying to talk about. If this House is now meeting five or six months a year and our load of business suggests we may be meeting for longer rather than a shorter time, it may well be, as my friend from Rainy River has said, that it is worth this government's investigation of the relative costs of having your own printing establishment. And not only the relative costs, but equally important, the record of service—because with Ryerson—I think it is Ryerson Press that does our *Hansard*, is it not?

**Hon. J. P. Robarts** (Prime Minister): Ryerson Press.

**Mr. MacDonald:** Thank you. Ryerson Press. With Ryerson Press, quite understandably, Ryerson Press cannot give you absolute top priority and drop everything else. But with the Queen's printer in Ottawa, *Hansard* does get top priority. So much so that at 9:30 the next morning you have the previous day's *Hansard*.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, it is perhaps much simpler if I just talk to you and perhaps through you to the Minister.

However, I think I have made my point, but I wanted to endorse the proposition that was being put by the hon. member for Rainy River. I think if you would investigate it—and we are reaching a period where it is worthy of investigation—if past experience had not made it a valid proposition I think now it has.

**Hon. Mr. Welch:** Well, Mr. Chairman, I rise to comment on some remarks made by the member for York South. We have a very devoted civil servant who supervises this particular branch of my department and to have any question of pork barrel and to impute motives of this kind I do not think can go unchallenged by his Minister.

The member for York South understands that any printer can walk off the street and get on the Queen's printer's list. Any member of this Legislature knows he needs only write to the Queen's printer and on his recommendation any printer so recommended gets on the Queen's printer's list. There is no exclusiveness about this list and the work is

allocated—this under-\$1,000 work—is allocated in a very fair way.

If anyone would take the time to go to the Queen's printer and see how it is done I am sure he would be impressed as I am. We have estimators who check every invoice under \$1,000. If any department of this government wants a number of letterheads, say, that fall under \$1,000 in price we have people who check this pricing.

The only thing that is not done is the competitive bidding feature in order to get the service, but to suggest that the pricing is not checked and to suggest that there is any exclusive nature to the list is just not true. It is irresponsible and I want to make sure that the records show that we have this system.

Now, as far as the other comparison is concerned I am not one who believes that government necessarily does anything cheaper than private enterprise. I am satisfied with our present system and that we are keeping a lot of printers at work. We are keeping a lot of families with this ability to make work, and I would hope that we could, maintaining the present policy, and so on, simply tender this out and let the private sector compete for this work from government.

Interjections by hon. members.

**Mr. Trotter:** Mr. Chairman, it has been found over a period of time, and I am sure the Treasurer of this province knows, on highway contracts they get a far more efficient service and a better price by the use of a tender. I know there are various printers that write me or phone me and they say that to get on the Queen's printer's list they must have a letter from an MPP. This is what they have been told.

They are nice fellows and I write a letter, but I am really no judge to know if they are efficient or not. Naturally, if this is the system, the only way they can get any business—and this is what they tell me—they must have a letter from an MPP.

I think this is out of date, and the question of the member for Rainy River is very well taken. Why do they not at least take a look at the department to see if it can be done in a more efficient manner?

We are printing hundreds and hundreds of tons of material every year. Far more than ever dreamed of when the present system was set up the way we have it now. I think we are maybe due for a change, but for the Minister to say, I believe in free enterprise,



it looks all right to me, this is not good enough.

I would suggest that we take a very hard look at the way we do business, and even if they do retain the private companies, at least they could tender because even a book like the public accounts goes into very big business. I dare say many a printer would like to have the contract just to do the public accounts, to say nothing of the fancy books some of these departments are putting out.

The Department of Tourism and Information put out one recently which I have on my desk. It must have meant a fat contract for someone. We know that when the select committee on consumer affairs met they put out a hard-bound volume and there was a bit of an uproar in the House here as to the cost of it.

I believe the report on the committee of youth which was printed in Kingston, where the chairman comes from; the member for Kingston had it printed in his local area.

Well, we are all glad to see our own particular constituency get the business, but I think it is well taken. Is it efficient for government to see to it that maybe a friend of mine in Parkdale might get it, or the friend of somebody else might get it? Is this good business?

The Minister refuses to answer. He sloughs it off and says this the way we have done it and I believe in free enterprise. Well, I suggest the government show some enterprise and see to it that the taxpayer is getting value for its dollar. I frankly doubt that the taxpayer today is getting that value and what is even more disturbing is for this government to say—it is so typical of it—things are jolly good now and I am not going to rock the boat. This is their attitude.

**Mr MacDonald:** Mr. Chairman, before the Minister replies, I just want to come back to this little sermon he delivered as in offended sanctimoniousness with regard to the existence of the pork barrel and the patronage.

It was a little laughable a few years ago when I suddenly discovered that somebody who happened to be a constituent of mine and manufactured pencils wanted to be able to tender on pencils to be sold to the provincial government. He wrote and asked whether I would recommend that he should be able to get on the list to be able to tender.

Now, what utter nonsense, and then for the Minister to get up and say there is not a patronage twist to the arrangement.

I recall an honoured person and an independent physician, but when he was Minister of Highways he wrote to me and said such and such a person has finished a probationary period of six months and we are about to put him on permanent staff—would you recommend him? Well, how in heaven's name could I recommend him? I had seen nothing about his work. Surely the people in the department would know whether he should go on permanent staff and not ask me as though I were the guardian of the patronage train back in the riding. How am I going to give a character reference on somebody I have never seen? He wrote to me and said a constituent of yours is probationary—I mean it runs through the whole thing.

Somebody in my constituency wrote to me one time and said, "I have been trying to get the right to sell hunting licences because a store closed in a certain area." Mr. Chairman, I know this is out of the Minister's department, but just give me 30 seconds if I may to illustrate the basic point I am trying to put forward to the Minister in countering his little sermonette to us tonight.

He wrote to me and said, "I made application, the hunting licence is coming—why can I not get it?" So, I inquired and do you know what I found, Mr. Chairman? His application was sitting in the Minister's basket waiting for clearance from the local Tory association. When he went to—

**An hon. member:** 30 seconds are up.

**Mr. MacDonald:** Fifteen more then.

When he went to somebody in the area Mr. Chairman, they said to him what do you mean you are going to MacDonald, he does not mean anything. Go to Bill Beech, the defeated Tory candidate, he will give the clearance for it. No patronage on that side? Who are you trying to kid?

**Hon. Mr. Randall:** On election day you take the credit for all that is good in the riding.

**Mr. Shulman:** Mr. Chairman, I rise on the point raised by the member for Rainy River and I rise, with some trepidation, because I feel it is at least four years premature for me to be making government pronouncements and announce government policy.

**Mr. G. A. Kerr (Halton West):** At least four years.

**Mr. Shulman:** I would look to the hon. Provincial Treasurer and I am glad he is back in the House because, and I stand to be corrected. I understand this very point has already been settled, that the government has already decided to set up a central printing plant, and not only that, but plans have been made and tenders have been asked for. So, in the light of the Minister's comments, I am somewhat amazed, and perhaps the two Ministers might put their heads together. One of us is obviously wrong and perhaps this time the free enterprise system—

**Hon. J. P. Robarts (Prime Minister):** One of the three of you is obviously wrong.

**Mr. Shulman:** Well perhaps the—

**Mr. MacDonald:** You mean you have not cleared it yet?

**Mr. Shulman:** Perhaps the Prime Minister would be kind enough to elucidate here, but I understand from a member of the government that such plans are well along. If so, perhaps the hon. Minister has not yet been informed.

**Hon. Mr. Welch:** Mr. Chairman, may I simply say to repeat that the Provincial Treasurer, and he can well speak for himself, made an announcement in this House some time in September or rather made an announcement some time in September about the central purchasing authority. At that time, he went on to spell out—

**Mr. Shulman:** That is not what I am talking about.

**Hon. Mr. Welch:** Just let me speak for a minute, Mr. Chairman. The central purchasing authority was to be established and, as I understand, all the money would be under The Department of Public Works; how suppliers will get on the list to make applications and so on, and so on.

As far as our department is concerned, it is not necessary to have any sponsorship to be on the list.

I said just a few minutes ago that anyone can walk in off the street and ask to be placed on the Queen's printer's list. He needs no letter from a member of Parliament and this has been the policy in the—

**Mr. Trotter:** That is what they tell us.

**Hon. Mr. Welch:** Well, any printer who tells you any different just does not understand.

The third thing I want to mention is the fact that as far as equipment is concerned, the member for Parkdale talked about equipment, we are in the process now, through the Queen's printer, of sending out new equipment sheets to bring our records up to date as to the machinery and the types of printing equipment they have now in their offices. There have been some great developments now with offset printing and the like, and we want to know what they have.

We were going to divide this function, but leave part of it in the central purchasing authority, as I understand it, also, a Queen's publisher. The Queen's publisher ultimately will have something to say about the standard of printing and so on as far as our publications are concerned.

But the what the hon. member for High Park may have some reference to and I say is the fact that there is a printing operation in The Department of Public Works and The Department of Public Works does conduct a printing function there.

**Mr. MacDonald:** I have learned about it.

**Hon. Mr. Welch:** Yes. I think recently that the civil service commission has been advertising for some people to work in that particular operation in Public Works. It has nothing to do with the Queen's printer, nothing to do with the Queen's publisher, nothing to do with this vote at all. It is a function of another department, and the member will have ample opportunity to discuss that particular operation with the Minister of Public Works (Mr. Connell).

**Mr. MacDonald:** I think it is undercutting—

**Mr. Chairman:** The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Mr. Chairman, I would just like to comment that some of us new members who were lead into the trap of using the Queen's printer for certain printing jobs do not share the confidence that the Minister has in this system of letting the under-\$1,000 contract out on a rotation basis. I think he should look at that system very closely. It appears that some printers have developed a very lucrative form of business on these small jobs and I would like to just cite two examples.

One was a printing job which was first priced at \$93. On a complaint by the member it was reduced to \$73, and on a second

complaint it was reduced to \$51. When a quotation was received from another private printer to do the job it was priced at \$14.

**Mr. Trotter:** I have seen that happen.

**Mr. Good:** My own printing was first priced to me at \$60. On my first complaint it was reduced to \$42 and unfortunately, I forgot to complain again so I paid the \$42. That was priced by other printers at \$12.

This, I do not consider a method whereby you can have the confidence that you should have in the printing that is being done by the Queen's printer given out on rotation basis.

**Mr. Trotter:** Yes sir.

**Mr. Chairman:** Is vote 1704 carried?

**Mr. Lawlor:** Mr. Chairman—

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** In an overall way under this item, it has gone up \$17,000 in the past year, but I see our old friend, the *Ontario Gazette* has disappeared down the drain. It is not there. It does not appear.

I gather, looking at your estimates, that it is now included in maintenance. I would like the Minister to indicate why he has seen fit to do that?

I have a second point that I want to make, and it is connected with your accounting methods arising out of this item. I would take it that the Queen's printer is an overall creditor to the government departments. As one looks through the public accounts of Ontario the name "Queen's printer" crops up in every department over and over again in various capacities, and it is always money owing to the department. This is the one item which in your department is a debit item to you, and you seem to be responsible for the Queen's printer as a whole.

I would think that some consideration ought to be given as far as accounting is concerned to take this completely out of your hands and assimilate it to the overall operations of the Queen's printer's department, so that we would all know precisely where the Queen's printer stood, either as a debit or a credit side of the ledger in the provincial accounts. I find it extremely difficult to sort that out.

I have one final point, that I want to make under item 2. It appears for the first time in your accountings—travelling expenses. It is a small thing and I will not dwell on it. But

again, for generations, this item, the Queen's printer—has appeared in these estimates without any item whatsoever for travelling expenses. My question must be, has he suddenly gone itinerant, and what has happened to the Queen's printer, is he moving about now?

**Hon. Mr. Welch:** This is the reason for its inclusion at this time in the estimates, that in moving to this new organization to which I made reference, namely the Queen's publisher, we felt that perhaps it would be of some benefit to have a man of this experience travel to some other parts of the country to see how this particular official functions there. So we made some allowance for some travelling in order to help us to share in the experience of other jurisdictions in establishing his new offices, and this was the logical place to include it.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, centralized purchasing was mentioned here by the hon. Minister. Several years ago, we had talked about centralized purchasing in the province of Ontario.

**Hon. C. S. MacNaughton (Provincial Treasurer):** Not in these estimates, Mr. Chairman.

**Mr. Bukator:** Yes, it is a subject that the Minister himself brought up, and I think that it is a good place here to discuss it.

**Mr. Chairman:** Will it be related to the—

**Mr. Bukator:** Yes, I am quite sure. As a matter of a fact, the point that I was trying to make, Mr. Chairman, is in calling for tenders on printing. If you had a centralized purchasing department, all of the printing of the province of Ontario could be done through that department. So we are on printing.

I would like to elaborate a little on that. If that would happen, and you had this province the same as every other province in Canada, because they all have centralized purchasing departments, you would take the pork-barrel tactics that have been talked about—I doubt that they exist—but they are talked about many times in this House, and you would clear the slate on that particular issue, through you, Mr. Chairman, to the Minister. They could call for tenders on all printing, and then allot the work out to the man who tenders on the lesser price. That is what The Department of Highways does. I think that this is a good idea.



Now, on the *Hansard* question, I would like to touch just briefly.

**Mr. Chairman:** All right, may I point out to the member this is in the next vote.

**Mr. Bukator:** Fine, then I will take a few minutes at that time also on this particular issue.

Vote 1704 agreed to.

On vote 1705:

**Mr. Bukator:** Now, am I on the right track?

**Mr. Chairman:** No, in vote 1706.

**Mr. Shulman:** Mr. Chairman, regarding the registrar general's branch, I would like to ask through you, Mr. Chairman, why families are not allowed to find out what their loved ones died off?

**Hon. Mr. Welch:** Mr. Chairman, there are some pretty good humanitarian reasons why we are very careful with respect to the release of this information, and the hon. member will, of course, know this, having served in the position of coroner in this province.

There are some restrictions with respect to the release of that section of the death report only to the immediate family so, therefore, the question is not properly worded in the first place; that is, the immediate family can have this information as I understand it. There are some officials referred to in the Act itself who can have access to this, provided they take the oath of secrecy.

I give you an example of a man who came into the registrar's office not too long ago and wanted to know the cause of his daughter's death. She was a married woman, and the deputy registrar quite properly said, "We cannot release that information to anyone other than her husband".

The truth of the matter is that it would be something that the father, I am sure, would be quite upset about at the time, because of the nature of her death, and our department took the position that this information is personal to the immediate family of the deceased, and no one else except those set out in the Act, and in the regulations thereto, subject to the oath of secrecy.

**Mr. Shulman:** Obviously, I have been misinformed, Mr. Chairman. Am I to understand that the immediate, closest relative may now be given the full death certificate?

**Hon. Mr. Welch:** Not only now, but he always has been able to get the information.

**Mr. Shulman:** Have such instructions been given to the registrar's office on Lombard Street? There certainly has been some confusion in the past.

**Hon. Mr. Welch:** I would have to have the particular situation that you are talking about, but these regulations have not changed. The immediate family is entitled to this information.

**Mr. Shulman:** The reason that I am raising this, Mr. Chairman, is that in my previous position, I received a number of requests from immediate relatives to get copies of death certificates for them as they had had some problem in getting them, but if the Minister assures the House that this is the situation, I certainly shall trouble him no further on this point.

**Hon. Mr. Welch:** I would just like to make reference to this, Mr. Chairman, that it would be an abuse of the hon. member's previous office if he, in fact, obtained that information and gave it to people and, therefore, violated his oath of secrecy.

**Mr. Shulman:** Mr. Chairman, as I understood my previous office it was to fully inform the public and I did my best in that particular job. I do realize that this caused some discomfiture in the opposite benches.

**Mr. Chairman:** Vote 1705, the member for Lakeshore.

**Mr. Lawlor:** I notice that there are some changes in the way that this is set up again; and, by the way, I did not get an answer—I suppose that it is an internal matter—as to why you dropped out of the work of the *Ontario Gazette*, but perhaps you can bring it in at this time, because in data processing you have changed the way in which it is set up.

I do not think that it is any more intelligible or any more logical. I do not know why you make these changes at this time, and in the next vote, we will see the same thing happening only on a greater scale. Under this particular one, what I am interested in is the 1,000 divisional offices of the registrar general's branch throughout the province of Ontario. Where are those divisional registrars? How and where are they located? Are they paid any salary, or not? Do any benefits accrue to them? Why so many, 1000? I understand that they are probably serviced by two inspectors, and I would like to see if that is actually the case.

Going a little further, my next question under this heading would be with respect to your data processing. As I say, you have kept it separately in previous years with respect to salary and maintenance, and now you have just brought it under a single heading. Why is that data processing not all done through a centralizing agency? Why is it separate and distinct, because I understand that your equipment is obsolete, or a good deal of it, and you cannot replace it with the kind of equipment that you previously enjoyed. The IBM people simply do not replace this outmoded stuff, and I am wondering if any consideration has been given in this realm of data processing to a centralizing agency?

I have a final question—I may as well clean this thing up right now. I see no reason, Mr. Chairman, as to why information is supplied free of charge from the statistical section of the registrar general's office to numbers of people. I can see the internal government situation, but you supply it, apparently, to casket manufacturers, development companies, Bell Telephone Company, and any number of other people, and I would think that some levy might be considered in supplying such information about vital statistics to individuals and firms who are not directly connected with your department. I would ask for your comments as to that.

**Hon. Mr. Welch:** I will try to remember all the questions, Mr. Chairman. The reference to the divisional registrars is that, of course, every municipal clerk is *ex officio*, one of our registrars for the purpose of collecting these facts for us, and no payment is made to divisional registrars in the organized municipalities of Ontario. In the unorganized districts, we do designate persons as divisional registrars, and they are paid I think at the rate of 50 cents a registration as the case may be.

The organization of the estimates as presented is a means of simplifying them and not to have them spread out over too many points, and we have grouped some of these things together simply for the sake of convenience. The data processing equipment that we use ties in with the DBS in Ottawa and with the world health organization and so it serves our purposes better to have it this way, rather than at any centre point which may not lend itself to the organization of our material.

Now you made some reference to those who are getting free information from us. I must

admit that I do not know of anyone who would get very much free information.

**Mr. Lawlor:** Page 11 of the office of the registrar general's report for December 31, 1967 gives information on this.

**Hon. Mr. Welch:** Is this not where they get the information; from our annual report?

**Mr. Lawlor:** No—you are telling me?

**Hon. Mr. Welch:** But is that not where they get it? I mean, they would not be going down to the office of the registrar general.

**Mr. Lawlor:** No. It says here, information as supplied to various divisions, Department of Health, casket manufacturers, and so on, and it says free of charge.

**Hon. Mr. Welch:** Well, if you will just leave that with me for a moment I will try and get you some explanation for that before we go on with another question.

**Mr. Chairman:** Vote 1705. The member for Waterloo North.

**Mr. Good:** Mr. Chairman, dealing on this matter of department of vital statistics and information being given out, I believe that there was a change a few years ago under The Coroners Act which affected the giving out of information from a death certificate. Previously funeral directors in the province could give a statement to a family stating that the death of so and so occurred on such and such a date, according to our funeral homes records, and this was accepted by a great many people for changing the will or the changing of beneficiary of a policy.

A few years ago, with the change in the Act, it now makes it unlawful, subject to a fine and imprisonment, to give information to an unauthorized person from a death certificate. This has never been spelled out. Does the Minister have any comments on this, as to exactly who is considered an unauthorized person under the Act?

**Hon. Mr. Welch:** I was attempting to point this out to the hon. member for High Park when I was answering his question. Does your question relate to cause of death only?

**Mr. Good:** Any information.

**Hon. Mr. Welch:** Any information. Well, of course, I was answering his question particularly with respect to cause of death. As far as getting information in connection with births or marriages and other parts of this, we provide this to the applicant himself or some-

body authorized by the applicant to obtain this information. But as far as the cause of death is concerned, particulars that the hon. member for High Park was making reference to, only the immediate family or those provided for by regulation, can have this information, subject to them taking the oath of secrecy.

**Mr. Good:** This, Mr. Chairman, is entirely different, I feel, in that previously if someone wanted to change a beneficiary, say in their own will, and they wanted just to show that the previous one had been deceased, so we would give a letter from the funeral home stating that according to funeral home records, the death occurred on such and such a date, the cause of death was never necessary, all we were doing was establishing it.

Then about two years ago come the department of vital statistics inspectors to say this we cannot do any longer. The family will have to apply to the department of vital statistics for a certified copy. We took it simply that the department wanted the two dollars for our copy and that we were cheating the department of the two dollars by giving the family a letter stating that this is when the death occurred. Now we were threatened with this section in the Act, that the giving of information to an unauthorized person is illegal, and consequently families now have to apply to the department of vital statistics for a certified copy which does not include the cause of death. It includes only the date of the death. I do not think there is any legal process whereby you can get a written cause of death from the department of vital statistics.

**Hon. Mr. Welch:** The family can get the information.

**Mr. Good:** I mean generally an outsider cannot.

**Hon. Mr. Welch:** No, that is quite right.

**Mr. Good:** Well, what is the purpose of not permitting a funeral director to give the date of death on a certified form, saying that according to records this is when the death occurred?

**Hon. Mr. Welch:** I really do not know what the member may be getting at, because I know of many forms which insurance companies use now. A funeral director can complete that and the only information is that in fact they viewed the body and they buried the body on a certain day, and the day of death was such and such. I know of nothing

which would prevent this. It is the other information that I am talking about, and I understand that in many of these insurance forms, the funeral directors are still asked to sign it.

**Mr. Good:** This is quite true, an insurance form, we are allowed to sign according to your department of vital statistics offices. But our own form of statement they say we may not use. This is the part I am questioning. Why?

**Hon. Mr. Welch:** Mr. Chairman, I do not know how much more I can give on this question. If the hon. member is asking me if there is some law in this province that says he cannot write to somebody and say that somebody died on a certain day. Is that what you are asking me?

**Mr. Good:** That is exactly what this section of The Coroners Act says. Yes.

**Mr. Shulman:** Would you like some help?

**Hon. Mr. Welch:** I do not administer The Coroners Act. That is the first thing. I thought you told me that there was something in my Act, The Vital Statistics Act.

**Mr. Good:** It is your people from The Department of Vital Statistics who have been enforcing that.

**Hon. Mr. Welch:** No division registrars, subregistrars, funeral directors or persons employed in the service of Her Majesty shall communicate or allow to be communicated to any person not entitled thereto, any information obtained under this Act, or allow any such person to inspect or to have access to any records containing information obtained under this Act.

That is exactly what I said in answer to the other question. Nothing to stop you communicating to people who are entitled to have the information. I have already mentioned who is entitled to have it. That is the way it reads. That was the confusion in the question.

Vote 1705 agreed to.

On vote 1706:

**Mr. Chairman:** May I get some guidance from the Minister? There are 13 different items here. Should these be treated item by item for your convenience?

**Hon. Mr. Roberts:** Mr. Chairman, after discussion earlier today about some matters



dealing with elections—I do not quite understand what it was—if it would be of any help to the members it will be the intent of the government to introduce a resolution here reappointing the select committee to deal with the whole question of elections. I do not know if this is of any help to you or whether it is not.

Under these votes here I presume we can discuss this, as I read it in any event. If hon. members want to discuss government expenses concerning elections, I suppose they are covered by these votes. I do not suppose any other expenses are, but the resolution the government will introduce will be debated, and I presume if you wish to discuss what the terms of reference of that committee might be, or what matters might be considered suitable for its examination, that could be debated at that time.

I just say this in order to assist you, Mr. Chairman, in your handling of the discussion under these items.

**Mr. Chairman:** In this particular vote, 1706, there is a grouping on page 104 headed "Clerk of the legislative assembly and chief election officer". This is by virtue of the clerk's dual role as the chief election officer. I would think that any of these particular votes for salaries, travel expenses, maintenance, any of those items as they might relate to the chief election officer could be debated, but there is no other money appropriated in these estimates or asked for to do with election expenses. Thereofre, I do not see how we could properly debate anything on elections other than in that particular item.

**Mr. E. Sargeant (Grey-Bruce):** Is this to do with election reform?

**Mr. Chairman:** No, nothing whatsoever. The hon. Prime Minister has suggested to the hon. members that at the time the motion was put, to reactivate, I suppose is the word, the—

**Hon. Mr. Roberts:** Well, there will not be the question of reactivating because, that committee—

**Mr. MacDonald:** You cannot reactivate something that is dead.

**Hon. Mr. Roberts:** There were all kinds of members on the committee; I do not know which ones were dead and which ones were alive. I think there is one of the supporters of that committee who has gone to his reward; I do not know if that is what you are referring to or not.

But in any event, it will not be a reactivation, it will be establishing a new select committee in this Legislature which will have, I would hope, three years in which to do its work before we will need to have another election. I simply point out to the House that this motion will be made that the committee will be established to deal with these matters over the period of the next year or so.

**Mr. MacDonald:** Mr. Chairman, let me make a brief comment. If there is going to be an opportunity to discuss the terms of reference when the committee is appointed, then obviously that may be the time to discuss it. Our scepticism on this side is that if the new committee does as much per year in the three years that it will be active—as was done by the old committee—it will still end up zero.

**An hon. member:** Hear, hear!

**Mr. MacDonald:** Our complaint was that it had plenty of time to have dealt with a lot of the archaic features of The Election Act. The Prime Minister has a sort of cynical smile on his face; half smile.

**Hon. Mr. Roberts:** Good gracious, are you an expert at determining my facial expressions?

**Mr. MacDonald:** It if was not there, it should have been because if there ever was a committee that was set up to do nothing and succeeded in doing nothing, it was that committee. And then the Prime Minister—

**Hon. Mr. Roberts:** I will laugh out loud now.

**Mr. MacDonald:** —the Prime Minister was so kind as to tell us a week after the election that we needed electoral reform. That was really news—that we needed electoral reform the week after the election. But if we are going to have a committee and it has got three years, I would think that even this government would not have the face to set up a committee that would do nothing for three years. Perhaps there is some hope we will get electoral reform before the 1971 election comes in the normal pattern.

**Hon. Mr. Roberts:** All I can say is that I completely disagree with the hon. member.

**Mr. MacDonald:** You mean that there is not going to be a committee to do the work?

Interjections by hon. members.

**Mr. Chairman:** Order, please! Order, please!

There will be no debate or discussion on the matter of election expenses under this department's estimates.

**Mr. Trotter:** Mr. Chairman, could I ask the hon. Premier when this resolution will be introduced? It will not be one of these last moment things in the dying hours of this session where there is—

**Hon. Mr. Roberts:** This is the thing I have never been able to understand—what was more important or less important about the last five minutes than about the first five minutes. It will have to be dealt with, of course, and it will have to be voted on in this House before the House can rise, because the intent will be that the committee will sit in the interim between sessions of this Legislature, if there are to be any such intervals. I am not quite certain about this.

**Mr. Trotter:** Could you tell me when you are going to put it on the order bill?

**Hon. Mr. Roberts:** The point is that it will be called in the normal order of business of this House and the hon. member will have every opportunity to make his undoubtedly very important contributions to the debate.

**Hon. Mr. MacNaughton:** Meanwhile you are not making the rules.

**Mr. Chairman:** I would say that we can take vote 1706 item for item.

**Hon. Mr. Welch:** Mr. Chairman, before we do, I owe the member for Lakeshore just one piece of information on vote 1705. He was worried about some free information getting out to casket manufacturers and I understand that any person can get a copy of what are called our statistical tables, which is the expanded report available in any library. The registrar general's office is very happy to help collate these figures for anyone. It is not as if they were going down there getting free information. They are simply using a public document—a public report to get this information.

**Mr. Chairman:** Vote 1706, item 1—salaries.

**Mr. Sargent:** Do I take it, before you go on this vote, that we cannot talk about the election procedures on election day in this House?

**Mr. Chairman:** That is correct, not on this vote.

**Mr. Sargent:** What vote can we talk about this on?

**Mr. Chairman:** The Prime Minister suggested that the motion to reconstitute the select committee—

**Mr. Sargent:** That is intelligent. That is about how clear they are over there. When can we talk about it?

**Mr. Chairman:** At the time the motion is introduced to set up the select committee on election procedures.

**Mr. Sargent:** There will be debate across the floor then, will there?

**Mr. Chairman:** The motion will be presented.

Vote 1706, item 1.

**Mr. Sargent:** Each item singly or by the 13 items?

**Mr. Chairman:** I believe it is fairly clean cut. We can take it item for item.

Item 1, salaries.

The member for Lakeshore.

**Mr. Lawlor:** At this point, item 1 on salaries, the Minister begins to dazzle us with footwork. If one looks at any of the previous years on the estimates the animal emerges completely different from what it appears today.

I am not really taking too much exception to it because it may be a better way in the future for setting it up, actually. But it is certainly difficult to trace the estimates through from last year to this year due to these changes that you presented us, and not the least in the salaries structure.

The salary structure this year covers, of course, the salary of the sergeant-at-arms, and soon, in one item and goes through all the rest of the items as the sum total of the office of the Speaker, the clerk and the library and the post office. He does that all the way through with respect to the next three items coming down in the estimates here. I think that this point of clarification for anyone dealing with these peculiar estimates in the future ought to be made. Apart from that, I think that the increases seem to be pretty much in line.

Items 1 and 2 agreed to.

On item 3:

**Mr. MacDonald:** What item are you on?

**Mr. Chairman:** Vote 1706, item 3, salaries and travelling expenses.

**Mr. MacDonald:** Mr. Chairman, I have a question.

I thought this year we were going to be putting into the estimates the appropriation given to each party. In fact we had a meeting in which this was the—

Interjections by hon. members.

**Mr. MacDonald:** There is that wolf hound over there.

**Mr. Shulman:** Wait until you see what we give you in 1971.

**Mr. Stokes:** How are the sand dunes in the north?

**Hon. Mr. Welch:** We have it in, Mr. Chairman. If you look at the bottom of page 103, where it says sessional and other requirements; second item, members' services including secretarial and so on, \$439,000.

**Mr. MacDonald:** Oh, I see it.

**Hon. Mr. Welch:** That is the item.

**Mr. Chairman:** I will point out to the members that is item 5.

Items 3 and 4 agreed to.

On item 5:

The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, there are two things that I envy on the other side of the House. One is that they are over there and we happen to be over here. That sends me no end.

The other one is the ability of the men in the government and, of course, particularly the Cabinet members, in—

**Hon. Mr. MacNaughton:** Mr. Chairman, I have said for a long time that the only thing that is better over there is the view.

Interjections by hon. members.

**Mr. Trotter:** Pride goeth before a fall—and you are going to have one.

The one thing that I really envy—particularly the Cabinet Ministers on the other side, Mr. Chairman—is the excellent research facilities they have. I know that the amount of money appropriated to the Opposition parties has been increased in the last number of years. But quite frankly, the amount for research is not nearly enough when one looks

at the complexity of modern government and the manner in which we have to delve into the problems that face the province and, literally, across the country. I had the opportunity to go to the federal-provincial conference in Ottawa.

To bring yourself up-to-date, even though a person may have had a course in constitutional law, there is change going on every day. There are always new books, and even at the best of times a member cannot be right on top of all of the problems. Certainly, if research facilities are available, it makes a tremendous difference in the confidence with which one can approach the various problems with which we have to deal.

**Hon. Mr. MacNaughton:** You are nit picking.

**Mr. Trotter:** I am not nit picking; I do not like nit picking.

**Hon. Mr. MacNaughton:** But most of the time you do.

**Mr. Trotter:** We do not nit pick. Mr. Chairman, when legislation comes into this House—this is what the Opposition were saying two or three years ago and in some cases longer ago than that. When they want their policies for the next two years, they read what we are saying now or what we said last year. All you have to do is to read *Hansard* to know this.

Interjections by hon. members.

**Mr. Trotter:** In fact, there would be a complete vacuum of ideas if they did not read Opposition speeches.

Now, Mr. Chairman, I give all due credit to the civil service. I notice that the Ministers—

Interjections by hon. members.

**Mr. Trotter:** The advantage that a member of the Cabinet has—and the advantage is very obvious—that even when he is a complete blank as far as answering a question is concerned, those notes come forward and they are extremely handy.

Most of us on this side have to do our own research with some help from the office. I know that there is a small staff there, but if you take into consideration the number of members here—and not only the number of members in Opposition, but literally the complexity of the problems—they do demand a tremendous amount of background. And when I say background, I do not mean just



the background talk by private members, but the background for doing some real thinking about the hundreds of millions of dollars that we are spending here in the province. We on this side of the House try to make our contribution which I am sure that members, including the private members on the other side, attempt to do.

I would like to see the Prime Minister and the leaders of the Opposition parties get together and try to map out a more detailed and itemized use of research facilities. I know that on occasion the Prime Minister of this province has said that the civil service is at our disposal and that we could just phone them up and ask our questions. Well, to a point this is true. But in all fairness, I find that the civil servants are always loyal to the Ministers, and so they should be. But if we are prodding to find something wrong with the government—and sometimes you do not have to do much prodding to find something wrong—you still have to back your arguments in detail and this does take work.

The civil servants, any that I have known, will not reveal any weaknesses either in their Minister or in the government. In this, they are entirely right. So it is not correct to say that the civil service is at the disposal of those of us who are in the opposing parties.

I think that a complete new look should be taken of how we conduct research, and I would make as a recommendation or suggestion the way it is done in the state of California, or to a lesser extent, in the federal government of the United States in Washington, where the Opposition parties do have research staffs at their disposal and it seems to work. I cannot pretend to have a detailed knowledge of the California setup which I believe is used in some of the other states as well, but I use California because I have seen some of their operations, and their standards and their points of view are, in many ways, similar to the province of Ontario.

So when we are considering revising the rules and procedures of this House, Mr. Chairman, I suggest that at the same time we give very serious consideration to the research facilities in the way of space and staff that are available to the Opposition parties. I feel that this is most necessary.

**Hon. A. F. Lawrence** (Minister of Mines): It is loaded in your favour now!

**Mr. Trotter:** I hear the hon. Minister of Mines saying that it is loaded in our favour. After all, your Cabinet Ministers do most of your talking and they certainly have staffs that are available and they have hundreds of civil servants at their beck and call. To say that it is loaded in our favour is utterly ridiculous. The Minister of Mines must be making a political speech. Otherwise, he has no grasp of the situation whatsoever.

I emphasize the importance of this to good government, because it is a necessity, I believe, in order to analyze policies as they come before this Legislature in this modern day and age, and I hope that we revamp the way that we do things.

**Mr. Chairman:** The member for York South:

**Mr. MacDonald:** Mr. Chairman, I am sorry that the Provincial Treasurer has left. I think that he would be a little careful in casting aspersions on the research that is done by the Opposition after some of his weekend speeches, because I doubt if I ever heard of more cockeyed research on some of his calculations on the cost of medicare and the taxation thereof that was presented to confuse the public this weekend. However, since he has gone, we will let that matter rest.

Mr. Chairman, there is only one point I want to make in this annual discussion on the appropriations that are made available to Opposition parties. I would agree that Opposition is much better now than it has ever been before. The only *caveat* that I put into it, is that there is a tendency on the government side to say that the generosity of the government in providing these appropriations for the Opposition has created a balance between the government and the Opposition. This, of course, is nonsense, because the—

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, there is an appropriate retort, but I will be kind and not give it.

The point that I want to make is that the appropriation which is made available for the Opposition parties is also made available to the government backbenchers—

Interjections by hon. members.

**Mr. MacDonald:** It is being done on a formula basis and the formula does as much

for the government backbenchers in accordance with their numbers—

**An hon. member:** It does not!

**Mr. MacDonald:** Mr. Chairman, it does. All I am saying is that the imbalance is still there, and I do not want to appear ungenerous and ungrateful. On the other hand, I do not want you to get the idea that we are overwhelmed with your generosity because quite frankly this the kind of way by which you make a Legislature effective. You have access to the civil service and you have money now made available for the government backbenchers. I am not objecting to it, and I agree that the facilities are available to everybody, but particularly the government backbenchers.

We agree that some progress has been made, but do not begin to suggest to the world that because you have made some money available to the Opposition that you have corrected the imbalance. You have only taken it up on to a higher plateau.

**Hon. Mr. Roberts:** Mr. Chairman, I would like to speak to this if I might just for a moment. I do not think that there has ever been any attempt made to reproduce for the Opposition what the government had in the form of research or staff, because after all, we are burdened, or saddled or proud to have the responsibility of the government. That is what happens when you win an election. You have to administer and accept the responsibility of running the government.

**Mr. Stokes:** Along with the amenities.

**Hon. Mr. Roberts:** What we have attempted to do really is to recognize the increasing burden the private member has, and we have done this by some agreement, I would never say that the formula was perfect. On the other hand, it has been a formula that has not been imposed arbitrarily by the government, but has been worked out in concert with the two other parties.

Now, if it is not sufficient, of course there is always another year, that is as there has been in the past. We started some years ago to rectify the situation, and certainly we have come a long way.

What we have done is to provide the private member with facilities. Let me put it this way, I think that the burden of work carried by the private member in this House has probably increased four or five times in the last six to eight years. This would be my own personal observation, both in the hours and weeks of sitting, and in the volume of

work that one is called to do on behalf of the people one represents in your constituency. We have tried to recognize this. All I would say to you is this, that these figures as they are here, and the formula we evolved, was worked out in co-operation with the three parties.

No doubt we will go back at it again when we see how this does work out. Also, I think that you will find when we get to the estimates of The Department of Public Works you might be interested in some of the plans the government is evolving to provide more space. We are aware that the present office space for the private member is inadequate. There is not any point in my going back and telling you that when I came into this House there were four offices for the entire group of government members. I used my seat in this Legislature as an office, but that does not matter because in those days, perhaps the burden of work was not as great as it is now, but we do hope to provide as the years go by, more space here as the phases develop in the complex we are building.

There will be more space made available in this building, all designed to permit the private member to represent his constituency and the people who live in it more efficiently than he is able to do today.

I would think that any member who has been here for any length of time could check his own mail, and find out what the increase in weight, for instance, of nothing other than answering letters because, through the increase of communication, I think our people are much more interested in the governmental function than they were in previous years. You are hearing from people you did not used to hear from who want to know the why of this, that and the other thing that affects them personally or, perhaps, general questions of why the government does what it does.

All this takes time, it takes facilities if it is to be answered, but in reference to this vote here, item 5, I would simply say to you that this is not frozen at this amount, and on the other hand, by agreement, we came to the conclusion that this was a reasonable increase, in any event for this year. Let us see how it works, and if we need to make adjustments in it, I can assure you that, within reason, the government will be quite prepared to consider it.

**Mr. MacDonald:** Mr. Chairman, I do not want to be argumentative, but there is just one point that I would like to mention. The Prime Minister states that the government, by being

the government, has a great deal of research to do, and there is—

**Hon. Mr. Roberts:** It is not that too much. It is done to make—

**Mr. MacDonald:** —a lot of resources, in terms of personnel and money. My complaint on that level is, on the one hand, we do not have the same access to the civil service generally, for reasons that the hon. member for Parkdale has indicated. There are certain bounds beyond which a civil servant cannot go in terms of co-operation with an Opposition member, or he is going to get into trouble, and one recognizes that, but where I do complain is that when research work is done, so often this government takes refuge in its being private research or interdepartmental research.

Without going into the detail again, the classic example is the study that was done in The Department of Transport on the continuing examination of the work that was done by the select committee that the Prime Minister himself was chairman of, highway revenues. And we have never been able to get that report on the entirely fatuous argument that this was an interdepartmental study.

It was a study that has been circulated to Washington, portions of it have been published in the *Globe and Mail*, and the afternoon papers, and yet we in the Opposition cannot get it. Now, I would say to the Prime Minister that he is dead right, the government should do research work, but not just research work for the government—research work for the Legislature.

If the public's money is spent on producing research work, then that research work should become available to every member in this Legislature, so that they can judge the validity of the policy conclusions that the government comes to. We have an uneven game once again to play, and it is this that I protest, not the original research work that is done.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Chairman, I have found that many times the Prime Minister is a fair man, and—

**Hon. Mr. Roberts:** It is that I worry about.

**Mr. Sargent:** —he allows full debate in this House which we are grateful for—and about which we would raise the roof if we did not

get anyway—but it is going to prolong the sessions. I want to tell you that I have had nine people in my office in Owen Sound today and I rushed at 6:30 to get down here for this session.

All day yesterday I had people in my office and this goes on day after day after day. And to ask us, as executives of the people that we are supposed to be, representing 60,000 people in our ridings, to ask us to come down to this place and sit at a desk about three and one half feet wide, by 10 or 12 square feet per member to do an awful load of correspondence with no place to do dictation, I think is scandalous. The Prime Minister seems to forget, Mr. Chairman—

**Mr. L. M. Reilly (Eglinton):** Mr. Chairman, on a point of order.

**Mr. Chairman:** Yes, the member is out of order.

**Mr. Reilly:** Yes, I was going to say to the hon. member that I entirely agree with his remarks, but we should discuss this item under The Department of Public Works.

**Mr. Chairman:** This is quite right. Members' accommodation will come up under The Department of Public Works for discussion. This item is for members' services.

**Mr. Sargent:** Members' services including research, office equipment and supplies, maintenance, postage, printing, and so on. The Prime Minister seems to forget that he might have been an ordinary person one day; that for the remarks that he made the other day in this House to the member for Fort William (Mr. Jessiman), I think he should hang his head in shame.

**Mr. Chairman:** That is not under item 5. Item 5, members' services.

**Mr. Sargent:** And he expects us to come down and run a business for the people.

**Hon. Mr. McKeough:** Order! Out of order!

**Mr. Sargent:** I am talking about research—

**Mr. Chairman:** Item 5 is quite specific—

**Mr. Sargent:** Most times, Mr. Chairman, we come into office to do dictation, we have to make an appointment two days hence to get a girl to give dictation to. We have not got the girls. In the United States, I understand, each member is given an allowance to conduct an office at home. I do not know what the amenities are in Quebec, Mr. Chairman, but on top of the fact they receive



\$18,000, I imagine that they get other advantages such as—

**Mr. Chairman:** Item 6?

**Mr. Sargent:** —a decent office in which to work, I have seen some of the offices.

**Mr. Chairman:** Order! The matter of office accommodation does not come under this particular estimate, it comes under the Public Works.

**Mr. Sargent:** The Prime Minister comes into the House and, at this vote, he gets very sympathetic to us. He says that he, too, thinks there should be something done about it, and we would like to test him and give us a time when he could do something about it, because we get fed up with all this jazz, at the time that the vote is on, when he gets very indulgent and sympathetic.

**Hon. Mr. Robarts:** Speak to your leader.

**Mr. Sargent:** I am asking you, I am not going to speak to my leader, you can tell me why. Why can you not tell me? You are getting paid pretty handsomely to answer questions here.

**Hon. Mr. Robarts:** That is your opinion.

**Mr. Sargent:** I would like to talk more about this on the next vote, Mr. Chairman. I will sit down now.

**Mr. Chairman:** Item 5? The member for High Park.

**Mr. J. H. White (London South):** Under item 5, sir, as you know, the Progressive Conservative Party of Ontario has headquarters on Carlton Street, in which there are nine or ten employees paid by the party itself. Now I am wondering if it is appropriate, Mr. Chairman, for the NDP—

**Mr. Chairman:** Order!

**Mr. White:** I am wondering it is appropriate—

**Mr. Chairman:** Order, please. I want to ask the member for London South if he did rise.

**Mr. White:** I will rephrase the question.

**Mr. Chairman:** Is the member on a point of order?

**Mr. White:** No, I am—

**Mr. Chairman:** He is out of order and I ask him to resume his seat.

The member for High Park.

**Mr. Shulman:** Mr. Chairman, I believe I have the floor.

**Mr. Chairman:** I recognize the member for High Park. He was on his feet first.

**Mr. Shulman:** Thank you, Mr. Chairman.

Under item 5—

**Hon. Mr. MacNaughton:** The hon. member for London South will be on his feet last—

**Mr. MacDonald:** Is that right?

**Mr. Shulman:** Secretarial research. I would just like through you, sir, to direct to the attention of the Prime Minister, the very heavy duties that are now falling on the private members here, I am sure on both sides of this House. And what is absolutely essential is a secretary for every member.

**Mr. W. Hodgson (York North):** Some of us have to look after all Ontario.

**Mr. Shulman:** Yes, and some of us have to look after all Ontario because it has been neglected by the large numbers of members to my left. I have one member here—

Interjections by hon. members.

**Mr. Chairman:** We are on item 5. Will the member for High Park say what he would like to say about item 5?

**Mr. Shulman:** Yes, if you could keep order, sir, I would be glad to say it.

I am discussing the need for secretarial services. Now to allow one secretary for every five members, as is the situation at the present time, is absolutely ridiculous. It is impossible, it is impractical, to expect a girl, in an hour and a half a day, to be able to do the work of a member. It just does not recognize the need of a member who is doing his job.

**Hon. Mr. McKeough:** Yes, I would resign.

**Mr. Shulman:** Mr. Chairman, there is a much simpler way than resigning. We will replace the government. But at the moment and before we get around to that, Mr. Chairman—

**Mr. Chairman:** Order! Order!

**Mr. Shulman:** I would like to appeal to the Prime Minister to, at least in next year's estimates, recognize the need for one secretary for every member, because if a man is going to do his work properly here there is enough work to keep at least one girl going.

I happen to have perhaps more work than the average member but I find that it takes at least two secretaries to handle just the—

**Mr. Chairman:** Order, please!

**Mr. Shulman:** I find it takes at least two girls just to handle the dictation. May I suggest for the less busy members on the Conservative side they should have at least one secretary.

**Mr. Chairman:** Item 5—members' services.

The member for York Centre had the floor before.

**Mr. Deacon:** Mr. Chairman, the function of members of this—

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. Deacon:** The function of members of this assembly is quite different from that of directors of corporations because the affairs of the province are open. In a discussion these affairs are open to the public and our responsibilities are rather different from those we find in normal business.

But one of the comments that one hears in business is the lack of good, sound presentation of facts which will help protect us against what people continue to refer to as the increasing bureaucracy of our country. So much of the dollar we spend is going to government and we, as members of this Legislature, have a very important function in trying to assess from an independent point of view, the efficient use of our taxpayer dollars.

I am therefore very pleased to see the move by the government to increase the amount of the allowance that is being paid so that we can do research. Also that steps are being taken to gradually provide more accommodation for us. Perhaps we can get away from our so-called nit picking that has been our reputation in the past by having available to us good, independent research facilities; independent of government civil service where necessary, so that we can provide the people we represent in this province with the best form of comment and criticism and constructive views as to how our government should be run.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. Bukator:** Mr. Chairman, I can be accused of many things but not of boasting in this House.

I often have letters to do. We are talking about secretarial work and I realize, too, as I came here a few years ago, that things are much better now than they were at that time. I think the government—

**An hon. member:** Still too many Tories.

**Another hon. member:** We are still fighting to get in.

**Mr. Bukator:** Yes, I think the government is trying to assist us with secretarial staff to do our work properly. I know I speak more for the backbenchers of the government than I do for our people, but I understand that their accommodations are even worse than ours.

**An hon. member:** That is not true, not true.

**Mr. Bukator:** If that is not true, then let us say it is as good—it still is not good enough. I often—

Interjection by an hon. member.

**Mr. Bukator:** I have a lot of time; I am in not in a hurry. I often write my letters, believe it or not, Mr. Chairman, in longhand, and send them to my office in Niagara Falls. They are typed there, sent back to me and we pay postage naturally, coming in; then I sign the letters and send them out about 48 hours later. That is quite a good service, too.

But to sit in an office where there are seven or eight desks and each individual has his work—who is trying to do his bit of work and who is on the telephone trying to make an impression on some Minister of the government or some department of government when two or three of our members walk in, with their laugh and a joke and a bit of humour—you are not making your point, I find. Because many times they wonder at the other end what is taking place and how many are listening in on the conversation.

In Ottawa—yes, I was there and I find that they have one secretary to two members. That would suffice. I do not want one each; I think I could manage with a girl for four hours in a day without too much trouble in getting my work out. I take this particular envelope home with me with all this work in it. I get some done two hours Friday afternoon, then Monday morning I try to get some off of my desk.

But try to accomplish something here, Mr. Chairman, it is just impossible. I know I

speaking for many members on both sides of the House. When and if I am sure that the Prime Minister feels that we ought to have better accommodations, and I hope when Public Works bring their estimates before us that they will tell us in another session we will be able to at least meet our obligations as far as our correspondence is concerned.

I do not say this, as I said at the very beginning, boastfully but I pay the girl in my office to do my work more money than the government pays me here in wages and I do not complain. I took the job when we, here in this House, were paid much less and once a year. We do render a service to the public. This kind of work I enjoy.

I do believe we ought to have just a little better accommodations to accommodate our people in the way they ought to be accommodated. We owe this to the constituents that we represent. I find myself in the position where it is most difficult—yes I do walk to my desk once in a while to concentrate on the matters that one has to deal with. If we get busy in here and group of school children come in with their guide—and they are entitled to that—then I will walk into another room.

But is that not a peculiar way to have to administer the affairs of this province? I find it most difficult to be able to concentrate.

I want to repeat again, I write my letters that I think are important to my people in my riding in longhand, send them to Niagara Falls, have them sent back to me printed; I often have that a day later than I ought to have, but at least a day later is better than not at all.

Many times I have walked into our secretarial staff and they are fine ladies, doing an excellent job I find that their desks are so full—mind you they want to accommodate and do, but it is just impossible to get work done the way it ought to be in this day and age. I say to you, Mr. Chairman, and through you to this House, that it is about time—it has been improved, yes, but it is nowhere near what it ought to be.

**Mr. Chairman:** The member for London South.

**Mr. White:** Mr. Chairman, I should like the Minister to give us the benefit of his opinion about the situation that exists concerning the NDP group. As you may know, sir, the Progressive Conservative Party has head-

quarters on Carleton Street with eight or ten employees, all of whom are paid by the party. Whereas the NDP has its provincial headquarters upstairs here with their employees—

**Mr. MacDonald:** Mr. Chairman, on a point of order—

**Mr. White:** No, no, not on a point of order.

**Mr. MacDonald:** On a point of order.

**Mr. Chairman:** Point of order! Will you please state your point of order.

**Mr. MacDonald:** Mr. Chairman, there is no employee of the provincial office upstairs here, and I ask the hon. member to withdraw that.

**Mr. White:** I am well aware, Mr. Chairman, that there is a make-believe office at 11½ Spadina Road shared with the planned parenthood association.

**Mr. MacDonald:** On a point of order, Mr. Chairman. This is the mischief, the kind of conduct that is carried on in this House, and the hon. member sits there and smiles as though he is playing games. Now I suggest to you this is out of order. If he is going to make completely erroneous statements, I am going to continue to rise and call to your attention that they are in error.

**Mr. Chairman:** May I say that the—

**Mr. White:** Mr. Chairman, it is my—

**Mr. Chairman:** Order, please! Order, please! Speaking to the point of order, it seems to me that the comments of the member for London South have nothing whatever to do with item 5. I do not believe the comments of the member for London South have any bearing on item 5 in this vote.

**Mr. White:** I will rephrase the question then. Would the Minister please tell the House what proportion of this \$439,000 is paid to the NDP?

Interjections by hon. members.

**Mr. Chairman:** Order please!

**Hon. Mr. Welch:** The answer to the question of the member for London South is \$86,000.

**Mr. White:** Mr. Chairman, is it appropriate that a substantial proportion of \$86,000, provided by the taxpayers of Ontario be used to run the NDP of Ontario.

Some hon. members: Shame, shame!



**Mr. White:** Yes, that is the situation.

**Mr. MacDonald:** On a point or order, I rise to say that that statement is completely erroneous.

**Mr. White:** I think it is a very valid question on this vote. The taxpayers of Ontario are providing a very substantial sum of money to the NDP and a large proportion of that sum of money is used to run the NDP of Ontario because there is no other office worthy of the name for the NDP of Ontario except for the little make believe upstairs walk-in.

**Mr. MacDonald:** Mr. Chairman, that is a completely out of order observation, completely out of order. As a matter of fact, that innocent little office that he derives was the election central of a campaign that took 8 per cent of the vote.

**An hon. member:** 8 per cent—there was 15 per cent.

**Mr. MacDonald:** I am talking about 11½ Spadina. Eleven and a half Spadina was the central that took 7 or 8 per cent of the popular vote from that side of the House, along with two or three from here.

**Mr. White:** To conclude my questioning, Mr. Chairman, when we have resolved the very troublesome matter about the difficult position of the members for Beaches-Woodbine (Mr. Brown) and Scarborough West (Mr. Lewis), perhaps there should be a thorough investigation into the use to which these moneys are being put by the socialists of Ontario. I have the impression, Mr. Chairman, that the taxpayers of Ontario would be offended if they knew tens of thousands of dollars of their money were being used to subsidize the socialists in this province.

**Mr. MacDonald:** Perhaps at the same point the hon. member can get the Prime Minister of this province to tell us the deal on Melcher. And how, Mr. Chairman, after every election this government authorizes an increase in the distilleries payments to compensate for what they got before the election.

**Mr. Chairman:** Order! Order!

**Mr. MacDonald:** My question to the Minister, Mr. Chairman, is how much goes to the Conservatives and how much to the Liberals now that we have the NDP figure?

**Hon. Mr. MacNaughton:** Now, Mr. Chairman, on the same point or order, from a very, very quick calculation here, the percentage incidentally allocated to the NDP of the total amount voted is 20 per cent which is in excess of their representation in this House.

**Mr. MacDonald:** Well in excess of it.

**Hon. Mr. MacNaughton:** Would you let me finish?

**Mr. MacDonald:** Okay.

**Hon. Mr. MacNaughton:** The allocation to the official Opposition is 27 per cent of the total, which leaves 53 per cent for the government, and if there is any faith in facts or figures the government has been very generous in this respect.

**Mr. Shulman:** On a point of order, Mr. Chairman. My point or order is that I am sure the hon. Provincial Treasurer would not like to mislead the House and I am quite sure that—

**Mr. Chairman:** Order please! Order!

**Hon. Mr. McKeough:** There is no point of order.

**Mr. Shulman:** That inasmuch as the hon. Provincial Treasurer is responsible for the mathematics and the money to be raised here, I wish to inform him that the figure is not 20 per cent, it is 19 per cent and I find it rather disturbing that the hon. Provincial Treasurer cannot divide.

**Hon. Mr. Robarts:** Let us get on with the business.

**Hon. Mr. MacNaughton:** I simply want to pursue this a little, and I say to the hon. member that if he will round this figure out he will find in terms of round figures that it is 20 per cent, and will round it out for the official Opposition it is 27 per cent, that is 47 per cent of the total, and I say in terms of this particular allocation for research by the caucuses of the three parties, you have the long end of the stick.

**Mr. Trotter:** That is a ridiculous comparison.

**Hon. Mr. MacNaughton:** It is not a ridiculous comparison.

**Mr. Trotter:** You have the entire civil service to pay and the Cabinet. I mean this is a stupid comparison.

**Mr. Chairman:** Order! Order! The member for Parkdale has no point or order, he is expressing an opinion.

**Mr. White:** I have not had an answer to the very simple question. Is it appropriate that public funds be used to run the head office of the NDP of Ontario? That is the question, and that is a fact.

Interjections by hon. members.

**Mr. Chairman:** Order! Your remarks are irrelevant to item 5 of vote 1706. Is item 5 agreed to?

**Mr. MacDonald:** I asked a question of the Minister and he has been so interrupted by his colleagues that he could not reply to it.

**Hon. Mr. Welch:** The NDP was \$86,000; the official Opposition was \$118,000; the government members calculated \$204,000, I think it is.

**Mr. MacDonald:** In other words, I draw to your attention, Mr. Chairman, that the government though it got only 42 per cent of the vote is getting as much—

Interjections by hon. members.

**Mr. Chairman:** I think the question has been answered.

**Mr. MacDonald:** I agree. Just a minute now. The government is getting as much as the Opposition, give or take a thousand or two dollars, and therefore my earlier point is wholly substantiated, that the imbalance that I was referring to before has not been altered at all.

**Mr. White:** When are you going to stop running your party on public moneys, that is what we want to know?

**Mr. MacDonald:** We are not running the party out of public moneys. You stop running your elections out of the distilleries money which is taken out of the purse of the people.

**Mr. Stokes:** Prove it.

**Mr. Chairman:** Order! Order!

**Mr. Stokes:** Put up or shut up.

**Mr. Chairman:** Order! Order! I think there has been quite sufficient discussion on this phase of item 5 and I rule further discussion out of order.

Item 5 agreed to.

On item 6:

**Mr. Trotter:** Mr. Chairman, I would like to ask the hon. Minister a question on item 6. Possibly the hon. Premier would want to answer it, but the other day the hon. member for Port Arthur gave a very interesting speech on the importance of members having the wherewithal, the necessary funds, in order to return to their homes, particularly those who have come to Toronto from a distance like the member for Port Arthur. As the hon. Minister knows, Mr. Chairman, approximately \$2,400 or \$2,500 of our pay is held back until March 31, of each fiscal year, it amounts to approximately \$200 a month. I would like to know from the hon. Minister if there is any hope in the immediate future of this \$200 a month that is being held back, if it can be advanced, particularly to the members who live outside Metropolitan Toronto.

**Hon. Mr. Welch:** I think that in answer to the question, particularly where the member for Port Arthur raised the point as a matter of personal privilege some days ago in the House, the Prime Minister mentioned the fact that there had been some preliminary discussion with the leaders of the parties on this particular subject. Although I am not sure of the outcome of those deliberations at the moment, I think that it is fair to say that this matter is being considered, both with the adequacy of the travel allowance and the methods by which it may be drawn, I am talking about the travel portion of the matter. I think if it could be left as a matter for further negotiations between the three leaders, I am hopeful that some solution could be found.

**Mr. N. Whitney (Prince Edward-Lennox):** Mr. Chairman, I would suggest that if there is going to be any bonus, it should be for the Toronto members because that is the department from which we get the poorest attendance. I think they should be given something like \$50 a day extra for attending, or something of that kind.

**Mr. Chairman:** Shall item 6 carry?

**Mr. Sargent:** Mr. Chairman, on item 6, on indemnities, I would like to ask the Provincial Treasurer, talking about parity a lot these days, what are his views on paying the members of this House the same as Quebec?

**Hon. Mr. MacNaughton:** Mr. Chairman, I hardly think that is an appropriate thing

for me to comment upon. These things are usually resolved by the Legislature rather than any party, I think. I hope that we can deal with it another time.

Items 6 and 7 agreed to.

On Item 8:

**Mr. Trotter:** On item 8, Mr. Chairman, I wonder if the Minister could tell me why can we not have *Hansard* printed at the same speed that they do in Ottawa? Our *Hansard* comes in sometimes three days at time, then for a while there will be none, and then it will all come in at a rush. In Ottawa, as the hon. member for York South said, what is done on the Monday is ready at 9:30 on Tuesday morning. Why can we not do it here?

**Hon. Mr. Welch:** Well, Mr. Chairman, I think that is a fair question. It is my understanding that a number of committees are now functioning under the direction of the Speaker, and that there is a subcommittee considering this very matter. The member for Dovercourt, and the member for Lakeshore are, in fact, on that committee, if my memory serves me correctly, in order to ascertain what the problem is. I think that these, along with a number of the legislative services, are receiving the attention of the special committees under Mr. Speaker.

**Mr. Sargent:** As far as *Hansard* is concerned, how many do you mail?

**Hon. Mr. Welch:** We have at the moment about 422 subscriptions. There are a number that are marked for the Legislature. About 2,500 I think is the run, Mr. Chairman. I think that we have something less than 500 subscriptions and the others are sent to the libraries, and to schools and so on, in accordance with the resolution which is passed at the opening of each session.

**Mr. Sargent:** You are talking then over the whole session, possibly half a million mailings of *Hansard*? Is it 2,500 a day?

**Hon. Mr. Welch:** No, that is the number of *Hansards* printed each day, 2,500. They are not all mailed. I would think there are about 500 or so that are mailed.

**Mr. Sargent:** The point was that the federal *Hansard* is mailed directly without any envelopes. It would be a great saving in your mailing alone just to leave out the envelope and put *Hansard* through the mail with an address.

**Hon. Mr. Welch:** I must admit that I did not know that they were put out in envelopes. I will check into that.

**Mr. Chairman:** Item 8.

**Mr. Bukator:** Mr. Chairman, I wanted to touch on this *Hansard* bit also. I have before me the book in which the page boys put the *Hansards*, and I find that we have Thursday afternoon May 9. Now, we had sessions on Thursday evening and Friday morning. This being Monday, three or four days have passed and we do not have them in our book.

I am sure that with very little effort it could be done just a little better than that. This is much too slow. There are some of us that would like to have those *Hansards* to look at the debates and make our appraisal of them even over the week-end. But to have to wait from Thursday evening to this day is just unbelievable in this day and age when things can be done so fast.

**Mr. Sargent:** Mr. Chairman, further to *Hansard*. The point is that there are seven million people and possibly one million homes or more; they are the people who pay the freight for what goes on in this House. I firmly believe that if the people of Ontario knew what went on here via *Hansard* then there would be a great change in who sits over there. We mail directors' reports on companies to the directors of the company. The taxpayers of Ontario are the directors of this great spending spree that we are on now. Shareholders rather, that is better.

If a party had the wisdom to mail each home a copy of *Hansard* even only one a week during the sessions, it would be a great lesson in democracy to let the people really know what goes on here, because they have not got a clue.

**Mr. Chairman:** Item 8?

**Mr. Sargent:** I would like the Minister to comment on this. Why could we not mail *Hansard* to every home in Ontario? What is wrong with that?

**Hon. Mr. Welch:** The obvious answer to that is the cost. I would not have any idea what the figure would be, but it would be—

**Mr. Sargent:** I can tell the Minister that he could cut down on the black limousines given to the brass over there. That would pay for *Hansard* being mailed to every home



in the province. Do away with the Cabinet Ministers' cars, this would pay for the mailing of *Hansard*.

**Mr. Chairman:** I do not think that this is relevant.

**Mr. Sargent:** I think that it is very relevant.

**Mr. Chairman:** I think that the member has made his point, and I would like to call for item 8.

Items 8 to 11, inclusive, agreed to.

On item 12:

**Mr. Sargent:** What is the real purpose in here? What is the art? This figure of \$80,000.

**Hon. Mr. Welch:** This is to provide for a portrait at the end of each Parliament of the Speaker.

**Mr. Sargent:** This is a portrait—

**Hon. Mr. Welch:** Well, no, there is other work which is done in connection with the Speaker's office, and we hang a Speaker's portrait each Parliament.

Item 12 agreed to.

On item 13:

**Mr. Lawlor:** Mr. Chairman, to wind up the area as far as I am concerned, I come to postage. If the Chairman will notice, there is nothing about the library in the items as we come through them yet, nor about the Clerk as such.

So far as the library is concerned, I simply want to make this remark, that as a new member of the House, I always use in going into libraries, a single touchstone. Has or has not a library not got the "Nonsense Rhymes" of Edward Lear? I have come to the conclusion that any library which has "The Dong with the Luminous Nose," is a good library. Our library has, and with that in mind, I think that the increase is not sufficient, the moneys voted for this purpose, in the acquirement of new books.

The second point that I want to mention is with respect to the Clerk. He has some custodial role, along with the Speaker, of this House, over the rules of the House. I shall simply say that we have been promised today, during the day, and during the last couple of days, numerous committees to look forward to, such as the electoral committee.

It is high time that this Legislature got down to it and set up a committee to review the rules of this House. They are completely antiquated and new members are struck with the inability of this House to conduct itself properly due to the archaism of your rules.

The last thing I want to say, and I want to leave the Minister with a parting shot on a pleasant note, is that his post office department has substantially reduced the amount of its expenditures, as far as I can see on the record, about a quarter of a million dollars. In this particular case I would like to know how that was managed.

**Hon. Mr. Welch:** I hate to disturb the very pleasant note as far as economy is concerned, but we budgeted this year I think for about eight months of the fiscal year for the operation of the post office under this department. In the changeover, with central purchasing and in the assignment of some of these duties to Public Works, the post office will come within the purview or responsibility of The Department of Public Works. In their budget you will find some allocation for the remaining four months of the fiscal year. So this is really an eight-month figure.

**Mr. Lawlor:** The Minister cannot take credit then?

**Hon. Mr. Welch:** I am sorry, I cannot take credit for the economy.

**Mr. Sargent:** Mr. Chairman, when do we discuss the conduct of the office of the Speaker?

**Mr. Chairman:** That item has already been carried, it was item 12.

Item 13 agreed to.

This concludes the estimates of The Department of the Provincial Secretary.

#### ESTIMATES, DEPARTMENT OF TOURISM AND INFORMATION

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Chairman, since I last rose in this House to present the estimates of The Department of Tourism and Information, some rather startling changes have taken place in the travel industry in our province, and, indeed, in this country as a whole. These were, of course, brought about by Expo 67 and Canada's centennial year celebrations generally. I would like to take a few moments to give my views on these developments before launching into the

details of the projected 1968-69 expenditures of my department.

The Dominion bureau of statistics now has reported to us that last year Canada's foreign earnings from tourism exceeded the \$1 billion mark for the first time in our history.

In fact, the returns from foreign travel, which can be classed as export earnings just as if we were marketing Canadian-produced goods abroad, reached an unprecedented level of \$1.3 billion, thereby making a significant dent in Canada's overall balance-of-payments deficit.

Coupled with this, Mr. Chairman, is a definite change in attitude on the part of Canadians towards the travel business as an industry. Canadians are at last becoming aware of the fact that the so-called tourist plant need exhibit no smokestacks, no factory gates, no production lines, in order to have a decided impact on our economic vitality and contribute to the earning power of all of us.

Our foreign travel earnings in Ontario during 1967 can justifiably be estimated at up to \$600 million, an increase of more than one-third over the previous year. While we naturally attribute much of this to the special functions of 1967, nevertheless we do not anticipate a major decline in 1968.

Even though we may be inclined to think of 1968 as a more "normal" year when compared to 1967, a number of factors tending to work in our favour should help us maintain substantially the same level of travel earnings as we enjoyed last year.

First of all, Mr. Chairman, there is an overwhelming residue of good publicity and favourable awareness of Canada left over from the centennial year. This is evident primarily of course, in the United States, upon which we rely for the lion's share of our foreign travel earnings. Second, there have been a number of moves undertaken by the United States administration to restrict travel by Americans to the western hemisphere and to attract Britons and Europeans to the United States. This means, on one hand, that Americans are more likely to travel within North America this year, and on the other that visitors from abroad may be entering Canada from the United States in greater numbers than ever before.

Third, Mr. Chairman, I expect that in 1968 thousands of Americans who are unsettled by urban unrest in the United States will visit Ontario to combine their vacations with a business like look at Ontario as a possible

new home. They will travel here primarily to give us the once-over.

Finally, and perhaps most important, there are the expanded advertising and publicity programmes being undertaken by my department. This year I am asking the members of this House to vote \$10,875,000 to carry out the various programmes of The Department of Tourism and Information, representing an increase of about \$350,000 over the amount voted in the last fiscal year.

The most significant increase in our projected expenditures is in the advertising branch, where we are asking for an additional \$215,000 for a total for the advertising programme of \$1,791,000.

These funds represent the "direct sell" expenditures of The Department of Tourism and Information in promoting travel in Ontario by means of media advertising and the production of travel booklets.

Our major new programme for 1968 is television advertising.

Three one-minute TV commercials using background music from the theme from "A Place to Stand", the Ontario film at Expo, have been prepared to portray capsule Ontario vacation experiences in full colour. This programme already has been launched in 15 of the major United States metropolitan markets closest to Ontario. It will run for about ten weeks in all.

Earlier in the session these commercials were screened for members of the standing committee on natural resources and tourism, but we would be more than pleased to arrange additional screenings for any members who are interested, inasmuch as the commercials will not be seen in Ontario, except from adjoining United States stations.

A year ago my department co-operated with the Quebec Department of Tourism, Fish and Game in the production of a joint publication, "Heritage Highways", depicting the pleasures of travelling the route from Niagara Falls through to the Gaspé.

This year we propose to expand this co-operative venture with an advertising and promotional campaign describing the same route, in three major metropolitan markets in the United States—Detroit, Boston and New York. This joint campaign will utilize magazines, newspapers and radio. We will have the assistance of the Canadian government travel bureau in arranging special promotions in the three markets, including such things as shopping mall promotions in Detroit and in two suburban locations in the greater New York area.



Because of our entry into television advertising, our magazine programme will be somewhat reduced this year. Nevertheless, we plan to continue our "Friendly, Familiar, Foreign and Near" series in the United States and our "Great Ontario Adventure Vacation" series in Canada. Our special programme for northern Ontario featuring personalities of the Canadian shield will also be continued.

During the year just past we have attempted to encourage regional tourist councils and groups of tourist operators to plot their advertising campaigns in conjunction with ours. One of the most significant results of this co-operative effort was shown in the March issue of *Outdoor Life*, when our full-page colour advertisement on behalf of the province as a whole served as the centre-piece to a group of smaller advertisements placed by individual operators of the northern Ontario tourist outfitters. Theirs took up more than four pages.

*Outdoor Life* itself combined all of this material into a direct mail promotional piece to be distributed at sports shows and to sporting goods retailers in our prime markets in the United States.

Of course, all of our advertisements carry the message that more detailed information can be obtained by writing to The Department of Tourism and Information for brochures.

A new design concept developed this year for our literature is best exemplified by the new "Lure Book" which was placed on members' desks some days ago, and which caused an unusual amount of comment—not only on the quality of the photographs, but on the rather unique character of the caption material.

The captions are deliberately "offbeat" if I may use that word, simply because we want them to be noticed and read. I think that in the case of our new Lure Book this objective has been accomplished in admirable fashion.

It is the job of the information branch of my department to distribute these books in response to individual inquiries and in quantity to various visitor centres here and abroad.

Again this year, the information branch will participate in major sports, travel, outdoors and ski shows in the United States. The programme of placing Ontario travel counsellors in the United States offices of the Canadian government travel bureau during peak months will also be continued.

Our red-coated young ladies who work at the reception desk near the main entrance-way of this building will take on additional

duties this year by staffing the information desks in the new Queen's Park complex. This is being undertaken at the request of The Department of Public Works.

The publicity branch of my department is engaged in the development of a convention promotion programme which encompasses an inventory of convention facilities in Ontario communities. In particular, the staff will advise communities which now are without convention facilities on how they may cater to groups of visitors.

The major convention to be staged in Ontario during 1968 will be the 20,000-strong convention of Kiwanis international, to be held in Toronto from June 30 to July 3. My department is assisting the convention committee of Kiwanis international in preparations for this event.

The publicity branch is also looking forward to the June convention of the united mid-west travel writers association to be held in the Lake of the Woods area, and the gathering of the Michigan outdoor writers in the Algoma area, also in June.

Two new travel films will be published by the publicity branch this year, one dealing with tourism in northeastern Ontario, and the other devoted to sailing and regattas in Ontario as a whole. We hope again to join with the Canadian broadcasting corporation in the production of a series of televisits.

These are capsule films on various aspects of vacationing in Ontario which are made available free to television stations for fillers. The televisits produced this year will be three minutes in length to complement the one minute fillers which we produced in 1967.

During the last few months, the development branch has been engaged in the realignment of the borders of several of the regional tourist councils and the creation of three new ones. The capital region tourist council has emerged from the lower Ottawa valley council as a separate body to serve Ottawa and its environs.

Changes have been made in the boundaries of the land o' lakes tourist council and the Haliburton highlands regional tourist council. The Algoma north tourist council has become a separate entity, emerging from the Algoma regional council, and a split in the Lake Superior regional tourist council has created the northern route council.

These changes expand to 36 from 33 the number of regional tourist councils which now are eligible for the annual \$5,000 matching grants made by my department.



During 1968, the development branch will operate 20 reception centres at various United States and Quebec border points, including a new centre to be opened May 21 at the Ambassador bridge in Windsor. Efforts have been made to staff as many of our reception centres as possible with bilingual personnel. We will have French-speaking receptionists in the centres at Point Fortune, Hawkesbury, Lancaster, and Windsor, as well as in our travel counselling office on Bloor Street and at the reception desk in Queen's Park.

Many of the university students we hire each year also have some capability in French, although they may not be classed as fully bilingual.

The travel research branch of my department this year begins its most far-reaching and important project yet—the development of a master tourist and outdoor recreation plan for Ontario.

The objective is to provide the government with guidelines for the use of provincial resources—natural, human and financial—in order to serve the growing recreation and tourist facility requirements of our own people and our visitors.

Last year, as the hon. members will recall, more than 20 million Americans visited Ontario for an average stay of about two nights, the total of which does not include commuters. I think that it is obvious to all members that our province has the potential to provide a wide diversity of outdoor recreations, of tourism opportunities, for all sectors of the economy.

The master plan will recognize the principle of optimum use of outdoor recreation and tourism resources in such a way to ensure that their quality will be sustained. The first step will consist of an effort of evaluation of the natural resource base to determine the amount and quality of land and water resources available to outdoor recreation and tourism, coupled with a broad inventory of existing facilities.

The researchers will analyze present demand and attempt to forecast future demand for tourism and outdoor recreation in Ontario in terms of land and facilities required. Priorities will be recommended for future land acquisition. The development of the master plan will be directed by an interdepartmental committee of government, including representatives from The Departments of Highways, Treasury, Municipal Affairs, Lands and Forests, and Energy and Resources Management. Liaison is, of course, being maintained

with the government's senior advisory committee on regional development.

The travel research branch also is engaged this year in a very broad study of the attitudes of American visitors towards travel in Ontario. This project, combined with other studies of travellers' demands, is intended to assist us in designing tourism promotional literature that will have the most appeal to our prospects.

Mr. Chairman, I would like to take this opportunity to make a few remarks about the work of the theatres branch. Over the years, its role gradually has evolved from one of censorship to classification. This has been a gratifying evolution both to the movie industry and ourselves. Now, however, I must state quite frankly that we may well be forced right back into the censorship rut.

The theatres branch now finds that some of the material submitted to it is pornographic. I am quite aware that to label any material as pornographic constitutes a judgment on our part. That, however, is a judgment we must make.

Some of the material being forwarded to the censorship board is obviously fashioned to make a deliberate appeal to the prurient. Certainly the producers of this junk cannot be so impoverished in their taste and so ill-conceived in their judgment as to consider it suitable for general public exhibitions.

I doubt if there are any members of this House who can accuse the censor board of being narrow-minded or unaware of changes in public taste. Our experience so far in approving such films as "Ulysses" generally has been good. Yet certain elements in the film industry—perhaps I am being too kind to them in suggesting they actually are members of the legitimate film industry—are attempting to take advantage of a generally good situation by demanding *carte blanche* approval for anything and everything which they have, unfortunately, committed to celluloid.

In the simplest possible terms, I wish to say to them that if they insist on trying to force our hand, they will not succeed, even with all of the attendant press publicity which they usually are able to muster. The censor board is not going to put itself in a position of approving material only to find exhibitors of the approved material being prosecuted under the provisions of the criminal code of Canada.

In short, apparently the pendulum is swinging back, and the theatres branch again has a censorship role to fill. I believe the censor

board does an excellent job in differentiating between the honest creations of cinema artists and the exploitative tripe of fast-buck artists. It will be made clear to the latter that there is no room for them here.

Now, may I say a few words about the centennial centre of science and technology. This year, as hon. members will notice, we are asking the House to vote just over \$2.5 million for the final stages of development of the centennial centre of science and technology. Of this amount, approximately \$1 million is earmarked for the preparation of exhibits.

While the centre's complex of three buildings will not be fully operational until 1969, I would like to again extend an invitation to all hon. members to visit the site and the exhibit workshop to see first-hand how this magnificent project is shaping up. I will be pleased to arrange for such visits individually or collectively.

The construction of the centennial centre has been one of the most challenging projects we have ever undertaken. But there is much satisfaction in the creation of a unique and important institution such as this. I would like to express my gratitude again to all those involved.

During 1967, the professional, technical and administrative staff of the centre was augmented and strengthened, and considerable progress was made in actual construction and in design and production of exhibits. Many of these are the first of their kind anywhere, and they are heavily participational. Visitors are encouraged to be active participants rather than passive viewers.

It has been a cardinal aim from the outset to make the centre a place of compelling interest and appeal for our young people. Working closely with The Department of Education, the centre is developing an educational programme whereby a large proportion of the student population will have the opportunity of visiting the centre in organized groups as part of their science courses and social studies.

In addition, the centre now is working with more than 200 organizations, including industries, government agencies, universities and other institutions as well as professional and industrial associations. It is expected most, if not all, will become long-term associates of the centre and thus help to provide the basis of broad community understanding and support that is so essential to the centre's success.

During 1967 the resources of the department of public records and archives were used extensively by government agencies, municipalities, historical societies, museums and individuals in connection with various centennial projects. As a result, I believe the public has a much greater awareness of the facilities available in the archives department, and usage is expected to continue at a high level.

Recruiting and training of our records services branch staff now is largely completed. Substantial savings in high-cost operational space within departments of government should result from the transfer of less active records to the central records depository.

The historical branch this year will assume responsibility for undertaking historical research for the Ontario heritage foundation, as well as continuing its programme of marking sites and subjects of historical significance throughout the province.

I would suggest, Mr. Chairman, that members wishing to comment on the work of the Ontario heritage foundation do so under the vote dealing with the historical branch. The foundation still is in its formative stage, but already it has received, and is considering, a broad variety of requests for historic preservations.

We view the work of the foundation strictly on a long-term basis, yet I fully expect the hon. members will be hearing of some very concrete results before too long. I would also like to take this opportunity to express our appreciation to the federal government for introducing legislation to make gifts to the Crown in right of the province's 100 per cent tax deductible. This will now extend to provincial donors the same privilege enjoyed for years by those who made donations to the Crown in right of Canada. I believe it will help immeasurably with the work of the Ontario heritage foundation.

One final matter, Mr. Chairman, in connection with the Huronia historical development council. A total of \$870,000 is requested this year for the continued development and operation of three of Ontario's more significant historical sites by the Huronia historical development council. These are Sainte Marie among the Hurons, near Midland; the museum of the Upper Lakes on Nancy Island at Wasaga Beach; and the partial restoration and reconstruction of the British naval and military establishments at Penetanguishene.

The development of the orientation centre and interpretative museum adjacent to Sainte



Marie has reached the stage that we now have scheduled three significant events at Sainte Marie for June 14. These are:

1. The premiere of the film "Sainte Marie among the Hurons" in the orientation centre theatre. As well as being shown to visitors to Sainte Marie, this film will be given wide distribution through my department and The Department of Education.

2. The presentation to the interpretative museum of key historic documents related to Sainte Marie which were acquired recently by the Society of Jesus; and

3. The unveiling of a plaque honouring Dr. Wilfrid Jury in recognition of his work in the archaeological investigations and in the reconstruction of Sainte Marie.

The opening of the museum of the Upper Lakes tentatively is scheduled for July. This complex includes the historical hull of the *Nancy*, an all-electronic theatre, and a replica of the Great Lakes lighthouse on neighbouring Tower Island. The museum will contain displays, models and artifacts related to the *Nancy* and to the history of vessels and navigation on the Upper Lakes.

At Penetanguishene, work will continue on the reconstruction of buildings which once comprised the British naval and military establishments. In 1967, one building was restored, nine were reconstructed, and other building sites were excavated. During the development period, these sites will continue to be open to the general public.

Mr. Chairman, this concludes my opening remarks on my estimates.

**Mr. R. H. Knight (Port Arthur):** Mr. Chairman, although The Department of Tourism and Information's budget of \$10,875,000 is one of the lowest budgets of our departmental estimates, it has an extremely vital role to play in this provincial society, and so I am honoured and privileged to be the official Opposition critic for this department.

This department, in my way of seeing it, is the show window of Ontario through which residents beyond our borders view us and our assets from a distance and decide whether to come and visit us. It is the welcome mat and the handshake for those who do. As such, this department holds the key to a potentially multi-billion dollar industry and is limited only by its own inability to attract visitors and to keep them happy once they get here.

To say that this department and its present Minister is the "golden haired boy of the

Cabinet" and much of the tourist industry, would be an understatement, I think, because all I have heard since receiving this portfolio as Opposition critic has been, "You will have a tough time criticizing that Minister and that department". As they say, how can you quarrel with success?

The 1967 Ontario travel income of \$1.7 billion is a pretty impressive figure and it is an increase from the \$1.6 billion in 1966, and I commend the Minister and his department for what I have found to be thorough research methods into tourism, their untiring efforts in improving the quality of their advertising, even to venturing into the field of television, their stepped-up educational and construction programmes to elevate our colourful Canadian history to a position of respect and honour they deserve, and their elaborate centennial celebrations programme which gave every resident in Ontario finally a part to play during Canada's 100th birthday.

I know we are all better and prouder Canadians and better-informed Canadians for it.

However, all that glitters is not gold, and my initial peeks beneath the glossy veneer have revealed some pretty gaping holes.

The hon. Minister has just told us that some 20 million Americans visited Ontario in 1967. I can say no one in northern Ontario saw them, nor in western Ontario, I am told. Only one road through this province was paved with gold in 1967, and that was the road to Expo through eastern Ontario. I think the department made the mistake in, instead of competing with Montreal's Expo 67, the department joined it, tried to ride on its success and, I think, lost to Quebec.

One has only to examine, on page 34 of the department's 1967 annual report—and this is it—the number of visitors to Ontario's tourist reception centres in 1967 to see just how much we did lose. It is really quite startling. There was a drop of over 417,000 in the number of visitors to these centres during our centennial year as compared with the previous year. I think we can take this particular record as a gauge on which to determine just how popular our province is with tourists.

In 1966, according to this departmental report, over 1,035,000 registered at our centres. In 1967 only 615,000 in round figures, the lowest number since 1958. Even back in 1959 there were as many as 662,000



and every year in between, according to this report again, was progressively higher. But centennial year it seems, killed it. To me, this denotes inefficiency, lack of planning and foresight, a failure of some kind for this department.

Now, let us look at some of the individual centres. At the Sault Ste. Marie centre, down from 78,000 in 1966 to 17,000 in 1967. The Windsor tunnel, only 25,000 in 1967 as compared to 125,000 in 1966. Niagara Falls, down to 17,000 from 120,000 in 1966. There are 20 such tourist centres in Ontario. They are all indicated in this report, but I will not go through them all. I think the point is made.

One must now wonder whether activity at these centres will rebound in 1968, or just how long it will take for Ontario's tourist industry to recover from the damaging effects of Expo 67, especially when competing with a giant like Montreal's mayor, Jean Drapeau, who has had the vision and the fortitude to keep Expo alive through all sorts of imaginative schemes, including one which even extracts funds and assistance from people in the province of Ontario.

To me, what Ontario's tourist industry needs is the Drapeau fighting spirit. I think that in 1967 we rode along nicely on Montreal's Expo shirt-tail, but I think that now we are going to get off. We are going to have to get off Drapeau's back and start competing with him, whether we like it or not.

In our province, we have the mighty, glittery, affluent and exciting city of Toronto, with its skyline and its CNE to start with. What did we do in centennial year really to raise the Canadian national exhibition to at least a relative basis of competition with Expo? Not that much—and what are we doing now that we know Montreal's Expo will live on, besides watching and waiting to see whether, indeed, Mayor Drapeau will fall on his face?

I do not think we can afford to take that chance. The Department of Tourism and Information, in my mind, has a responsibility to the people of Ontario to recognize the growing Quebec competition and to do something more vital and more stimulating than it has.

This department, I think, has got to take the bull by the horns, a drastic strengthening in its methods is overdue and it has got to bring imagination to bear, and it has got to search for and find some colossal attraction that not only will allow our tourist industry

to compete with Quebec, but will give it that mighty shot in the arm it will need to recover from centennial year.

Now we learned last year that by having a major attraction in 1967, the military tattoo, the CNE attendance was pushed over the three million mark.

Something similar or even better has got to be done this year. In the interest of drawing more tourists, this department, I think, should push for more in the way of accommodations for these potential visitors, not only for the CNE, but for the entire warm season so that people may visit this metropolis of Toronto by means of any conveyance they might choose.

Expo in Montreal set precedents Ontario might well learn from. Visitors went there by car, train, plane, boat and trailer and they were well accommodated.

Boating is the one that intrigues me at this point. And I ask our Metro members, if there are any in the House tonight—it does not seem to be too well attended—through you, Mr. Chairman, is Toronto harbour now prepared to accommodate the thousands of tourists who might very well come here over water in their own vessels, if they had the accommodation?

I do not think Toronto has it. In the interest of Ontario's tourist industry I say let this department do all in its power to make Toronto harbour the place to visit. They might call it the harbour of the 21st century. I suggest Toronto harbour establish a marina second to none, complete with a spiralling Texas tower as they call them, containing a radio control system from which heavy boat traffic might be directed. An architectural design competition might be held to decide the most attractive and efficient form this tower and complex might take so that it will be a tourist attraction in itself.

This marina, of course, would attract our own residents who might use it in travelling to and from summer residences by boat rather than crowded highway. Perhaps some of the vast populations of Metro boaters might be induced to leave from Toronto harbour and, using the many waterways kind providence has endowed our province with, travel to other lakeside communities across Ontario, including my own city of Port Arthur where, by the way, a marina is now under development at the foot of our main street.

This project has stirred no end of interest and excitement in our part of the country and we expect it to attract Americans in their boats

from Isle Royal, Minnesota, Wisconsin and Michigan. It was the present mayor of Port Arthur, Saul Laskin, who conceived and is carrying out this fabulous project.

The Department of Tourism and Information, I think, should encourage and assist such tourist promotion projects. With provincial financial assistance, Port Arthur's marina, I might add, could become a reality much sooner.

As a matter of fact the Toronto marina, once completed, could very well become a prototype for similar marinas at waterside communities all through Ontario. We need a major tourist drawing card in this province—mighty Toronto, with all that it has, all its attractions and now a Texas tower marina complex in the harbour of the 21st century could very well help to turn the trick. But I do not think we can allow his worship Mayor Drapeau to run away with the show unless we bring the same degree of imagination that he is bringing to bear on behalf of the city of Montreal, he is going to run away with the show.

Now the other modern travel trend on this continent, it seems to me, is the travel trailer. Numerous Americans and Canadians favour this less expensive mode of travel, but I do not think Ontario is really in step with travel trailer needs. For example, what accommodation does our provincial capital, Toronto, have for travel trailers within her limits or even beyond them; little or nothing I understand. So travel trailers bypass Toronto, and yet we have those sprawling CNE grounds out there in the middle of this metropolis lying idle, except for about 28 days out of each year. I think tourists should be able to visit Toronto and the CNE in their own choice of conveyance—in their travel trailers if that is the way they want to travel.

I think the department should encourage the CNE to develop accommodations for travel trailers right on the CNE grounds to be used not only for the CNE extravaganza, but all through the season.

Now in the north where I come from, we see more and more travel trailers every year; perhaps that is why am so conscious of them. It is the growing trend up there. But even our own Ontario trailer travellers find accommodations here in Ontario limited, inadequate and too expensive. This department so far, I fear, has failed to recognize this trend and to bring its influence to bear on other departments who are in a position to enhance this type of tourism.

Dumping is one of the major travel trailer problems. I know the Minister will understand this, as will the Minister of Lands and Forests. Perhaps a system of grants to service stations who wish to provide septic tank installations along the highways for trailers would be in order. I hope the Minister will take that idea into consideration.

Further, these trailers are now moving about the vast United States in caravans of up to 100, 200 or even 700 to 1,000 units at a time. But few come to Ontario because, they say, we cannot accommodate them. Now there is a challenge for the Minister.

When you consider the efforts our communities make to attract conventions, you can readily appreciate the financial wisdom of seeking to accommodate and attract those travel trailer caravans. Right now many of them are looking to Ontario, but they are afraid to venture forth. I visited one such caravan of some 270 trailers in Port Arthur last summer. It was one of those air-stream travel trailer tours.

They arrived, moving along our roadways two or three units at a time, so as not to snag traffic and by the time that they had all arrived on our exhibition grounds, we had a new silver-topped community within our own Port Arthur, ready to visit and spend and stay for at least a week. But alas, the accommodation was so inadequate that they had to move on within two days.

Their own leader at that time told me of the huge caravans he had travelled with in the United States and he said they would love to come to Ontario. And we have fair grounds in communities all across this province lying idle most of the year, as we know. I think it is time that this department encouraged them to set up accommodations for these travel trailers and let the CNE here in Toronto lead the way.

Imagine the idea of tourists being able to park in the middle of Toronto. Not only Toronto, but communities all across Ontario, by means of marinas for boat travellers and travel trailer parks on our fair grounds.

I realize control of these projects lies outside the department but in the interests of our province's tourist enterprise, is this not the advanced calibre of imaginative and realistic tourist development this department should be fostering, both in ideas and if possible, financial assistance?

The Americans are accustomed to these welcome-mat facilities in their own country and if we expect them to come here in vast

numbers and be happy here, we have to provide them with similar accommodations.

We cannot tell them to come by plane or to come by car or by train; they are going to come the way they want to come and we should get in step with them, I think.

The official Opposition has been hammering on another point for quite some time and it is so important it must be re-emphasized here I feel. There must develop greater flexibility of co-operation between The Departments of Highways, Lands and Forests and Tourism and Information before the Ontario tourist trade can expand anywhere near its potential.

I suggest one reason why more of Expo's lucrative success did not rub off on Ontario was that travellers from western Canada and the northwestern United States actually skirted Ontario and travelled to Expo below the lakes, through the United States, rather than travel through Ontario over our bumpy, rickety, old Trans-Canada highway. And who can blame them? That is one reason why I keep telling this House that highway has to be made Highway 1 in standard as well as in name.

Now, with The Department of Lands and Forests raising the cost of provincial parks, that will be another blow to tourism, especially in my part of the country. Another point by way of example: At the Lakehead, probably our most tourist attractive park is Kakabeka Falls in my riding, but it is enclosed by The Department of Lands and Forests and even the local residents cannot see the falls without paying admission. They can hear the falls but they cannot see them.

To the east of Port Arthur lies Ouimet Canyon, not unlike the Grand Canyon in the United States, but it attracts few tourists because the road is not very good and the lookout is on the wrong side of the canyon.

As far as advertising goes, this department, as far as I am concerned, is up with the times and I think it is improving steadily, although at times I am inclined to think it is a little bit too polished and too obvious in its anxiety to get at those tourist dollars.

But then this often applies to many of our Ontario tourist business operators, does it not, who apparently still have not learned the refined art of extracting a dollar from the tourist without it feeling like a tooth extraction? Somehow our people have to learn to get that dollar without the tourist feeling it, we have to make it easy for him, a pleasure, so that he goes away convinced we were far

more intent on giving him a good time than we were in his money.

Many tourist havens of the world, I think, stand as a glowing example of exactly what I am trying to get at. There is an education here, I think, for The Department of Tourism and Information to be extolling to our tourist people.

I have scanned many of the tourist promotion booklets which the hon. Minister so kindly had sent to me. I thank him, I think most of the booklets are great, but too often I have detected negative approaches toward northern Ontario or, at times, complete omission. I can give you a glaring example of one such negative approach which might better have never been put in print at all, I think.

It comes in this fabulous little booklet right here, which is entitled "Cruising Ontario" and, of course, ties in beautifully with my earlier remarks about marinas. If we turn to the section entitled "Lake Superior", we find a commentary here that would be most humorous if its impact were not so vital and serious as far as our part of the country is concerned, and I would like to read excerpts from it which will serve to make my point.

It is entitled "Lake Superior" and I have given the article a subtitle, "Disaster Area" and you will soon see why. To begin with, the author has quite a bit to say here about Lake Superior and some are good things—he is obviously trying to attract cruisers, sailors and so on, up to Lake Superior, but as you get on in the article, this is what it says:

It is true that no one, come early spring or late autumn, would even think of cruising Lake Superior for the fun of it. It is then cold and windswept, it is then, for small craft, dangerous and uncomfortable. It is true that then ships are sometimes lost and that others stagger into port leaning under a sheathing of ice that is a yard thick and which weighs tons. It is also true that even as late as the last week in June, it has been swept by winds of hurricane force.

You see what I mean by negative. I just do not feel that these booklets always have to tell the truth so vividly. A little further it says:

Here we come to the one real and valid criticism from a cruising point of view which an experienced cruising skipper might level at Superior. It is cool. Its waters are cold. And even in a sheltered cove, there is need of a blanket at night.



That is very important to put that in there, believe me, if you are going to promote people to go on Lake Superior. And a little bit further on it says:

All along its rugged northern shore where it is wildest, where the scenery is at its rugged, towering and sometimes sober best, there are snug little harbours to which cruising craft may run and find shelter no matter how the wind blows.

Futher on:

There will be times along this Ontario coast of Lake Superior when a skipper, who is, as the old phrase has it, storm stayed a day or two or three, will be glad that nature has so arranged things that he is sharing his haven with fish. Supply points are rather widely spaced between Sault Ste. Marie and Fort William. The haven he lies in, in all probability, will be bare of such items as groceries and fuel.

Do not run short, that is, for the experienced skipper who is riding a sound and able boat, the basic rule for happy cruising on Superior. Never miss an opportunity to top off both food lockers and fuel tanks; be very sure that both are large enough to carry ample supplies.

In other words, if you want to take your life into your own hands then venture out onto Lake Superior:

Those whose fuel tanks are not large enough to give them a cruising range of at least 150 miles might well consider emptying their water tanks and filling them with fuel. Drinking water will never be a problem. In Superior, once clear of its few cities, one floats on the stuff.

Now, just one more line I would like to put in here and that is the way the author puts it:

One word of caution, do not rush things on Superior. Once in a haven, stay there until the wind softens and the lake lies down.

And that kind of writing goes hand in hand with "frosty north, the cold country, the wilderness" and so forth.

**Hon. Mr. Randall:** If you are going to sail on Superior, make sure you have a boat.

**Mr. Sargent:** That is Tory intelligence for you.

**Mr. Knight:** I merely seek to convey the honest feelings of the people in northwestern Ontario when they read this kind of baloney. I am sure that when we promote—and I have

looked for it in these booklets—cruising on southern Ontario lakes, we do not tell the tourists just how polluted the waters are, do we? Do we put in the brochure: "Although these waters be polluted, they are very cool, you will have a good time"?

I mean, what is the need to talk about Superior being so dangerous in this manner? I suggest that such an article should have been written by someone who lives in the north, who loves Lake Superior and who might be able to put it in a softer manner that might attract people to come there, rather than not to come to it at all. I think I have made that point, Mr. Chairman, now I would like to make another.

The tourism department, I understand, at least so I read, so badly mismanaged the centennial centre business that it is obvious they never wanted this baby.

On the other hand, The Department of Education, I understand, covets it. I only mention it because it is in the estimates of this department. I think this would be the answer so far as the Minister of Education (Mr. Davis) is concerned, to his headquarters problems for ETV. The properties are all at hand. There could be closer liaison with the Royal Ontario museum, school children's visits could be better co-ordinated, and the staffing problem would be measurably eased.

Therefore, I would like to urge that The Department of Tourism and Information transfer this project to the broad shoulders of the Minister of Education, so we in the Opposition can hold him accountable, not for ignorance but for knowledge.

**Mr. Chairman,** in conclusion, may I re-emphasize the need for the hon. Minister of this department to declare war on Mayor John Drapeau and Quebec as far as tourism is concerned. The Montreal mayor and his son of Expo are a force to be reckoned with. May I urge him—*J'aime les français, mon vieux*—I like the French.

**Hon. Mr. Randall:** What has the member got against the French?

**Mr. Knight:** I like the French. Is that what the Minister says, does he not compete in his department with other countries, with other provinces?

**Hon. Mr. Randall:** Mr. Drapeau is doing a good job.

**Mr. Knight:** Exactly. That is what I said. I admire him a great deal.

**Hon. Mr. Randall:** Then why do you suggest the hon. Minister of Tourism and Information make war on Drapeau?

**Mr. Knight:** Let us be honest with ourselves. Mayor Drapeau is going to help Montreal, he is going to help Quebec and that is the way it should be. It is up to us to recognize this threat and compete with it.

**Hon. Mr. Randall:** By making war?

**Mr. Knight:** Open your eyes.

**Mr. Chairman,** may I urge the hon. Minister and his department to get into the marina promotion business and the travel trailer accommodation business. I would like to re-emphasize I think a Texas tower type radial marina based on an open architectural competition be considered to grace the waterfront of Toronto at the CNE. I think we should call it the harbour of the 21st century, and let us have it live up to its name as an attraction in itself.

A model trailer park at the western end of the CNE grounds. I would like to propose that once again. Let us raise the outmoded careers building and the Victorian travel pavilion and make modern use of the space for living travel six months of the year. The space would be a much needed car park during the winter industrial exhibition season.

May I urge the Minister to seek and get greater co-operation from his colleagues in Highways, Lands and Forests. I urge him to put teeth into his tourist promotion efforts. I think it is about time this department became the protector and the defender of the tourist and all those Ontario communities who depend on tourism for a better living.

His department has been quite efficient, modern and progressive. As a matter of fact it has been gentle, but it has not been sufficiently imaginative and certainly not forceful enough.

This is a very nice Minister, but I think he should take a cudgel in hand and really fight for the tourist and fight for tourism. For this department, the tourist must come first, because in fighting for the tourist all our citizens will benefit. Tourism and Information must fight, if necessary, with Highways, and Lands and Forests on behalf of the tourist.

Thank you Mr. Chairman.

**Hon. Mr. Robarts** moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report progress, that it has come to certain resolutions, and asks for leave to sit again.

Report agreed to.

**Hon. J. P. Robarts** (Prime Minister): Mr. Speaker, tomorrow we will resume these estimates.

**Hon. Mr. Robarts** moves adjournment of the House.

Motion agreed to.

The House adjourned at 11:05 of the clock, p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, May 14, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 14, 1968

The House met at 2:00 o'clock, p.m.

Prayers.

**Mr. Speaker:** The members will remember that today, at this moment after prayers, we are having the official picture of the Legislature taken by the photographer from The Department of Tourism and Information. I would ask that the pages take their places and remain in their positions while the picture is being taken, in order that there may be no movement. We will wait just a moment or two in case there are some members endeavouring to get here for immediately after prayers.

I might advise the members that there will be two pictures taken diagonally across, one from that side and one from here, and I am sure the smiling faces in the Opposition front benches will be in the second picture. The matter is now in the hands of the photographer.

Today in the east gallery we have students from St. Boniface separate school in Scarborough, and in the east and west galleries, students from Buchanan public school, Scarborough. I presume in the Speaker's gallery, although it is not indicated, we have the Tuesday luncheon club of the ladies' Liberal association of the city of Toronto.

Later this afternoon, we will be having students from Deer Park public school in Toronto, who will be hosting students from Burlington, Vermont. Perhaps when they arrive this afternoon, the chairman of the committee of the House will greet these visitors from south of the border. We will also have students from Fonthill public school, Fonthill, joining us later this afternoon.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE HIGHWAY TRAFFIC ACT

**Hon. I. Haskett** (Minister of Transport) moves first reading of bill intituled, An Act to amend The Highway Traffic Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Haskett:** Mr. Speaker, in this bill to amend The Highway Traffic Act, there are as usual a number of changes of a housekeeping nature, as in sections 1, 2, 3, 4, 6, 11, 13, 16, 19, 21 and 26. The remainder of the recommendations concern a variety of significant changes regarding such matters as the sale of used cars, magistrates' powers to suspend drivers' licences, and the wearing of helmets by motorcycle operators and passengers.

Interjections by hon. members.

**Hon. Mr. Haskett:** It will be recalled that the Act was amended last year in order to require used car dealers to provide the purchaser of a used car with a certificate of mechanical fitness. If the dealer cannot supply such a certificate—and that normally means that the vehicle is not mechanically roadworthy—then he can only sell the car without registration plates. In such a case, the purchaser can get plates—enabling him to put the car on the road—only by producing for The Department of Transport a certificate of mechanical fitness.

I am proposing now that a similar provision be applied to private sales of used cars. The amendment provides that, in the case of a private sale, a certificate of mechanical fitness shall be produced when registering the vehicle at the time of transfer of ownership. The alternative is to surrender the licence plates, with the purchaser being required to obtain and submit such a certificate before the department will licence the vehicle again. The amendment also provides for more specific and uniform standards for the certificate of mechanical fitness. The standards will be prescribed by regulations.

This amendment will complete the two-step programme that was begun a year ago in regard to the sale of used cars. It is a major advance in the interests of greater safety on the highway. It will require inspection of more than 600,000 vehicles each year. About two thirds of this number are sold by dealers and were covered by the amendment last year; the remaining one third are sold

privately and will come under the proposed new amendment. Further, these inspections will be made to new and more stringent standards. And they are required at a critical and timely point—the point when owners are disposing of their vehicles, and when an inspection may be opportune.

An amendment to section 59, subsection 12, is proposed in order to give magistrates the discretionary power to suspend the licence of any driver who is convicted of speeding 30 miles per hour or more above the legal limit. Speeding continues to be a problem, and excessive speed can be extremely dangerous. This amendment gives magistrates more scope for dealing with those convicted of speeding. I feel that the best person to consider a suspension is the magistrate who has not only heard the evidence but has observed the accused. This amendment will give him the power to impose a suspension of up to 30 days at the time of conviction if he deems such action advisable.

An amendment to section 94 will give certain municipalities the power to be exempt from the school bus stopping law. Municipalities have a large part of the responsibility for the safety of children and they have many types of traffic control to protect them. The amendment empowers municipalities to assess the provision for flashing red lights on school buses, and the requirement of motorists to stop, in relation to other safety measures and local conditions. Several municipalities have asked for this power. The school bus stopping law applies only where the speed limit is greater than 35 miles per hour, but more and more municipal highways are being designed for those speeds. The school bus stopping law itself is not changed, and the amendment does not change the responsibility of motorists from one community to another. When he sees a school bus flashing its red light in a zone over 35 miles per hour, he is required to stop; in a municipality that is exempt from this law, in such case the red light will not be flashing.

An amendment to section 100a, subsection 2, will give municipalities the authority to prohibit pedestrians on any highway or portion of highway under its jurisdiction on which the maximum speed is 50 miles per hour or more. Such authority already is exercised for highways under provincial jurisdiction.

A new section of the Act requires the operators and passengers of motorcycles to wear helmets. The department has encouraged the wearing of helmets in the past, but

we have not made them mandatory for one excellent reason—there was no set of standards that could realistically be specified for the kind of helmets to be worn, and without such standards a law to prescribe helmets would be ineffective. Just recently the Canadian standards association published specifications and performance standards for motorcycle helmets. These standards and specifications provide an authoritative basis to which we may refer, and therefore it now will be practical to make helmets mandatory. As I noted, this requirement will apply to passengers as well as operators. In case there is any doubt on the point, I should add that it is my intention to make regulations expeditiously when this amendment is approved.

Among the other amendments of particular interest are:

The proposal that the government be empowered to enact regulations by the adoption of specifications and standards of safety features on motor vehicles, thereby strengthening the existing procedures for vehicle safety;

A requirement that the red-and-orange sign for slow moving vehicles be used on farm tractors and self-propelled farm implements when operated on the highway, as a pilot project that marks a further step forward in this important matter;

A restriction on the use of turn signals so that it will be illegal to use them for unusual and potentially hazardous purposes, such as trying to indicate that a vehicle is parked;

An amendment in driver licensing for non-residents, in keeping with the aims of inter-provincial uniformity in driver and vehicle matters;

And a clarification of the provision that came into effect last year imposing a duty on medical doctors to report to the registrar, persons who may be unfit to operate a motor vehicle, with a new provision that relieves reporting doctors of a possibility of civil liability.

**Mr. Speaker:** If the Opposition side of the House is now in a smiling order, I think we are about ready to have the picture taken. And again I would ask the page boys to take their positions and not be moving about the House while this picture is being taken. The member for Sudbury, of course, probably will not raise any voice on my behalf because I am afraid the Speaker is not going to be in this picture.



**Mr. E. W. Sopha** (Sudbury): I do not want to be in the picture if you are not going to be in it.

**Mr. Speaker:** Touche!

Before the orders of the day I would like to remind the members of the discussion period with the Clerk of the House tomorrow. I am very pleased to know that there was a very good attendance and an interesting discussion a week ago, and the Clerk advises me that he has a good many other points of interest for the members who can attend tomorrow at 1 p.m.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, before the orders of the day I have a question for the Minister of Highways. Does the Minister have any plans to assist the Six Nations Indian council with the building of a bridge over the Grand River joining the two sections of the reservation, or resuming the discontinued ferry service to provide river crossing at that point?

**Hon. G. E. Comme** (Minister of Highways): Mr. Speaker, I will have to take this question as notice.

**Mr. Speaker:** We have some questions from the other day that I think should be answered first. The member for Dovercourt has a question?

**Mr. D. M. De Monte** (Dovercourt): I have a question for the Minister of Trade and Development. How many lots have been purchased under the home ownership made easy plan? Second, how many dwelling units have been constructed on the lots?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, before replying to the specific points raised by the hon. member for Dovercourt, I would like to clear up a popular misconception concerning the disposal of lots under the HOME plan. I do this because the hon. member, in his question, used the term "purchase." Under the HOME plan, lots may be acquired under three separate and distinct arrangements as follows:

1. The lot may be leased with an option to purchase at any time after the fifth year. Under this method, lot rentals are based on the net cost of the lot to OHC and a carrying charge of 7.25 per cent per annum. If the lessee wishes to exercise his option to purchase, he may amortize the cost over a period not exceeding 35 years from the date of entering into the lease or for cash. The

purchase price of the lot is that established as its market value at the time the lease was entered into.

2. A lot may be purchased over a period of up to 35 years under an agreement for sale. Under this method, a purchase price of the lot is established in relation to market prices for property owned lots obtained in the area at that time.

3. The lot may be purchased for cash. Under this method, the purchase price of the lot is established in relation to market prices for privately owned lots obtaining in the area at that time.

I would like the hon. member to clearly understand that the overriding purpose of the HOME plan land development programme is to provide lots on leasehold basis, thus removing a significant part of the down-payment required which is one of the major impediments to home ownership today.

However, where a potential homeowner purchases the land, whether it be for cash or over a longer term, he is in a position to resell on a speculative basis. The establishment of a value related to market values in the area for all HOME lots sales is primarily to discourage such speculation and to protect the investment of other homeowners in the area.

In a reply therefore, to the hon. member's question:

(a) A total of 1,364 lots have been disposed of under the HOME plan to date. Of these, 89 per cent are on a leasehold basis, only 2 per cent were purchased outright.

(b) The Ontario housing corporation is concerned with placing serviced lots on the market, not with the actual construction of the dwellings. Consequently, I cannot answer the question concerning the number of dwelling units which have been constructed. However, since the commencement of the programme last August, 223 houses have been completed and occupied and a large number are known to be under construction.

Under the plan, prospective homeowners and speculative builders are required to commence construction within six months of the time of leasing a lot. OHC would, therefore, not normally carry out a check until the six month period had elapsed. However, in Bramalea, construction is proceeding apace and I suggest to the hon. member that a visit to the site would prove indeed, most interesting.

Furthermore, although OHC already made further lots available in Bramalea in April,



these were snapped up immediately and there is a substantial waiting list.

**Mr. Speaker:** The member has a question of the Minister of Health placed the other day.

**Mr. De Monte:** In view of the recent British reports, as mentioned in the *Welland Tribune* of May 2, that there is association between the use of birth control pills and blood clotting, does the Minister propose launching any research to determine the accuracy of the report and the safety of the pill?

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, I do not really think that there is need for any more research in this. I had the experience of being in the surgeons' room of one of our large hospitals a few days ago with a lay colleague, and he picked up a medical journal, leafed through it and he said, "Good grief, do you doctors not do any research in anything but the pill?" Now, this is the other side of the question.

I believe more research has been done in this subject than probably any other, and while some relationship between the use of the pill and thrombo-embolic process has been determined, it is not believed to be serious enough now that the lower dosage of the supposedly guilty agent is being used.

I do not believe that further research, in addition to what is now being done, is required.

**Mr. Speaker:** The member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Speaker, may I direct a question to the Minister of Education?

Has the Department of Education decided whether it will give the additional grants needed to allow the service for admission to college and university to construct and implement adequate testing services?

**Hon. W. G. Davis (Minister of Education):** Mr. Speaker, I think it should be made clear that the service for admission to college and university is an organization that has been established to implement a national university admission testing programme. SACU, as it is called, originally asked for \$9,000 and this request was agreed to by The Department of Education and University Affairs.

Since that time, a subsequent request has been received for a substantial additional amount, and this request was received after

the budget had been prepared. Since this is a national programme, the question will be considered by the council of Ministers of Education at its next meeting and is also receiving consideration within the department.

I think it should be pointed out, Mr. Speaker, so there is no confusion, that Ontario has had for some time a similar service entitled the Ontario admission to college and university, which has been operated successfully by the Ontario institute for studies in education, in co-operation with the universities of Ontario and the secondary schools of the province. It is anticipated that this service will continue until such time as the proposed national service is in a position to provide the equivalent service.

**Mr. Speaker:** The member for Scarborough Centre.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Speaker, I have a question of the Minister of Trade and Development.

What is the salary of the editor of the magazine published by the Ontario housing corporation known as *Ontario Housing*? How widely geographically is this magazine mailed? What have been the mailing costs and printing costs of this magazine to date?

**Hon. Mr. Randall:** Mr. Speaker, I will have to take the question as notice and I will get the information for the hon. member.

Perhaps while I am on my feet, I could answer the question the member asked the other day. The question was:

Why did the Ontario housing corporation placement officer allot the Gray family unit No. 57, 25 Driftwood in Yorkwoods for occupation as of April 27, 1968, when a North York Catholic children's aid social worker was assured by the placement officer prior to Easter that the family could go to the Thistletown development so that an emotionally disturbed child could conveniently attend the out-patient clinic of the Thistletown centre, thus precipitating their illegal entry into the empty OHC unit at the Thistletown development and bringing adverse publicity to the OHC and to the Gray family?

And the answer: In view of the fact that the hon. member in her question implies a lack of co-operation on the part of Ontario housing corporation, it is again necessary for me to reply in some detail. I hope at the same time to clear up one or two inaccuracies which have appeared in the press concerning this family in particular.

It has been said that Mrs. Gray applied for accommodation four years ago. Mrs. Gray originally applied to the housing registry of Metropolitan Toronto on April 20, 1966, and at that time her address was 66 Sophia Drive, Scarborough. She had previously lived in Calgary, Alberta. She vacated the Sophia Drive address without notifying the housing registry or OHC; therefore the housing registry cancelled her application when it was no longer able to get in touch with her.

She reapplied on October 16, 1967, from an address at 229 Markham Road, Scarborough. In her application she expressed a preference to locate in Metro east. This may have been because her emotionally disturbed child was attending a school in that area where she would receive appropriate attention.

Reference is made in the hon. member's question to the fact that a North York Catholic children's aid society case worker was assured by OHC's placement officer prior to Easter that the family could go to the Thistletown development in order that Mrs. Gray's emotionally disturbed daughter would be able to attend the Thistletown centre for emotionally disturbed children. In point of fact, Mrs. Gray was rather reluctant to move from east Metro because of the special school her daughter was attending in that area.

It was OHC's tenant placement officer, Mrs. Taylor, who drew to Mrs. Gray's attention the similar facilities available in Thistletown. To further assist Mrs. Gray, OHC then spoke with the case worker of the Catholic children's aid society to see whether arrangements could be made to provide transportation to the Thistletown centre for Mrs. Gray's daughter in the event she was offered accommodation in a development other than Thistletown, but in the same general area. OHC was given to understand by the case worker that transportation would be provided.

At that time, all available units in the Thistletown development of the bedroom category required by Mrs. Gray had been offered to other families on the corporation's waiting list. As Mrs. Gray was under notice to vacate her present house by April 30, and on the basis of the offer of transportation for her daughter Patti, OHC decided to offer her a four-bedroom unit in its Yorkwoods Village development.

As I have already advised the hon. member, this offer which was made on April 17, 1968, was refused by Mrs. Gray by letter dated April 19, 1968. To refresh the hon. member's memory, I would again like to read

Mrs. Gray's letter. There is no indication whatsoever in the letter that the location is unsuitable or that she has a particular preference for Thistletown. The text of Mrs. Gray's letter is as follows:

Dear Madam:

Thank you very much for the offer of a unit. However, I regret, due to lack of room, this is unsatisfactory. As I was ready to accept this housing, I have movers coming this week, also my deposit of \$25 has been mailed in by Scarboro welfare.

With only four days left on eviction notice, I know it will seem hard to understand my turning your offer down at this unit, but would very much appreciate further consideration of my plight at a different locality as soon as possible.

Thank you again, I remain,

*Sincerely,*  
Nancy Gray.

It is the normal practice of OHC to endeavour, wherever possible, to meet particular requirements of applicants. In the case of Mrs. Gray and her family, the corporation's first concern in view of her pending eviction was to provide her with adequate accommodation and, as I have said, the corporation also took steps to ensure that transportation would be provided for her daughter. However, if this arrangement did not prove entirely satisfactory from the child's point of view, the corporation would have done its best to relocate the family in Thistletown when suitable accommodation became available.

When Mrs. Gray refused the offer of accommodation in the Yorkwoods Village development, the Catholic children's aid society case worker was advised by OHC and was extremely disturbed to learn that the unit which, in his opinion, adequately met Mrs. Gray's requirements, had been turned down. He offered to immediately contact Mrs. Gray to see whether she would reconsider her decision.

The hon. member implies in her question that OHC was responsible for the illegal action taken by Mrs. Gray, and thus for the resulting adverse publicity. I would suggest to the hon. member that the publicity attendant upon Mrs. Gray's illegal action was very carefully organized. I am advised that having illegally obtained occupancy of unit No. 2, 1815 Martingrove Road, Mrs. Gray communicated with the hon. member and with the press. I also understand that the hon. member spent some time with Mrs. Gray in the unit which she illegally occupied, and

that having been offered alternative accommodation by OHC Mrs. Gray again sought the advice of the hon. member before accepting.

Coincidentally, as Mrs. Gray did not have a telephone installed in this house, she used the telephone of another difficult family, on whose behalf the hon. member had made many representations to OHC, and who before accepting a Thistletown unit had refused offers of accommodation in not less than three other locations in Metropolitan Toronto.

I raise these points, Mr. Speaker, because it is becoming increasingly obvious to me that there are certain elected representatives, both provincial and municipal, who are more concerned with creating adverse publicity for OHC and the housing programme generally than they are with the welfare of families on the corporation's waiting list. In order to achieve this publicity they are apparently prepared to champion the cause of troublesome families without regard to the validity of their circumstances and create a situation whereby the interest of other applicants on the waiting list may be prejudiced.

By doing so they show a complete disregard for the emotional effect of these crises on the children involved and, what is more, create an image in the eyes of the public that all applicants and tenants of OHC are troubled or troublesome families. It is understandable, therefore, that OHC from time to time encounters resistance to its developments from local residents and I lay the responsibility for this squarely at the door of those persons who selfishly and thoughtlessly create a totally erroneous image of the average public housing tenant.

I think it is high time hon. members realize that the large majority of families waiting to be accommodated by OHC are decent, hard working, ordinary people who just wish to be left alone and not to become the centre of political controversy. There are, however, some families of the type certain elected representatives appear to seek out who are prepared to go to any lengths to obtain an unjustified advantage over other applicants, and many of these are wholly supported by the taxpayer.

I am determined to protect the interests of bona fide applicants on the OHC waiting list from the demands of this particular group and those who seek to support them. In this regard, more stringent disciplines will be established at OHC to insure there is absolutely no possibility of any family receiving

unmerited priority from whatever source pressure may be applied for them to be housed.

In conclusion, may I say that I deplore the publicity which is being given to tenants and applicants of OHC, whose applications are considered by the corporation as being of a confidential nature. It distresses me when the personal circumstances of such families are needlessly aired in this Legislature and in the press. I recall that at one time OHC was accused of placing roofs over the heads of its tenants and then abandoning them. While this statement was quite erroneous and unjustified, had OHC been delinquent in this regard, the degree of responsibility would be minimal when compared with the distress caused to families by the type of publicity now being stimulated by those who claim to be the champions of the poor.

Interjections by hon. members.

**Mrs. M. Renwick:** Mr. Speaker, would the Minister accept a supplementary question?

Interjections by hon. members.

**Mr. Speaker:** Order! The member for Scarborough Centre has the floor.

**Mrs. M. Renwick:** Mr. Speaker, may I ask a supplementary question of the Minister?

**Hon. Mr. Randall:** I will answer no supplementary questions.

Interjections by hon. members.

**Mr. Speaker:** Order! The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** I have a question for the hon. Minister of Trade and Development.

In view of the crisis precipitated by the closing of the Hollinger gold mine and Preston East Dome with subsequent unemployment and decline in population in the Porcupine mining camps, what action is the Minister prepared to take in order to create much-needed development, growth and employment in the area?

**Hon. Mr. Randall:** Hollinger Consolidated gold mines has been in operation since 1912. The company now employs 273 persons. At the end of 1967, about 500 persons were employed with the company. Hollinger indicates that from 40 to 60 employees will remain indefinitely with its operations in Timmins. At present, able bodied employees at Hol-



linger have no difficulty in securing other employment if they wish it. Five mining companies in the area have recruited Hollinger's miners for their operations, and received co-operation from Hollinger.

Preston East Dome started operations in 1939. In 1960, it became Preston Mines Limited. At the present time, the company has 95 employees on staff and is due to close down operations in August of this year. One year ago 150 persons were employed with the company. Preston is moving its clerical and technical staff to other mines. Those who remain with the company to the cessation of operations will receive a modest termination bonus.

Johns-Manville will be opening its Reeves township asbestos property this summer and it is anticipated that many of the laid-off employees will be able to find employment at this new operation. For those who are willing to travel farther afield, Sherman mines in Timagami offers further prospects for employment as its initial operations expand.

I understand that the Texas Gulf Sulphur Company has reached full employment strength at this time but there is every chance that its operations will also expand in the future.

It should be noted that Timmins is eligible for benefits available under the federal area development agency incentive programme, and my department will assist any company willing to pursue the programme.

The Department of Manpower and Immigration in Ottawa advises us that there is little difficulty in obtaining employment for laid-off employees. It also reports that retraining programmes are available.

**Mr. Speaker:** The member for Port Arthur has a question from last week.

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question which I believe was to have been asked on Friday, and I am still waiting for a copy of it to be sent up from our offices.

**Mr. Speaker:** I will send it up to the member and he can return it to me.

**Mr. Knight:** Thank you, Mr. Speaker; this is a question to the Minister of Labour. Was a conciliation officer appointed on February 6, 1968, for the Fort William sanatorium steam plant engineers, local 865 of the union of operating engineers? And did the Minister reply to the letter from the local, dated April 3, 1968 in which the

union requested a meeting with the conciliation officer? And finally, if a conciliation officer was appointed on February 6, 1968, why has he not met with representatives of local 865?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question from the hon. member for Port Arthur: On February 14, of this year, Mr. J. Dunklee was appointed as conciliation officer in the dispute between the Fort William sanatorium and local 865 of the international union of operating engineers, and on the same day, he was appointed to handle the dispute between McKellar general hospital, the general hospital of Port Arthur, and St. Joseph's general hospital and local 865 international union of operating engineers.

As he was unable to convene a joint meeting of the three hospitals and the sanatorium, it was agreed by the parties that initially, a meeting should be held with the three hospitals, and, if necessary, a separate meeting would be convened with the Fort William sanatorium.

On February 29, a meeting was held with the three hospitals, and a recommendation was taken to the union membership. Mr. Dunklee was advised on March 5 that it had been rejected. He advised the parties that a further meeting was to be held on April 10, but as this date was unsatisfactory, the meeting was postponed until April 22. At that meeting, agreement was reached on all matters in dispute, and Mr. Dunklee so reported on April 30.

Following this settlement, Mr. Dunklee advised the union and the Fort William sanatorium that he would convene a meeting to endeavour to assist them in resolving their dispute, and the first mutually satisfactory date for the meeting has been set for Monday, May 27, at which time it is hoped that a complete agreement may be reached on all matters outstanding.

**Mr. Speaker:** The member for Brantford.

**Mr. M. Makarchuk (Brantford):** I have a question of the hon. Minister of Financial and Commercial Affairs. In view of the fact that shopper's guide food service of Bellamy Road, Scarborough, has gone out of business, leaving hundreds of housewives owing money to finance companies as reported in the *Toronto Star* on Friday, May 10, does the Minister intend to investigate other similar food plan operations to prevent the occurrence of more food consumers being

taken for a ride? The second part of the question is: Will the Minister introduce legislation during this session bringing non-interest charging contracts under the provisions of The Consumer Protection Act?

**Hon. H. L. Rowntree** (Minister of Finance and Commercial Affairs): This is a matter raised by the hon. member and it is currently under investigation. I think enough information should be available today for me to answer the question, and the second part of the question I will take as notice.

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman** (High Park): Mr. Speaker, I have a question for the hon. Provincial Secretary. What new information was received by the Minister's department ten days after November 24, 1959, that persuaded the department to reverse its ruling and allow the Prudential Finance stock split on December 3, 1959?

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, the application of Prudential Finance Corporation Limited to my department for the issue of supplementary letters patent, subdividing its common shares, on the basis of 100 for one, was accompanied by a letter from the then manager of the estate planning division of the Montreal Trust Company, who was then, and is now, a recognized authority on the valuation of common shares of closely held corporations.

As I indicated yesterday, when the hon. member raised the question on the estimates of the companies branch in the estimates of my department, on the basis of this expert opinion the subdivision of the shares granted by the supplementary letters patent dated December 18, 1959, was strictly in accordance with the then departmental policy, which is still the policy of the department, in allowing a subdivision of no-par-value common shares.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. Welch:** Yes.

**Mr. Shulman:** Inasmuch as the valuation from this Mr. Owens, which you refer to, was received in June, and the refusal to allow the stock to split was made in November, I would like again to ask what happened after November to make the Minister change his mind?

**Hon. Mr. Welch:** All I can say, Mr. Speaker, is that the evidence which was produced at

that time must have been reconsidered in the light of the circumstances at that time. I cannot offer anything else from the public records which would assist me in giving any more information.

**Mr. Shulman:** I have four questions for the Minister of Reform Institutions, Mr. Speaker.

Interjections by hon. members.

**Mr. Shulman:** Where were the recalcitrant prisoners transferred—

**Mr. Speaker:** Order! Perhaps the member would read the question as submitted?

**Mr. Shulman:** Where were the six recalcitrant prisoners transferred from Guelph reformatory last week? What disciplinary measures were taken against other prisoners in Guelph last week? What is the maximum length of time that prisoners have been kept in isolation cells in Guelph reformatory this year? And what is the maximum length of time that prisoners have been kept in isolation cells, and on a reduced diet, at Guelph reformatory this year?

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, in answer to the first question as to where were the six recalcitrant prisoners transferred, the answer is to various county jails.

In answer to question 2, What disciplinary measures were taken against other prisoners in Guelph last week: obviously no disciplinary action was taken against inmates who took no part in the disturbance. The inmates who were active in the disturbance appeared before the superintendent and in the presence of the administrator of adult male institutions. They were given an opportunity to state why they had taken part in the disturbance.

The sentences awarded by the superintendent varied from the loss of from 10 to 15 days good conduct remission, and all were placed on special diet not to exceed ten days. Some were also transferred to county and district jails.

Question 3, "What is the maximum length of time prisoners have been kept in isolation cells in Guelph reformatory this year?" There are varying degrees of isolation which are utilized for different reasons. An inmate may be isolated because he has a communicable disease. Also there are certain inadequate inmates who require to be isolated from the mainstream of inmates for their own protection. I take it that the hon. member is

referring to the kind of detention used as a form of disciplinary action. I am advised that the maximum length of time a prisoner has been kept in a detention cell at Guelph reformatory this year is 20 days, while the average is three days.

Question 4, "What is the maximum time prisoners have been kept in isolation cells and on a reduced diet at Guelph reformatory this year?" The answer is the diet is not reduced insofar as it supplies the nutrition necessary for one's health. The maximum length of time an inmate has remained in special diet this year, I am advised, has been ten days.

**Mr. Shulman:** Mr. Speaker, will the Minister allow a supplementary question?

**Hon. Mr. Grossman:** No.

**Mr. Shulman:** Thank you, Mr. Speaker.

**Hon. Mr. Gomme:** Mr. Speaker, before the orders of the day—

**Mr. Sopha:** Mr. Speaker—

**Mr. Speaker:** The Minister rose first.

**Hon. Mr. Gomme:** Mr. Speaker, I have the answers to the questions from the hon. member for York Centre (Mr. Deacon) yesterday.

1. Yes. The erection of "no overnight parking" signs at the MacDonald River bridge at Highway 103 and other Department of Highways roadside picnic areas, is to make motorists aware that these areas are designed for and must be limited to daytime activities as no facilities are available for overnight parking or camping.

2. No. I have not been advised of any evidence that this is the only ready access to MacDonald's lake, or that it is a particularly popular canoe route. I do, however, propose to ask the Minister of Lands and Forests if he would consider the need of an access point in this area, and determine whether or not it would meet the requirements of his access point programme.

3. I am aware that the standard of cleanliness practised by persons using this park is of a standard comparable to that practised in most of our picnic areas where we find most people leave the picnic sites in a tidy condition.

4. I do not feel it is possible to revise our basic policy of providing facilities for short-term stopovers for motorists by providing any form of overnight parking at this particular picnic area.

5. The Department of Highways co-operates in a number of ways with both The Department of Lands and Forests and The Department of Tourism and Information to promote the tourist industry. As I have mentioned previously, it is my intention to discuss this particular matter with the Minister of Lands and Forests (Mr. Brunelle). It is my understanding that The Department of Lands and Forests have no immediate plans to develop the McRae Lake area as a provincial park and therefore I do not feel that the interim arrangements can be made.

**Mr. Speaker:** I believe the Minister of Trade and Development has the answer to a question for the—

**Mr. J. B. Trotter (Parkdale):** I have not asked the question yet.

**Mr. Speaker:** You have not? I have not a copy of that question. Would the member send it up to me for a minute and I will return it to him.

**Mr. Trotter:** The question went through your office some time ago.

**Mr. Speaker:** It undoubtedly did and it has gotten itself in the wrong place.

**Mr. Trotter:** Surely the Minister can take care of himself.

**Mr. Speaker:** I am quite sure the Minister can take care of himself but the procedure in this House must be kept in its proper form.

**Mr. Trotter:** Mr. Speaker, as you know I have a question for the Minister of Trade and Development. Will the Minister indicate when he plans to table a list of those companies which have received forgivable loans from the Ontario development corporation?

**Hon. Mr. Randall:** Mr. Speaker, details of the forgivable loans made by the Ontario development corporation to date have already been announced in the press. I could make up a list for the hon. member but we will be preparing a complete list and there is more going through process right now. In the next couple of weeks, when I present my estimates, I will have a complete list for the member but if he wants what we have done to date I will be glad to give them to him. I think we can give him a complete list if he can wait for a couple of weeks.

**Mr. Trotter:** Mr. Speaker, we will wait for the list in two weeks' time.



**Mr. Nixon:** The question referring to that has been on the order paper for many weeks.

**Mr. Speaker:** The Provincial Secretary has the floor.

**Hon. Mr. Welch:** Mr. Speaker, the member for High Park asked a question yesterday and I asked for the opportunity to gather together some of the information. It is a question in eight parts and perhaps I had better read the questions and the answers together.

1. Were annual meetings of the Dalhousie Motor Hotel Limited held between March 9, 1962, and April 25, 1965?

I say before answering that particular question that it would appear in the wording of questions 3 and 4 that the hon. member has in fact read the annual returns of this particular company and so he has certain information. Therefore my answer to question 1 would be that we have no knowledge other than what is in fact revealed in the annual returns with respect to meetings held by that company.

2. If no annual meetings were held, why were no charges laid against Mr. Rubinoff and the other directors?

If in fact no annual meetings were held by this company, my department has received no complaint from any shareholder of the company about its failure to hold annual meetings. No other matter has been brought to the attention of my department from which it could be determined that any public interest has been prejudicially affected by the failure of the company to hold annual meetings.

3. If no annual meetings were held, why do the annual returns dated March 31, 1962, and March 31, 1963, in the Provincial Secretary's office say that meetings were held?

Mr. Speaker, I really cannot answer that. He would really have to ask the person who submitted the annual returns.

4. If annual meetings were held, why do the annual returns in the Provincial Secretary's office dated March 31, 1964, and March 31, 1965, say that no annual meetings had been held since incorporation of the company?

I have no knowledge in connection with that either, Mr. Speaker, except perhaps that he should ask the person who completed the returns.

5. Were annual meetings of the Toronto Hotel Holdings Limited held between November 5, 1962, and April 26, 1965?

My answer to that, sir, is that we have no knowledge other than what is revealed in the annual returns. It would appear that there was a meeting, according to the annual return of this company, held on—or rather the return reports a meeting held on April 26, 1965.

6. If such annual meetings were not held, why were no charges laid against Mr. Rubinoff and the other directors?

I repeat here once again if, in fact, no annual meetings were held by Toronto Hotel Holdings Limited, my department has received no complaint from any shareholder of the company about its failure to hold annual meetings and no other matter has been brought to the attention of my department from which it could be determined that any public interest has been prejudicially affected by the failure of the company to hold such meetings.

7. Have annual meetings been held in the other companies holding Holiday Inn franchises and which hold licences to sell liquor under The Liquor Control Act?

According to information which I have been able to receive from the liquor licence board of Ontario, the following companies have some connection with the Holiday Inn chain and are licensed under The Liquor Licence Act. They are: Dalhousie Motor Hotel Limited, Hamilton Motor Inn Limited, Kingwell Inn Limited, Kitwat Motor Inn Limited, Lakehead Motor Inn Limited, Peterborough Motor Inn Limited.

My department has no knowledge other than information set out in their annual returns with respect to the annual meetings held by those particular companies. I should report that by letters patent dated November 1, 1967, issued under section 96 of The Corporations Act, these companies which I have just listed, together with Allied Innkeepers Limited, Associated Innkeepers Supply Company Limited, Bay-Wellesley Motor Inn Limited, Brantford Motor Inn Limited, Chatwell Motor Inn Limited, Don Valley Motor Inn Limited, Dufferin Motor Inn Limited, Essex Motor Inn Limited, Oakville Motor Inn Limited, St. Catharines Motor Inn Limited, Southwell Inns Limited, Toronto East Hotels Limited, Toronto Hotel Holdings Limited and Toronto West Hotels Limited were amalgamated as one company under the name Allied Innkeepers Limited.

The effect of an amalgamation under section 96 is that the amalgamating companies do not cease to exist and are not dissolved, but they continue as one company under the

name provided in the letters patent of amalgamation.

And then finally, Mr. Speaker, we are asked, referring back to annual meetings, "Why were no charges laid against Mr. Rubinoff and the other directors?" The answer to this would be the same as the answer to number 6 and number 2, setting out, as those answers do, the policy of our department with reference to that question.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Welch:** I will be glad to accept the question but I do not know if I can give the answer.

**Mr. Shulman:** Two brief supplementary questions.

The first one is, if the department receives a complaint from a shareholder will the department lay the appropriate charges?

**Hon. Mr. Welch:** The policy of the department is that we would first receive the complaint from the shareholder and then we would satisfy ourselves with respect to the prejudicial effect as far as the public interest was concerned.

**Mr. Shulman:** And the second question: Inasmuch as there is a conflict between the two separate files in the hon. Provincial Secretary's office, one of which says annual meetings were held in the company, and the other which says annual meetings were not held, will the Provincial Secretary take steps to find out which of those returns are false?

**Hon. Mr. Welch:** Certainly. I will take a look into that.

**Mr. Speaker:** I think that perhaps the members would now wish to welcome the students from Deer Park who have with them students from Burlington in Vermont who are visiting our Legislature this afternoon in the west gallery.

Orders of the day.

**Clerk of the House:** The 22nd order; House in committee of supply; Mr. A. E. Reuter in the Chair.

#### ESTIMATES, DEPARTMENT OF TOURISM AND INFORMATION

*(Continued)*

**Mr. J. E. Stokes (Thunder Bay):** Mr. Chairman, I welcome the first opportunity

that has been made available to me to be the official spokesman for the New Democratic Party for a departmental estimate, namely, The Department of Tourism and Information.

It is most unfortunate, Mr. Chairman, that we did not have made available to us a little bit earlier, the annual report for the department that was just sent over to my desk late yesterday afternoon. In the brief time that I had to peruse it, naturally I was most anxious to see the kind of statistical information that was in it, having regard for the particular area and constituency of the province that I have the pleasure of representing, namely Thunder Bay.

Being The Department of Tourism and Information, one would necessarily assume that this would be the kind of department where one would be able to get information most readily. Unfortunately, when I questioned in my own mind, one of the figures that appeared on page 33 of the report—tourist accommodations in Ontario 1967—I called no less than six people within the department to ascertain the validity of the figures. I did finally get a call from one member of the Minister's (Mr. Auld's) staff in that particular department and lo and behold the first figure I saw was an erroneous one.

I had taken the trouble to add up the column on page 33, having to do with tourist accommodations in Ontario 1967—total value by districts of tourist accommodations—and the total as reflected in the report states \$295,460,938. That is something like \$3 million less than last year, so either a lot of them burned down or they had depreciated somewhat in value. I was assured by my informant in the department that the figure was erroneous, and it should be \$319 million.

I am happy to correct for anybody in the Legislature who happens to have a copy of this report that the tourist region of Thunder Bay—the total shown as \$104,105.30—is not a true picture. You move the digit over and you get something like \$10,400,000.

So things are happening in Thunder Bay, not as rapidly as I would like to see, but I will confine my remarks for the present time to that particular area. I would hope that the Minister in future would make these reports available to us a little earlier so that we would have a much better opportunity to look over them in detail, and be much better informed on what is going on in the department before we are charged with the responsibility of getting up and speaking to these estimates.

Now, I do not like to be too negative in criticizing any department. I think that one should be positive wherever possible. First, I would like to congratulate the province of Ontario, and in particular this department, wherever it had anything to do with the arrangements celebrating the 100 years of Confederation and our centennial in 1967.

I had the opportunity of visiting Expo with my family for a week, and of the 65 pavilions that I had an opportunity to visit, I was convinced that the Ontario pavilion need not take a back seat to any of them. Anyone who had the opportunity to see it, I think, was immensely impressed with it. I think that anybody who failed to come out of the Ontario pavilion standing just a little bit taller, well they just have no feeling at all or any sense of pride in what is going on in this province.

Unfortunately, in connection with the centennial celebrations during the year we did have the Confederation train, the caravans and the voyageur canoe pageant. There is one sour note in that connection that I would like to call to the Minister's attention, particularly when he, I understand, is on the committee for the access roads programme. I understand it is an interdepartmental committee comprising several Ministers and I understand he is one of them.

The unfortunate part of the Confederation train and caravan is this: I have a municipality in my riding of some 3,500 people who were not given the opportunity to view the caravan for the simple reason that the road leading to the community was not of sufficient calibre to accommodate the huge trailers in connection with this caravan. I understand there was a bridge that would not accommodate the size of the trailers that were used.

It is unfortunate that this community of 3,500 people were not given the opportunity to participate in these celebrations insofar as the caravan was concerned. I can tell, you, there was no end of dismay by the people in that particular community when that proved to be the case.

It is also unfortunate that the only province-wide project that the government of Ontario did participate in, something that they could call their own by way of a centennial project, still has not got off the ground a year later and there is very little indication that it will.

**Mr. E. W. Sopha (Sudbury):** It is costing more money, too.

**Mr. Stokes:** The Ontario science centre was to have been Ontario's centennial project, and was to have been completed in the year 1967 at a cost of roughly \$5 million.

There is no indication when it will be completed, and it will cost around \$30 million, according to latest figures.

What is the problem? Why the delay? Is it a lack of planning? Is it a lack of co-operation between departments of this government? Is this government not concerned that huge sums of money have been spent with no return on investment to date?

It would appear, according to Mr. Pigott, who is the general contractor, that there could be litigation on the delays which have caused extra expenses. Claims have already been submitted in the amount of \$419,000 with prospects of further claims amounting to some \$500,000. He said the lack of design information has held up construction for over a year.

Now, if this is the case, I understand that the Minister of Tourism and Information is not completely to blame for this, even though he will be taking over those facilities and operating them under the aegis of his department when they are completed. But certainly I think the Minister of Tourism and Information to some degree must share some responsibility for that delay.

Mr. Chairman, it is noted in the estimates of this department that votes 2108, 2109 and 2110 amount to \$5,906,000, which is well over half of the total budget of \$10,863,000. I note that all of this money is being spent in southern Ontario—on the St. Lawrence parks commission, \$2,510,000; on the Huronia historical park, \$870,000; on the centennial centre of science and technology, \$2,526,000, plus an additional figure of \$59,000 for museums, \$8,500 for the historical society, and \$1,000 for the Ontario archaeology society. My question to the Minister would be, what amount is being spent to promote tourism in northern Ontario? Northern Ontario has two thirds of the total land mass of this province—

**Mr. Sopha:** Four fifths.

**Mr. Stokes:** I am being generous, I am giving them a little bit more. We have thousands of lakes and rivers for swimming, fishing, boating and camping. What is this department doing to increase tourist activity and promotion in the northern part of the province? We have all the necessary ingredients for a viable tourist industry and very



little is being spent to promote tourism in the north and certainly that is where the potential is. As you know, the economic and industrial expansion of the southern part of the province is gobbling up the choice land. It is costing us millions of dollars a year to buy back lands for park and recreational purposes and we are using ARDA funds to some extent for this. It is interesting to note that in a study by a Mr. W. M. Baker, which was done by the ARDA programme in relation to recreation and tourism, he said:

Should development costs become eligible for cost-sharing in recreation projects under the agreement, regional park development would likely move very quickly to prominence.

This was a recommendation made to the ARDA authorities federally. I think this department could do a lot more to impress upon the federal authorities that there should be more funds made available to the province for recreational and land-use purposes. As you know, there are several studies being undertaken by various agencies and well-informed people about how we are to spend our leisure time. We seem to be having more time at our disposal for things that are not directly connected with our jobs and we are going to have to find ways and means of entertaining our own people, to say nothing of the thousands, indeed millions, in the future who will be coming into Ontario to see what we have to offer from a tourist point of view.

In connection with the federal cost-sharing programmes, in this study he says:

Under the Trans-Canada Highway and winter works programme, the federal government contributes 50 per cent of the development costs. Between 1957 and 1962, federal grants under both programmes totalled \$7.9 million with 92 per cent being incurred under winter works. The province with some of the more depressed economic conditions received the smallest infusion of federal grants; about 4 per cent of the total went to the Atlantic provinces. Only 31 per cent of the funds available under the Trans-Canada Highway campground and picnic area programme was taken up by the provinces.

Certainly there are many areas where you can drive, particularly in the northern half of the province, for 50 or 60 miles before you have a chance to stop and have a picnic alongside the road. I do not know to what extent funds have been made available from

a federal source for this particular programme and I would hope that the Minister would answer that in his remarks a little later on.

Just to bolster what I have said in connection with what appears to be a lack of attention and a need for publicity and advertisement for the many things that we do have to offer in northern Ontario, in this publication that was just put out, "Ontario's Workshop of Canada" on page 30, under "Time Out for Leisure," it does deal with tourism and the economy. It says in part:

Ontario council for the arts estimates there are more than 10,000 drama groups, choirs, orchestras, bands, art clubs and galleries in the province directly involving close to 1.5 million persons; easy access and good transportation facilities have also extended the touring range for theatres, ballet, musical and other groups for art exhibits. Toronto, the provincial capital, is the home of several professional companies, including the Canadian opera company, the national ballet guild and theatre. The Toronto symphony orchestra is widely acclaimed on tours of Europe.

This is all very well, but the Minister surely knows that we have untold, unadvertised attractions in the northern four-fifths of the province, as the member for Sudbury says, that could be exploited.

I want to impress this upon the Minister, because as he well knows, in the northern part of the province the economy revolves around the forest products industry, the mining industry and the tourist industry. The mining and the forest products industries, more than any other endeavour in the province, are controlled by the market and the need for the things that we can provide in the raw state. To give you an example of the pinch that is on the forest products industries due to over-production—and there is a recession in the industry in the northern part of the province—some of the mills are considering going on a four-day week, they have curtailed any thought that they might have had toward expansion in the industry, and it looks like that particular industry is going to be in the doldrums for the next two to three years until the market catches up with the supply.

We do have unlimited potential in the northern part of our province, and I think in terms of the total take in tourism, you are spending a very modest amount in your advertising. Tourism is a \$1.6 billion industry in Ontario, and yet, I think with the increase in the budget you are only increasing your

advertising by something like \$300,000. I think that this would be money well spent if you could concentrate a lot more of your departmental efforts to advertising the things that we have to offer the travelling public in the north.

We have Quimet Canyon where I visited last fall. It is one of the most spectacular views in all of Canada. Unfortunately very few people know about it. I had the pleasure of driving to the Lakehead last Sunday night with a Mr. Hamilton, who is the district forester in Port Arthur, and he had not yet had the opportunity to visit it yet, and—

**Mr. Sopha:** He used to be in Sudbury.

**Mr. Stokes:** Yes, he is a good man. A great northerner.

**Mr. Sopha:** Yes indeed.

**Mr. Stokes:** He had not had the opportunity of seeing it yet, and just from what he had been told, he thought that the potential was wonderful for a sight such as this, but the travelling public unfortunately knows very little about it. In fact, the road is in such a state that you would not want to put the public over it. But certainly, in connection with the Minister's involvement with the access roads programme, I think he should spend a few days in the northern part of the province and look at the potential up there. We have thousands of lakes within easy access to tourist accommodations that we could stock with fish and keep the people around for a while and give them something to spend their money on.

In driving to the airport in Port Arthur the other night, I was along the MacIntyre River. In one place they had fenced it off and they had dumped 1,000 yearling speckled trout into it, and the kids were having a whale of a time in there. This kind of programme would be so useful in attracting tourists into our area and keeping them around there for a while.

Another way in which I think this department could help in assisting small municipalities would be to construct little play areas to entertain the children during their stop-over periods. At night they could establish driving ranges, or assist local municipalities in providing golf courses. I think that in the province you have 35 service centres, but I do not believe there is one between Sault Ste. Marie and the Lakehead, a distance of some 450 miles. I do not know of any that are serviced directly by The Department of

Tourism and Information along that stretch. If there are, I have not seen them. They are not very well advertised, if there are any.

I looked over the grants for that particular amount of money in The Department of Tourism and Information. There is quite a list of them here in your book, but I was not able to see where any amount was being spent in that huge area on the north shore of Lake Superior with regard to information, and the dissemination of information and publicizing and promoting the wonderful scenic beauty of the area and the things that we have to offer in northern Ontario for recreational and from a sports point of view.

In the Minister's opening remarks, he stated in the lead off speech of his departmental estimates that the theatre branch is being forced right back into the censorship rut. He justifies this reactionary move by placing the censorship board in the role of protectors of, and—here I quote the Minister—the producers of this junk. So impoverished is their taste, and so ill-conceived their judgment as to be considered suitable for general public exhibition.

We maintain that as long as the censorship board continues to ban the tripe of fast-buck artists, it will give to these producers a form of protection which is well defined by the Minister when he states, and I quote:

The censor board is not going to put itself in a position of approving material, only to find that exhibitors of approved material are being prosecuted under the provisions of the criminal code of Canada.

If these films are so offensive, so dangerous and so detrimental to the people of Ontario, would it not be more realistic to let the producers fend for themselves under the criminal code, rather than giving them the free boost in advertising that the label "banned in Ontario" will provide when the film is shown in other provinces? The fact that the censorship board will again consider itself in a position to judge what is best for the rest of the people in Ontario is indeed a backward swing of the pendulum.

We maintain that no individual board should be given the freedom to decide what millions of people should or should not see. No ivory tower group of censors has the right to interfere with the judgment of a parent if he is deciding what is best for his child, and no one group can have such impeccable taste that its pronouncements can be taken without question.



Recommendation, classification and even restriction of films? Yes. Censorship? No!

The backward steps of The Department of Tourism and Information in the area of censorship is a miniature picture of the structure and activity of the department itself. As the member for Thunder Bay I am acutely aware of the failure of this department to realize the full potential of tourism in northern Ontario. Over half the budget of the department is being spent in southern Ontario, despite the fact that the greatest potential for expansion and development of the tourism industry is in northern Ontario which includes roughly, as my friend says, four fifths of the area of the province.

Here we have thousands of lakes for swimming, fishing, boating and camping, and what is the department doing to promote tourist activity through an increase of publicity and advertisement? Is it acting in co-operation with other departments and committees, such as the access roads committee, of which the Minister is a member, to develop this important natural resource?

I have already mentioned the 35 information centres in the province, and I am quite concerned about the fact that there are very few of them in the Lakehead. I would concede that there are some in Rainy River and Kenora, but I have not been able to ascertain in your annual report to what extent you contribute towards the cost of operating the two information centres in the two Lakehead cities.

There is a small one at the junction of Highways 11 and 17 at Nipigon, that operates for something like two months a year. Other than that, I see nothing in the way of promoting the wonderful things that we have to offer the tourist and the travelling public in northern Ontario.

Perhaps when the Minister does get up he can clarify that for me, and assure me that a programme of a much more constructive nature will be undertaken by his department to promote the particular area of the province that I have the pleasure to represent.

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Chairman, just before we get into the votes, there were a couple of matters that were raised by both the hon. member for Port Arthur (Mr. Knight) and the hon. member for Thunder Bay. Before I get into those, however, perhaps the hon. member for Thunder Bay would clarify for me one thing.

My department operates 19 information centres in border points around the province, and I am wondering whether he is confusing the operation of our centres with those operated by the various tourist associations and regional tourist councils and so on?

**Mr. Stokes:** It is conceivable that I am confusing them, but somewhere in this report—I have not had the opportunity to study it as well as I would have liked—it is my understanding that there are 35 in operation across the province.

**Hon. Mr. Auld:** You mean that in the annual report, there is reference to the work of the regional tourist councils, and of course there are now 36 of those. This department makes a matching grant of up to \$5,000 to each council which the council can spend in tourist promotion in any number of ways. Some operate or share in the operation of information centres with other groups, and some spend all their money on promotion. I just wanted to make it clear that this department operates on the border points and at the bridge at Homer on the Niagara peninsula, which serves a number of border points where we are not specifically on the border, and at the Lakeland centre just north of Toronto. There are the centres which we operate.

**Mr. Chairman,** the member for Port Arthur last night mentioned the decrease in registrations at a number of the department's border information centres last year, and I thought that I would clarify that situation. I will try to be specific in dealing with various figures because we have gotten into these tangles before.

Border crossings at the border points in Ontario to the States in 1967, according to the Dominion bureau of statistics—of those crossing and staying in the province more than 24 hours—were up approximately 3 per cent. The registrations at our border information centres, which are the number of people who actually come in and asked for information, were down considerably as the hon. member has said. There were several reasons for this.

The largest entry points from the United States into Ontario are at Windsor, Sarnia, Niagara Falls, and the Thousand Islands. The hon. members will recall that for a period of, I think, five days last year the border was closed at Windsor because of disturbances in Detroit, and for practically the whole of July and August it appeared, because of the drop in border crossings there,



that tourists were taking another way around into Canada. As I say, the total for the year was up in all points as far as the DBS is concerned.

The other factor that affected our figures substantially was that at Niagara Falls there was a large amount of construction going on at the Canadian approach to the bridge, and as a result of this a great many tourists found it very difficult, if not impossible, to get into our information centre.

I might say in this connection that I am delighted to tell the House that this year so far in what we would normally think to be quiet months, the border crossings are up about 14.5 per cent over the first three months of last year. All the indications we have from the industry are that bookings, summer cottage rentals and so on are ahead of last year.

The hon. member for Port Arthur also suggested last night that we should have competed harder last year and we should be competing harder this year as far as Expo 67 and Man and His World are concerned. I would simply say that as a result of Expo 67, Ontario had the largest dollar tourist year in its history last year. The indications are that this year will match it.

The hon. member also read from part of the text of the department's boating book about a description of Lake Superior. While, as I recall, he said the cautions that were given in this description of some of the possible hazards for boaters in Lake Superior were all true, he felt that we might, as I infer from what he said, rewrite this.

Now I think that all hon. members will agree that in these brochures which the department produces, whether they be about hunting, rock hounds, boating or whatever, should be accurate. As one who has sailed on Lake Superior, I would say that, as in certain other lakes in the province, it is wise to be cautious unless you are an experienced sailor.

Of course, with the influx of boaters and the great boom in boating, there are many more inexperienced boaters now than there have been in the past. I hope you would agree that we must be accurate and must warn people. On the other hand, I know he would be delighted that the whole book—which will be out of print this year—is being rewritten and recast. We will try to be very careful to be honest and yet positive about our description of sailing and boating on Lake Superior.

It was written, as a matter of fact, mainly by Kenneth McNeil Wells who has written a number of books for boaters, sailors, and power boaters in the past. It has been well received, but it was done about three years ago and it is time it is updated.

I want to apologize particularly to the two official critics for the delay in the department's annual report reaching them. I would hope that next year we will have it in their hands earlier. I particularly apologize for the misplacing of the decimal point in the four figures of tourist accommodation value in the hon. member's riding. As he has pointed out, the misplacing of the decimal point made quite a difference.

I can assure him that this will be corrected. I thank him for his kind comments about the Ontario pavilion but that, of course, is under the aegis of the Minister of Trade and Development (Mr. Randall). We are delighted to get credit for everything, but in fairness, that was his operation. I would agree with the hon. member it was great.

The Confederation caravan at Manitouwadge is a situation I remember very clearly because the hon. member's predecessor, Hon. George Wardrobe, spent some time with us—

**Mr. Sopha:** He is running again, I notice.

**Hon. Mr. Auld:** I beg your pardon?

**Mr. Sopha:** He is running again.

**Hon. Mr. Auld:** Full of steam.

**Mr. Sopha:** Yes, yes.

**Hon. Mr. Auld:** Probably going to win, too.

Now the situation simply was that the road into Manitouwadge has a very sharp curve just before a bridge. The Department of Highways has plans to straighten this road. The Confederation caravan was over-size and over-length; the caravan people said that they could not negotiate the corner to get into Manitouwadge without some remedial work.

As I recall, and I have not the figure in front of me, the amount was some \$8,000 and we did not feel that we could justify an expenditure of this amount to get the caravan into Manitouwadge, much as we would have like to have done so. The mine manager there, whose name escapes me at the moment, was also anxious to assist and had proposed to share part of the cost, but it still was just not feasible.

In connection with northern Ontario, and the suggestion by the two hon. members from the

north who have spoken that the department is ignoring northern Ontario, I would like to give, Mr. Chairman, a short rundown of some of the general things which the department is doing which are of particular importance to northern Ontario, and a number of specific things which we are doing only for northern Ontario. Just before I do that, I think I might say this—and I think all hon. members would agree—the more people we can attract to northern Ontario, the more southern Ontario will benefit also because the majority of them will go through southern Ontario. So I make no apology to the members from the south for the special promotion which we are doing for the north.

The hon. members are aware that this year we are in colour television advertising in the United States. Two of the three commercials deal primarily with hunting and fishing and outdoor recreation which probably apply more to northern Ontario than the south. Our magazine advertising this year features fly-in fishing, shore dinners, camping, and northern accommodation.

Two of our five Canadian magazine advertisements feature northern Ontario. There is the special programme which we started last year, and are continuing this year, of the use of the Karsh personality series, of well-known personalities in the north. I may say to the hon. member, and I think he would agree, that this has been extremely effective, both in the short-term generation of enquiries about the north and in the long-term promotion of the area.

We, of course, produce publications featuring regions of northern Ontario, in addition to the hunting and fishing publications of ours which are primarily designed for there. We promote all seasons, including winter, for ice fishing in the north, and skiing in the Lakehead, which has been very successful when the weather has co-operated as it has most of the time. We have done this specifically for northwestern Ontario in Minnesota and Wisconsin, and with some success, we are informed, from the Lakehead.

We have co-operated with the American broadcasting corporation last year in the preparation of a programme for "The American Sportsman," which is a network show and has an audience of about 6.25 million people. Last year we worked with ABC at some expense to ourselves; the main expenditure with them was in a film on Gordie Howe and his two sons fishing in a lake near Sioux Lookout.

I am told that there was sufficient footage shot that they will be able to do a second feature on this same subject and on the same part of the province, of course, later on this year. That one, as I recall, was shown on the network about a month or six weeks ago.

We prepared a coloured television film on Lakehead skiing for distribution in mid-west television stations. We gave particular coverage, photographic and publicity, to the Lake of the Woods international sailing regatta, the centennial canoe pageant and the Cochrane, Sault Ste. Marie, Kenora and Iron Bridge winter carnivals. I might say that our ski and sport show programme is primarily for northern Ontario.

In 1967, we participated in shows in Chicago, Cleveland, Columbus, Detroit, Kansas City, Milwaukee and Minneapolis. The department of public records and archives, of course, is active there in our marking of historic sites and the development branch of the department has been working both in attending these sport shows in the United States, which I mentioned a moment ago, and in counselling and meeting with the various tourist councils, chambers of commerce and so on, both for counselling and for the liaison work between ourselves and those departments of government with whom the councils may have dealings but who are not normally represented at their meetings.

We, to try and overcome some of the problems of distance—which are very real ones in parts of the north as the hon. members know—have created two new tourist councils in the north by dividing the two—Lake Superior and the Algoma. We have reason to believe that this will make their promotion more effective.

Finally, Mr. Chairman, in connection with the centennial centre, I would simply like to say to the hon. member for Thunder Bay—as I have said for the last two years—that the cost of the centre was originally considered to be for the building approximately \$14 million, as I recall, and about \$5 million for the artifacts. Subsequent to the beginning of planning, the educational aspect became more apparent and additions were made to look after, separately, and in an organized fashion, large numbers of school children who will be attending. The cost of the building when it finally went to tender, if my memory serves me correctly, was \$21.7 million.

The cost of the artifacts is still considered to be roughly in the neighbourhood of \$5

million and as far as the opening day is concerned, as the hon. member said, the matter of the costs in the dealings with the contractor and so on, are between The Department of Public Works and the contractor and suppliers, not ourselves.

But the most recent information we have, and this again is subject to whatever speed-ups or delays the contractor himself may find, would be that we will be ready to open approximately six months after we get the building and it would appear that this would be in September 1969—although we intend, again depending on the time of year, to be having some school groups in on what might be termed a trial basis sometime in advance of that.

**Mr. V. M. Singer (Downsview):** It might be in time for the next centennial.

**Hon. Mr. Auld:** We expect to be a little ahead of the next centennial.

There were a number of other matters that the hon. member for Thunder Bay mentioned about roadside parks on highways and recreational aspects, and I would simply say that the responsibility of my department is first of all the promotion of the province, the advertising and publicity for the tourist industry, the development of the accommodation end of the tourist industry which licences and with whom we work through our development branch.

Naturally, as I have said many times, the tourist industry is one that affects everybody. Every department is involved to some extent but I would suggest to him that he would be better to pursue some of the matters about recreation roadside parks and so on with the Minister of Lands and Forests (Mr. Brunelle) who has, generally speaking—

**Mr. Stokes:** I was hoping you would help me.

**Hon. Mr. Auld:** I speak to him very often on this subject myself but I cannot answer for him in this House.

On vote 2101:

**Mr. Chairman:** Before we proceed with the vote, I believe it would be desirable in this case to take each vote item by item. We will deal with the first vote 2101, item 1—salaries. The member for Peterborough.

**Mr. W. G. Pitman (Peterborough):** Mr. Chairman, I was hoping to deal with the Minister's department, particularly, as his

department relates to other parts of the government and to the federal government. Now I realize that this estimate, in a sense, is the Minister's salary and those around him—and, perhaps, Mr. Chairman, you will call me down if I seem to be moving too far away from my point.

The first matter which I would like to suggest to the Minister is that perhaps he might consider changing his own name, and the name of his department to that of tourism, recreation and information. Now I suggest this to the Minister because it seems to me there is a very real change taking place in our society and it is that we are moving towards a leisure society.

Now I realize that, in a sense, the Minister's responsibility is providing for recreation in order to provide an industry. At the same time, I think that philosophically he has a very real interest in all those matters which have to do with recreation across the province. I would like to see his department become, in part, an educational institution for recognizing the role of Ontario's natural resources in creating a more effective leisure society.

**Mr. Chairman:** I must point out to the member that he has strayed much too far from the purpose of vote 2101—the main office vote. Now, we have had the lead-off speakers from each of the—

**Mr. Pitman:** Might I go on to the Minister's relationship with other Ministers in the government departments, particularly in view of his plan for development that the Minister placed before us last night?

**Mr. Chairman:** Well, I do not think that that is in the main office vote.

**Mr. Pitman:** Would this come under any vote?

**Mr. Chairman:** Well, we have vote 2104 which is tourist industry development branch.

**Hon. Mr. Auld:** If it has to do with the development of the industry and the accommodation—

**Mr. Pitman:** Your master plan that you mentioned last night.

**Hon. Mr. Auld:** Oh—under the research branch.

**Mr. Pitman:** I see it now.

**Mr. Chairman:** That is vote 2107.



**Mr. Pitman:** Would there be any vote in which we might discuss the Minister's relationship with the federal government?

**Hon. Mr. Auld:** Unfortunately, the only place where this department receives any financial support directly from the federal government is in the advertising—where we have a joint programme for Canadian tourist advertising.

**Mr. Pitman:** The point I am trying to make, Mr. Chairman, simply is that, in my view, there are situations where the federal government is taking action which detrimentally affects the Minister's role in this province—

**Mr. Chairman:** Publicity or information, whatever particular branch it might be.

**Mr. Pitman:** Essentially, it is in a policy which has to do with waterways in this province. I am sure that the Minister knows of what I am speaking, and, Mr. Chairman, I would be interested in knowing how much co-operation or lack of co-operation it seems to be getting from the federal government in this particular matter.

I am referring to a specific matter which is, of course, the water lot leasing but as well as that, there are other areas under ARDA—

**Hon. Mr. Auld:** As it happens, Mr. Chairman, this might be dealt with in the research branch. We have some joint studies with the federal government on the waterways.

**Mr. Chairman:** I do not want to restrict the member at all, I just feel that it should come under the proper vote.

**Mr. Pitman:** I am very pleased to find out where those votes are.

**Mr. Chairman:** Vote 2101, item 1.

**Mr. Sopha:** My colleague from Port Arthur, and the hon. member for Thunder Bay are perfectly right when they point to the negligently amount that has been allocated, through the votes, to this department for the development of the tourist industry in northern Ontario.

However, I add two qualifications to that and one is that we must recognize we have, in fact, two Departments of Tourism and Information operating in this government.

It has always been a wonder to me whether The Department of Lands and Forests, in fact, is more accurate in the promotion of the tourist industry than this department

which, by its name, is charged with jurisdiction over that realm of activity. Perhaps under the estimates of the other department, we will attempt to find out this year just how much of their activity is directed to the tourist industry, and how much toward the harvest of wood from the great vast resources.

The other qualification is, that I cannot share the gloom of my colleague from Port Arthur or the member for Thunder Bay, because the last thing in which will participate, absolutely the last where I will be found at the end of the bench refusing to go into the game, even in the last final minute, will be any endeavour that attempts to make this province into a Switzerland.

I see the great land mass north and west of the French River as not only the east-west link in this country, but as what is sometimes called the treasure house of Canada. Its ultimate development must be consistent with the furtherance of the national policy.

**Mr. Chairman:** Is this on vote 2101?

**Mr. Sopha:** That is exactly what I am talking about. The function of this department in the role of government.

**Mr. Chairman:** I am afraid that is not under vote 2101.

**Mr. Pitman:** That is the same trouble I had. You may as well give up now.

**Mr. Sopha:** That is precisely what I am talking about, and I am expressing a grievance in that regard. However I made my point and laid it down—the role in which I see myself as the member for that important metropolitan area with its great industrial potential and it is very inconsistent with this—

**Mr. Chairman:** Vote 2101.

**Mr. Sopha:**—and all the paraphernalia that goes with the promotion of the tourist industry.

Now, having said that, I want to refer to—I hope this is the right place and I hope you will agree with me that it does not matter where it comes up in the estimates—this volume called the “Directory and guide to the services of the government of Ontario,” published under the authority of this department.

**Mr. Chairman:** It is under vote 2103—information and promotion.

**Mr. Sopha:** Vote 2102.

**Mr. Chairman:** Vote 2103.

**Mr. Sopha:** Well, what are we promoting?

**Mr. Chairman:** Information and promotion division, Department of Tourism and Information.

**Mr. Sopha:** Well, all right then. I could have dealt with it here, but if you want to be technical about it, fine. I will reserve it for that vote.

**Mr. Chairman:** On vote 2101, item 1, salaries.

**Mr. R. H. Knight (Port Arthur):** On a point of order, Mr. Chairman, in relation to the remark by my hon. colleague from Sudbury, I think the word he used was gloom. Now, there was no gloom in my remarks last night. What I had to say was, I left realistic, factual, positive, and I was going to make some imaginative suggestions as to how tourism might be promoted—

**Mr. Chairman:** I do not think this a point of order at all. The Minister recognized the points that the member for Port Arthur made in his reply to the member's remarks. The member for Sudbury suggested that he was not quite as gloomy in his attitude. It is a matter of opinion. There is no point of order.

**Mr. Sopha:** Let me clarify it. I was not here last night but I heard about my friend from Thunder Bay. Then the Minister got up and linked my friend from Port Arthur with the tenor of the remarks of the member for Thunder Bay. I accepted the Minister's own connotation. I see I was wrong and I hasten to apologize. I am delighted that my spirited colleague from Port Arthur now gets up and says "not me." I would have been frightfully surprised if he had couched his remarks in anything like gloom. So, now my conscience—I am completely—

**Mr. Chairman:** Order!

**Mr. Sopha:** I am completely in equanimity that it is only the member for Thunder Bay that gave that connotation to it.

**Mr. Chairman:** Order! Order! I think the member has made his point. Vote 2101, item 1. The member for Humber.

**Mr. G. Ben (Humber):** Mr. Chairman, I point out to you that item 1 of vote 2101 deals with salaries of the main office. I trust that the salaries being paid with reference to the employees in the main office is to compensate those in that main office who were charged with the responsibility of making plans and

executing the plans with reference to the responsibilities of this department. Therefore, Mr. Chairman, on the grounds that these people are obtaining money by false pretences and thus bringing myself into item 2101, I shall proceed.

The name of the department, Mr. Chairman, is Tourism and Information. I would suggest that it a travesty on the use of the word tourism to suggest for one minute that this department does, in fact, deal with tourism. It may deal with resorts, it may deal with recreation, it may deal with information, but it does not deal with tourism. In fact, it is the last thing that this department does deal with, and I say to you, Mr. Chairman, if anybody in this department is taking public funds in the guise of doing something about tourism that it is obtaining public funds under false pretences.

**Mr. Chairman:** Order! The member is out of order entirely. We are dealing with estimates on salaries.

**Mr. Ben:** Oh no. I am dealing with salaries, Mr. Chairman, that is what I am dealing with.

**Mr. Chairman:** Estimates on vote 2101. Salaries.

**Mr. Ben:** I am dealing with salaries. That is the first item I wanted to develop. I am dealing with salaries and I suggest that these salaries ought not to be paid, because there is nothing being done with reference to tourism. Tourism, Mr. Chairman, is travelling.

**Mr. Chairman:** This is the member's opinion. We are dealing with salaries voted in these estimates.

**Mr. Ben:** Oh no, that is where the word tourism comes from—touring, to tour. It does not simply mean to go from one place to another and park there and then come back again; going up to a resort for a vacation. There is no provision anywhere in these estimates, Mr. Chairman, dealing with tourism *per se*, that is providing facilities for people who—

**Mr. Chairman:** Order please! Will the member please resume his seat. We are dealing with the estimates of The Department of Tourism and Information. It was agreed by members previously of the committee that we could take the votes item for item, each vote in each department. We have proceeded to do this on most of the estimates that have come before us so far. Some could not lend themselves to item for item discussion.

It has been suggested by the Chairman that we do that in this particular department's estimates. We are now dealing with vote 2101 the estimates requested under the main office vote for The Department of Tourism and Information. Item 1 is salaries. If there is any discussion on salaries it will be in order.

**Mr. Ben:** That is exactly what I was discussing, Mr. Chairman, and suggesting that these salaries ought not to be paid.

**Mr. Chairman:** Order! The member can make such a motion if he wishes.

**Mr. Sopha:** It is a valid point.

**Mr. Ben:** Well, good grief. Have you lost sight of your senses when you say that I cannot discuss moneys being paid, because they are salaries and the item is salaries.

**Mr. Chairman:** Not in the context in which the member is putting it, no.

**Mr. Ben:** Oh for goodness sakes. Well, would you just explain to the House just what you mean by salaries if we cannot question them?

**Mr. Chairman:** The salaries that are paid to the employees in the main office of The Department of Tourism and Information.

**Mr. Ben:** Well, what am I discussing?

**Mr. Chairman:** The salaries.

**Mr. Ben:** Thank you. Then why are you ruling me out of order?

**Mr. Chairman:** This is what you thought you were discussing, but you were not. Item 1—

**Mr. Ben:** What was I discussing if I was not discussing salaries?

**Mr. Chairman:** Everything else but.

**Mr. Ben:** I am still discussing item 1.

**Mr. Chairman:** The member was philosophizing; he was going all over the place.

**Mr. Ben:** I am saying that they should not be paid these salaries, and I want to tell this House why. Talk about closure.

**Mr. Chairman:** Item 1?

**Mr. Ben:** I am on my feet, Mr. Chairman, I am discussing item 1—salaries—and I am saying that they should not be paid for any

work done towards tourism because they are not doing anything about tourism. The department is called Tourism and Information and this department completely ignores tourism. They may look after resorts, they may look after information, they may look after parks, but they do not look after tourism.

You tell me where there is one site in this province established by this department where a person touring can find adequate toilet facilities; where they can find washing machines to wash their clothes; where they can find hot showers; where they can find a parking camp for their trailers; where they can hook it up and get facilities? Where is there one site operated by this department that calls itself Tourism and Information? There is not one.

**Hon. Mr. Auld:** Mr. Chairman, there are 19 that I mentioned a few moments ago.

**Mr. Ben:** Information centres, Mr. Chairman, information centres.

**Hon. Mr. Auld:** Does the hon. member wish to hear the answer, Mr. Chairman? They can at least go to the washroom, because they all have washrooms. As far as dealing—

**Mr. Ben:** They say facilities are supplied by the side of the road.

**Hon. Mr. Auld:** I shall not be unparliamentary, Mr. Chairman—much as I am tempted to, because that is a great straight line—however, what I should also point out to the hon. member is that this department has correspondence with or personal contact with hundreds of thousands of tourists and potential tourists each year. If the hon. member will look at the Act and see the objectives of the department, one object of the department is:

To preserve and develop tourist and recreational attractions—

We do this, and to take two that come to mind I would say Saint Marie among the Hurons, and Upper Canada village. Another object:

To encourage and promote an improvement in the standards of accommodation, facilities and services offered to the travelling and vacationing public—

We do this through the development branch and counselling, and through the advertising and promotion budget and the publicity budget of the department.



—and to publicize the tourist industry and resources, attractions and advantages of Ontario.

That is the purpose of the salaries we are voting at the moment.

**Mr. Ben:** Mr. Chairman, I do not know why the hon. Minister got up. The hon. member for Port Arthur was more or less ruled out of order when he got up on a point of order, and in essence this is what the Minister was trying to do. I had the floor.

I reiterate that this department does nothing with reference to providing the facilities for tourism. The fact that you have an information booth and that there are toilet facilities puts you in the same class as gasoline stations and restaurants, so perhaps you ought to call yourself the department of gasoline stations, restaurants and recreation information. But do not get up here and naively suggest that the hon. Minister is exercising a function by providing toilet facilities, when every restaurant in the city of Toronto supplies the same and it is not called The Department of Tourism and Information. Every service station in Ontario provides the same facilities and it is not called The Department of Tourism and Information.

But could you define to me where there is one trailer camp where people can park their trailer while they go and, say, visit Toronto or visit Hamilton or shop in Toronto or shop in Hamilton or shop in Ottawa or shop in London, Ontario? Name me one camp that this department has set up. There is not. That is tourism.

**Hon. Mr. Auld:** If the hon. member had looked at the estimates of this large parks commission, which comes under this department, he would find 13 parks, but that is not our primary responsibility.

**Mr. Ben:** I looked at parks to find out where under The Department of Lands and Forests there was an item I could put my finger on, where we could pin the responsibility, and say: "Now, look, you are supposed to supply these facilities but there are not any." I question why this department should exist; why they should draw these salaries. We have a department over there, it used to be The Department of Economics and Development, which could very easily take charge of the publicity that you carry out. We could throw resources into The Department of Lands and Forests, and that would just wipe out your department completely. As far as the parks are concerned they could

all come up under The Provincial Secretary's Department as simply commissions.

**Mr. Chairman:** May I point out to the member that the department does exist and we are dealing—

**Mr. Ben:** Yes, it does exist but I am saying they are taking their salaries by false pretences, that is nothing but a pork barrel because they are certainly not doing anything to earn these salaries.

**Mr. R. G. Hodgson (Victoria-Haliburton):** Mr. Chairman, on a point of order, I believe what the hon. member is talking about is the tourist industry development and I think that comes under vote 2104.

**Mr. Chairman:** This has been pointed out before but the member for Humber insisted on talking about it under 2101.

**Mr. Ben:** There is no tourist industry being promoted; there is a resort industry but not a tourist industry. I say there is a world of difference between these two words.

**Mr. Chairman:** All right, the name is Tourism and Information—the member may have it his way.

Items 1 to 4, inclusive, agreed to.

On item 5:

**Mr. Ben:** Will the hon. Minister give us a breakdown of anticipated grants?

**Hon. Mr. Auld:** The total, Mr. Chairman, is \$18,000. It is made up of: the joint board of tourist associations, \$4,500, the association of tourist resorts, \$200; northern Ontario outfitters, \$200; Ontario motel association, \$200; Canadian tourist association, \$6,900; Lake Erie international vacationland, \$100; national association of tourist officials, \$75; American society of travel agents, \$75; Mississippi parkway association, \$2,000; Thousand Islands international council, \$2,000; Ontario tourist association, \$1,000.

**Mr. Ben:** May I ask the Minister what the Mississippi parkway is? And did I hear him correctly?

**Hon. Mr. Auld:** The Mississippi parkway association is a group of all the states on either side of the Mississippi and the province of Ontario and the province of Manitoba, who jointly promote travel up and down the Mississippi starting at New Orleans and coming up to the border and then on into Ontario and Manitoba.

**Mr. Ben:** May I ask the purpose of a grant of \$2,000 of Ontario funds to this organization, which promotes—

**Hon. Mr. Auld:** To assist in their work in promoting traffic which will come to Ontario up the Mississippi River parkway.

**Mr. Ben:** What assurance have we that this traffic, in fact, will come up the Mississippi? And may I ask where the headwaters of the Mississippi are?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Yes.

**Hon. Mr. Auld:** I can say they are not in Ontario, as far as I know. We have indications from surveys—

**Mr. Stokes:** I am told they are.

**Hon. Mr. Auld:** —that the work of the association is generating more traffic coming into Ontario.

**Mr. L. Bernier** (Kenora): Mr. Chairman, if I could say a word on the Mississippi River parkway commission. It is a promotion body made up of members from 10 states bordering the Mississippi River and Ontario and Manitoba. They promote traffic from New Orleans right up to the Kenora area. In fact last year, in centennial year, they had their annual convention in Kenora, sir. There is no doubt about it, they are promoting traffic into Ontario. Manitoba also belongs to the Mississippi parkway commission and we can take pride that the province of Ontario belongs to it. It is a good organization and it is doing something for the province of Ontario.

**Mr. Ben:** Does the Missouri rise in Manitoba?

**Mr. Bernier:** We were very fortunate in having such a promotion body.

Item 5 agreed to.

Votes 2101 and 2102 agreed to.

On vote 2103, item 1:

**Mr. Sopha:** Is this the one where I am allowed to refer to this non-Pulitzer-prize-winning publication?

**Mr. Chairman:** Yes, the member may refer to the non-Pulitzer-prize-winning publication under item 1, vote 2103.

**Mr. Sopha:** Mr. Chairman, despite its very slick and expensive exterior, this volume entitled "Directory and Guide to the Services

of the Government of Ontario," published for the year 1967, in my view has many deficiencies, and indeed has many elaborations that not only are needless but ill fit the Conservative government.

I attempted to secure the 1968 edition and was told that it was not yet published, so therefore my remarks may have the germinating effect of bringing about somewhat of an improvement in it. The first few pages are, of course, perfectly consistent with the propaganda feature of this department. And I use propaganda, of course, in the sense that it was used in connection with the medieval church that had a department of propaganda, which means only the dissemination of information and not necessarily with a sinister or ulterior purpose. And really I question—I beg your pardon?

Interjection by an hon. member.

**Mr. Sopha:** Dissemination of truth—

**Hon. M. B. Dymond** (Minister of Health): Indeed.

**Mr. Sopha:** —as seen by the medieval church. And your ancestors and mine, of course, questioned that. But we will not get into that.

**An hon. member:** It would be a theological discussion.

**Mr. Sopha:** Right. The hon. Minister of Health is well qualified in that area.

**Mr. Pitman:** Right.

**An hon. member:** He was not there.

**Mr. Sopha:** Really, all these photographs in the beginning must provoke a reaction of great curiosity about the glib and plausible way—in fact, the clumsy way—in which the Minister of this department seeks his self aggrandizement. One looks at the picture of His Honour the Lieutenant-Governor, followed by one of the "first citizen" with the Minister hard on his heels on the overleaf, the Speaker in his medieval robes, the Clerk and the deputy Clerk in their lawyer regalia, the sergeant-at-arms in his bedemolled splendour, and finally a picture of some meeting place. It is difficult to tell just what it is, but it is said to be the Legislature in session.

My complaint initially is, what reaction does all this provoke among people who open this book and on the very first page see a picture of the Lieutenant-Governor in his uniform that would be befit a field marshal

in the Jordanian army. The only two near-human depictions are of the "first citizen" and the Minister.

I say, and I have said many times, that one of the troubles of this province with its emphasis on tradition—the wrong traditions; almost always they single out the wrong traditions—is that we get cluttered up with an artificial symbolism that does not truly do justice to the vigorous qualities of the people of Ontario. I am speaking in terms of impact, and I say most seriously to the Minister that it is totally unnecessary in opening up a prosaic review such as this book is intended to be.

It is entirely unnecessary to attempt to depict this tradition to people—supposedly this is for people who come to Ontario with a clean slate of knowledge about what life is like—to let them go away with the conception that we are somewhat medieval in respect of the trappings with which we surround ourselves. I would invite him to consider seriously—if he is a humble man, and I assume he is, and knowing the "first citizen" to have a good deal of humility—that in the next edition he might do away with the pictures entirely.

I know nothing about publication costs, but this must be a very expensive publication being paid for by the taxpayers of this province. Now that, Mr. Chairman, is a minor comment and I want now to refer to some of the prose in this book to which I make very deep objection. That prose is to be found on page 283. It is very short and I want to read it into the record, and I want to ask a couple of questions about it. They will be rhetorical questions, I assure you, and they may or may not elicit an answer. Frankly, I do not care if they do because I will have got my point across. Under the heading "government"—and I am quoting from this point on:

Executive authority in Ontario is vested in the Crown, represented by the Lieutenant-Governor who is appointed by the Governor-General in council and who exercises all functions of the Crown necessary for carrying on the provincial government.

I want to say that as a matter of constitutional precedent, custom, usage and law, that statement is almost totally inaccurate and it bears no relationship whatsoever to the reality of government in Ontario in 1968. There may be some mythology still extant that executive authority is vested in the Crown, but I say as a matter of actual constitutional fact that executive authority is right there—and I point

to the first two rows on the other side of this chamber.

That is where the executive authority is and that is where they come and take their seats every day; the executives who make the orders, issue the commands and direct the life of this province. They come every day at 2 o'clock and about 2:30 people get up on this side of the chamber to ask them questions about their carrying out that executive authority.

So I am merely asking that this place and this book become relevant to the life of Ontario and that we shed once and for all this Alice in Wonderland depiction of a world of unreality that does not exist. The government, as I have said before, is not the Lieutenant-Governor's government in reality; it is the government of John Robarts and last October that is just what he called it—7,257 times on the television, by actual circulation measurement. He called it, "my government."

Then the book goes on to say:

The Lieutenant-Governor, together with the Cabinet of Ministers elected from the political party in power and appointed by him on the recommendation of the Prime Minister, form the government of the province which functions in accordance with British precedent.

I stop there. I want to say that historically I object to that statement.

**Hon. Mr. Auld:** It should be in because it is the truth.

**Mr. Sopha:** I object to that statement; it is not the truth, sir. It in no accurate way characterizes the development of political institutions on the northern half of this continent. We are all of the political institutions, whereas reforms may have been borrowed from somewhere else and were adapted to the environment in which they function. Only in very minor ways do they copy or reflect institutions to be found elsewhere.

They are indigenous institutions, and if you want to talk about the British precedent go to Great Britain and try to find any institution that even remotely resembles the Canadian Senate. That statement could be expanded in a good many ways that might not be flattering to the Canadian Senate and neither our courts nor our parliamentary institutions nor anything else in our government are exact copies of anything else. So I say to the Minister of Tourism and Information, if he is truly going about the task as he professes to be and extols his own efforts in relation to it of advertising our province to foreigners, then



I make a simple plea to him to do it in the light of talking about Canadian traditions, Ontario traditions.

Good heavens, this is the birthplace of the Confederation of this country. Ontario played a greater part than any other part of the country in creating this nation. So in the next issue of this book let us drop that jazz about the British precedent and let us have somebody write a couple of paragraphs—if there is room and there ought to be in 331 pages—about the development of Canadian parliamentary institutions. If he wants to continue to be a slave and a copier looking for the substitute father, then just continue along with this flapdoodle that is found in this part of the book.

Then it goes on to say:

While the Lieutenant-Governor is the formal and legal executive authority of the Crown, he must act on the advice of his Ministers in accordance with the conventions of the Constitution.

Any citizen of Alabama, California or Belgium who came here and read that statement, would just boggle at the meaning of that. That obscures more than it reveals. There is just no sense in the statement. At one end of it, it seems to say something that executive authority is vested in the Crown; and then at the other end of the statement it says it is not. The statement is a complete paradox. Better leave it out than provide for the seven or eight pages that would be required to explain what it means.

The Lieutenant-Governor is the formal and legal executive authority of the Crown and I doubt whether that is true. I would like to have the Attorney General (Mr. Wishart) ask Mr. Callaghan, the senior Crown counsel, if that statement is true. I doubt it very much. The legal and executive authority, I would contend, is probably found in the statutes of this province.

Before making my remarks I must say I read that gem of the nonsensical seven or eight times to try to make some sense out of it. Being completely unable to do so, I decided I would come in here and make a plea in the public forum to try either to get it removed or rewritten, in the context of reality in Ontario in 1968, this Alice in Wonderland depiction of the way government functions in Ontario.

In this year, I think as I go around this province and try to comprehend what is happening out in the street, that this kind of stuff is disappearing from the consciousness of

people—so the B and B commission reported, after spending \$6 or \$7 million. It is very gratifying, they said. In the passage that is etched on my memory, the B and B commission said that adherence or loyalty to British institutions and British traditions are not as fixed in the Anglo-Saxon people as a good many Canadians think they are. In other words, the B and B commission reported that there is some mythology that has been built up that because you are of Anglo-Saxon origin that you have an almost complete and total loyalty to the British traditions and they said that is not so in Canada or Ontario, some areas of which are settled almost totally by people of Anglo-Saxon heritage. And that is very encouraging to me, to hear that.

That trend in development, which I think I sense in Ontario, is not encouraged by this mishmash that The Department of Tourism and Information includes on page 283 of this book.

So, Mr. Chairman, I say to you that when the new edition comes out, I will open it to the comparable page very quickly to see whether accuracy has been achieved about the constitutional structure of the government of Ontario.

**Hon. Mr. Auld:** Mr. Chairman, I would simply say that this has been in this book for some years. The book itself is primarily distributed as a service to other governments and businesses in the province, it is not a piece of general tourist literature. I may say it appears to me there is a small misprint in the second paragraph, although I would also point out to the hon. member that I do not think the hon. member for Sudbury completed this section on government. It says:

It is the Cabinet or executive council that really carries on the government. It remains in power as long as it retains the confidence of the Legislature. The business of the province is carried on by a number of government departments, each of which is headed by a Cabinet Minister who is responsible to the Legislature.

We will have a look at the grammar and the constitutional accuracy or otherwise of this passage.

Items 1 to 3, inclusive, agreed to.

On item 4.

**Mr. Pitman:** On this item, you have these films that are being shown on American television?

**Hon. Mr. Auld:** Yes, this would be under item 4, Mr. Chairman.

**Mr. Pitman:** Well, I may say that after the Minister spoke last night, I happened to put on television and it was an American station. It just happened that this particular film came on and I would congratulate the Minister—it is a very effective use of television and a very effective use of the Ontario tune, I suppose you might call it.

However, it does bother me a little that the people of Ontario are going to be deprived of this. I think the Minister said these are being used on American stations and I am sure that members of this House recognize the ploy that “one should try to keep the market that one has” and I would hope that these television films might at least be put on the major urban centres of southern Ontario to encourage people to come north.

It seems to me that many of our people in southern Ontario go south, and surely if you want to keep the tourist industry building, we cannot depend entirely upon the United States for this. And we will lose our balance of payments as well, if we have Canadians going into the United States and paying out money instead of coming up north, or northeast, or northwest as the case might be, up in the areas where the Minister is trying to draw the tourists.

It also relates the second point I was trying to make before under the other item; that the Minister, I think, should consider himself responsible as well for a redefinition of tourism in relation to the whole recreational necessities of a leisure society. In other words, I think he must look upon himself as trying to encourage our own people to see Ontario as the kind of place where one can live a quality life because of the new opportunities for leisure which will come in the future as people work less and less.

I do want the Minister to see this other dimension, which I think should be there, a dimension which forces him to look at the people in Ontario as well as those in the United States and to look at them not just as tourists, but as people who need the facilities, the resources and the opportunities for pleasure which he, in a sense, controls or at least regulates, and see it in the context of this future leisure society.

**Hon. Mr. Auld:** Mr. Chairman, that is a very interesting comment and I just wonder whether this is the basic problem that all large

organizations face in setting up administrative divisions to run things most effectively and most economically.

I think it is the function of my department to tell people about the recreational facilities that we have in the province, but I do not know whether this department is the ideal department to operate a great many recreational facilities. Certainly, it is our responsibility in a changing economy to do two things: one, tell people what recreational facilities might be of advantage to them in their areas, and the other is to tell other people about those facilities and where they exist.

I think we are doing this effectively but I think obviously there is more that can be done and more will need to be done as our form of life changes, and there is greater leisure time and so on.

In connection with the television commercials, we did not, of course, as all departments did not, achieve all the funds that we would like to have had for our programme. Our major market area is in the border states and the television commercials are being shown on some 15 United States cities.

In southern Ontario, there is a good deal of overlap in the corridor where a great deal of the population is. Many people have an opportunity to see them. But our biggest tourist drain, in terms of Canadians leaving the province, is not in the summer time.

This programme—there are three commercials at the moment being shown—is primarily directed to the summer season, and this is not the time when we have the majority of Ontarians leaving the province, so that in trying to set priorities, trying to pick markets and not having funds to cover the whole area—everything that we would have liked to have done—I think our choice has been good having regard to the kind of promotion it is and the season that it is.

I would be delighted to have had sufficient funds to run some of those commercials, say, in Toronto, London, Hamilton and Windsor areas; perhaps in the future we will be able to. I hope we will because I think it is a very effective media. That is basically the reason for the choices we have made.

**Mr. Pitman:** I wonder if I might ask the Minister if he intends to do a promotion of this nature for winter tourism. It seems to me that there is a very real change taking place in Ontario and I think that winter tourism is going to be extremely important.

I would like to ask him this question first; also if there is recognition that in your promotion there should be some relationship with your consultation services. I know that this is another item, but the point is that many tourist operators in Ontario are still thinking of tourism in terms of providing a cottage for people who want to hunt or fish. I think that our urban society is producing a much more sophisticated type of person who wants different kinds of leisure activities.

I am wondering what kind of relationship there is between you—first, if you are recognizing the necessity of promoting a more sophisticated type of tourism—particularly winter tourism—and if you are relating this to a kind of expanded and consultation service to provide resort owners and people who are involved in tourism with the wherewithal so that they can change their operation to provide this kind of more sophisticated service for tourism.

**Hon. Mr. Auld:** Mr. Chairman, as far as television promotion for winter sport is concerned, we do not expect to have any this year because of budgetary limitations. However, we are continuing the programme that we started about three years ago of promoting winter tourism, primarily the skiing industry and now to a growing extent, snowmobiles—I think that this is what the manufacturer in my hon. friend's riding calls them—Skidoos, the various trade names—and winter carnivals, which is another large aspect.

Through the development branch, we have been encouraging and attempting to give some leadership to a number of operators who have summer season business—if they are in a position to do so geographically—to start looking at winter activities and get together with the people in their community to work out events which will draw people—whatever they may be, races, carnivals and so on. I think there is good progress being made in this although, of course, as in anything it could always be at a faster rate.

I think that the accommodation and the food end of this industry is quite aware now of the opportunities of both winter sports and trying to lengthen the spring and fall season by means of conventions, business meetings, and so on. This year in the department, we have a small group who are doing studies and making information available to communities, to try and assist them in helping themselves to get more spring and fall business.

**Mr. Chairman:** Item 4, the member for Port Arthur.

**Mr. Knight:** I view of the very extensive Buy-Canadian programme in this country and I guess more particularly in the province of Ontario—along the same lines, I am wondering what the Minister is doing in his department; what moneys are being expended and what efforts are being made to encourage the heavy populations of southern Ontario to come and enhance the tourist industry in northern Ontario?

I think there are a lot of people in the province of Ontario who are not aware of the scenic attractions and the pleasures that might be found by travelling through northern Ontario in the summertime, and even in the winter time. I think a lot of our Southern Ontario residents are inclined to get to Sudbury or North Bay or Sault Ste. Marie, and they do not venture to carry on up Highway 17, over Lake Superior. I think that it is the duty of the department to encourage people in Ontario, wherever they can, to spend in Ontario particularly northern Ontario. I think that this is a point that would be important to our people up there.

I would like to be informed how much the department does to encourage Ontarians to enjoy themselves in summer time in Ontario and northern Ontario specifically.

**Hon. Mr. Auld:** Mr. Chairman, it would be difficult, and in fact I could not this afternoon, give the hon. member a figure. I can tell him the funds that are expended in Canadian publications, although I do not have the Ontario circulation figures in front of me to give a breakdown of how much of this is actually in Ontario. It would be difficult. I will give him the media; this is Canadian media now; some of the United States media, of course, circulate in Ontario. Here again I would have to get the circulation figures and work it out with the cost per page and so on. I will get this for the hon. member if I am able to sort it out in the Canadian media, there is the Canadian issue of *Time*; *The Financial Post*; *Le Magazine Maclean*, *Saturday Night*, and *Macleans*. The Canadian magazines and papers, in total, are \$144,283.

I cannot as I say, give him that portion of the other media which has circulation in Ontario, but I will endeavour to get that. Of course, many of the other activities, for instance, the tourist information centres on the border, are used by a great many Ontarians to get information in their travels around the province, whether they be in the north



going south, or in the south going north. I am sorry I cannot give him a specific figure on this.

I can tell him that, overall, our Canadian promotional efforts—which we figured out a few years ago—would be, roughly I think it was about 35 per cent. Now there were some arbitrary decisions made; you could say that maybe it is 40, maybe it is 30; and it would be roughly the effect. Ontario would be roughly 45 per cent of Canada, so you can work it out.

**Mr. Knight:** Can I take it from the hon. Minister's remarks then that his department does indeed have a concerted effort or campaign, perhaps parallel to the Buy-Canadian campaign, to have Ontario residents holiday in their own province, as much as possible? And to keep in front of them especially the north, which is an area which requires a lot more development and a lot more interest from the other residents in Canada, particularly in southern Ontario. It would benefit them greatly if their, in some cases, more affluent neighbours to the south were to come and visit them up there from time to time. There is a concerted effort to get Ontarians to holiday in Ontario; is that right?

Item 4 agreed to.

On item 5:

**Mr. J. P. Spence (Kent):** Mr. Chairman, it says promotions and I do not know if I am in order under this or not, but I would like to talk about the site that is located in Kent county—

**Mr. Chairman:** We are, I would say to the member, dealing with information and promotion division but we are dealing in item 5 in the vote, which is Ontario tours.

**Hon. Mr. Auld:** I think the hon. member's question would come under item 6, which is advertising and publications and so on.

**Mr. Chairman:** Is there anything on item 5?

**Mr. Sopha:** I am beginning to wonder. I have attended one of the festivities for the visiting firemen, representing the American press that are brought here every year. I suppose this is what this refers to, Mr. Chairman, the annual tour of the American—

**Hon. Mr. Auld:** We no longer have the tour to which I think the hon. member is referring, which was United States editors mainly of small weekly and daily publications. But it

covers some groups of travel writers and persons of this type, not just general editors. It covers the individual writers who are brought here and helped in their travels to write about Ontario. For instance, there was one to which the hon. member for Manitoulin, for Algoma—the Whip at any rate—in whose riding—I sent to him the other day a story, I think from the *Buffalo Evening News* about Elliot Lake, which was as a result of some people who had come up and part of whose costs had been paid out of this vote. But the United States editors' tour is no longer.

**Mr. Sopha:** This would be a hospitality clause to be used in the discretion of the Minister then, would it? The selection would be made by the Minister, I take it.

**Hon. Mr. Auld:** Providing that they are involved in the travel field, and in the print field, which is the rule that we use.

**Mr. Sopha:** Can the Minister point to the \$75,000? That is a lot of money where I come from. Can the Minister point to any tangible benefit the people of Ontario in this realm have ever got for the expenditure of \$75,000?

**Hon. Mr. Auld:** One of the things that I mentioned a few moments ago was the Gordie Howe film which was filmed by American broadcasting and seen by some six million people.

**Mr. Sopha:** Is he American?

**An hon. member:** Look at the tourist figures.

**Hon. Mr. Auld:** I cannot tell you whether Gordie Howe is a Canadian or an American. As a matter of fact, I was having a discussion with my son about that on Sunday and we were not able to agree. But the point is that we were able to have funds to use to assist this company. This was not a hospitality fund, it was to assist them in some of their expenses to film this programme which would be of tremendous assistance, in my view, in getting northern Ontario known.

**Mr. Sopha:** It says tours of editors. This could have very sinister implications.

**Hon. Mr. Auld:** Well I do not know how—I disagree!

**Mr. Sopha:** The Minister could use the \$75,000 to entertain editors who are friendly and the ones who are not friendly would not benefit from the large "S" that is divulged. Oh, you may laugh, but I would suspect that

that would be the very avenue the \$75,000 would be used in.

I ask the question again, could the Minister point to anything tangible from which the people of Ontario can be said to have derived the benefit for the expenditure of \$75,000?

I do not understand that mumbling about Gordie Howe, though I have often wondered how it is that Canada's athlete of the year can be a citizen of the United States.

**Hon. Mr. Auld:** I am afraid I did not make that selection so I could not help the hon. member, Mr. Chairman.

I can give him some of the people who have come along. In January, Miss Louise Lapointe of the Canadian government travel bureau office in Paris, who is on a familiarization tour of northern Ontario; the Misses Morgan, Gibouin, Storm, Peterson of the Canadian government travel bureau offices abroad, on a familiarization tour again; Miss Helen Adams, travel writer for the *Chicago Tribune*. She toured Orillia, Midland, McMichael conservation collection of art at Kleinburg, Toronto, Niagara Falls, Stratford, Kingston, Upper Canada village and Ottawa. As a result, two extensive articles about Toronto have appeared in the *Chicago Tribune* and several others are slated for the coming year.

In July, Mr. and Mrs. Clifford Webb of London, England, are participating in the Shaw seminar at Niagara-on-the-Lake. In June, Mrs. Anne Terrill, travel writer of the *Santa Anna News*, Santa Anna, California. In August, Miss Alison Downie, travel writer of the *Glasgow Herald*, of Glasgow, Scotland, and Mr. David Irvine, *The Coventry Evening Telegraph* of England on a trip to Stratford and to Rice Lake. As I recall it, these were part of a group brought to Canada by the Canadian government travel bureau and then turned over to the various provinces in which they had an interest.

Miss Minori Sakaguchi, of the Canadian government travel bureau office in Japan on a familiarization tour. The national film board's distribution group, George McKenna and Miss—

**Mr. Stokes:** Mr. Chairman, what location in northern Ontario did this editor visit?

**Hon. Mr. Auld:** Oh, I am afraid I have not those details, Mr. Chairman, it was a familiarization tour of northern Ontario. I could get the point for the hon. member but I do not have that detail here. Here is another group: George McKenna, an outdoor writer of *The American Rifleman* magazine;

Lee Wulff of *American Sportsman*, the TV programme which I mentioned a moment ago; Zebotson, a travel writer of *Frau Moderne*, from Hamburg, Germany; a group of French Canadian journalists and the ethnic press from the Toronto area mainly; two others from western Germany; Mr. Frank Gallego of the *Daily Telegraph* in Sydney Australia—

**Mr. Singer:** You paid for him to come from Australia to here?

**Hon. Mr. Auld:** No, but we would assist him, perhaps, with reduced meals or arranging accommodation for him.

**Mr. Singer:** He paid his own fare?

**Hon. Mr. Auld:** There is a whole host of these, Mr. Chairman. I hope I do not need to take the time of the House to read them all because this is a standard thing that is involved in this vote.

**Mr. Chairman:** Item 5. The member for London South.

**Mr. J. H. White** (London South): Mr. Chairman, I notice with interest the Minister's assertion a moment ago that these sums under item 5 will be expended to encourage travel editors, tourist editors and other representatives of print media to come to Ontario.

I want to express the view, which I hold very strongly, that these representatives should not be restricted to print but rather that we should be making much greater efforts to entice electronic media representatives to this province, and in support of that assertion I want to make a few comments.

I think it was only about five years ago that Mr. Godfrey Hudson left the position as *Globe and Mail* Queen's Park bureau chief to go with CKEY radio station. At that time, he applied for membership in the press gallery as an electronics representative and indeed he had a great deal of trouble accomplishing that.

**Mr. Sopha:** What has this got to do with it?

**Mr. White:** I will be coming to a conclusion in a minute—far more to the point than most of your orations.

In our press gallery we have more electronic media representatives than we have print. What I am trying to tell my friend from Sudbury is this, the world is changing, we are much more dependent now on electronics for communication than we use to be. Print is not nearly as important, relatively, as it used

to be and the message, I think, for this Minister and other Ministers, is to invest more funds in radio and TV advertising and to make greater efforts to get radio and TV commentators from other parts of the country to visit Ontario.

**Mr. Sopha:** Did you just discover that?

**Mr. White:** Now sir, I can tell you that the news editor of CFPL radio in London has been invited and, in fact, has accepted invitations from different parts of Europe to visit—the Netherlands, I think that was one of them. The reason that European travel promoters are aggressive in this area, the reasons the airlines are aggressive in this area, is because they know radio and TV are now attracting far more people than print. The advertising agencies have a bias. They are biased towards print because they can walk in and lay down beautiful sketches by way of presentation. They can bring a lovely scrap book up to their client after the event and say, "Here is where your money went," in a way that is not possible with radio and TV.

We politicians are biased for two reasons. First of all, according to the professor of communications at the University of British Columbia, the higher one's academic attainment, the more dependent one is on print. So here, where the average academic attainment is greater than the average in the province as a whole, we are tempted to overstate the importance of print.

I think the second reason is that politicians, when they get home from their duties here in Toronto, are able to see what the papers have said and if they are favourable and flattering then, of course, those clippings go into the scrapbooks.

This is not possible with radio. But I know that from my experience with "open line" programmes in London, that radio is tremendously potent and I think that this government should be paying more attention to radio and TV.

Now to conclude, will the Minister consider having electronics representatives, rather than solely print representatives, included under this item?

**Hon. Mr. Auld:** Mr. Chairman, perhaps I did not make it clear. We have had some, mainly TV. I would agree with the hon. member that there is a very large field here, and this will be one of the matters in which we will be increasing our efforts.

**Mr. Sopha:** I say to my friend from London South that I have no doubt if you give the

items, if you give the Minister the slightest hint about expanding his entertainment activities, he will be glad and will seize the opportunity with alacrity, because one of the greatest rings of suet around this government is its expertise in the field of entertainment—that is a little advertised one.

But this government is a champion entertainer and will entertain anybody, of any note, at the drop of a hat, and expend a good deal of funds in the most elaborate fashion. And we wish the people of Ontario could see, in terms of this vote, just how this is used for the aggrandizement of this government.

And, indeed, in the realm of entertainment they are mighty selective; and I will not soon forget the shabby treatment that the member for Cornwill got, now a Minister without Portfolio, the Minister from Stormont (Mr. Guindon), on Ontario day at Expo.

I could not expect better treatment from them, although the members of the Opposition ran into two or three member Ministers of the Crown on that day. But do you think they would say to a member of the Opposition, "Come along and celebrate Ontario day at Expo with us"? Not on your life!

But I grieve for the Minister from Stormont that they did not have the decency, having used his people from Upper Canada park to provide a good deal of the entertainment, to extend an invitation to him to participate.

Interjections by hon. members.

**Mr. Sopha:** These very selective people did not even acknowledge his presence at the place. And his park had provided that very fine group of young Canadians to provide the entertainment. I met him there and saw the disappointment that he suffered from. So do not tell me about this government ability—

**Mr. White:** On a point of order, that is a completely different department.

**Mr. Sopha:** —to entertain; I am too familiar with it. This \$75,000 is just another item in the broad expanse of the American express credit card, Hilton Hotel umbrella that surrounds this government.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, on this particular vote, was I correct in understanding the Minister when he said that he entertained editors from Ontario to these tours, and the hospitality that is associated with it?



**Hon. Mr. Auld:** I think I mentioned, and I think the hon. members will recall, that three years ago it was suggested, and the department undertook, to have about a four-day annual tour for the editors of the foreign language press, the majority of whom I believe are stationed here. We have paid their expenses by bus in a short tour in various parts of the province. I think last year they were in southwestern Ontario; I would not want to be exact without checking as to where they went. But those are the only editors groups which we now have taken on any tours.

**Mr. Nixon:** Did you not, in fact, last year take those editors to Ontario day at Expo? It seems to me that there was some release associated with a fairly large group of Ontario editors—perhaps the ethnic press editors—who were taken by the government to Ontario day at Expo and put up there for a considerable length of time.

**Hon. Mr. Auld:** I do not think that the visit to Expo was under the auspices of my department. I think it was under the auspices of the Provincial Secretary but I am not sure.

**Mr. Nixon:** Then it was one of the other hospitality funds that took the Ontario editors down.

**Hon. Mr. Auld:** I think, Mr. Chairman, that it was a joint project, because as I recall now our tour was for eastern Ontario, and then they wound up at Expo.

**Mr. Nixon:** You take them to the border and the Provincial Secretary takes them into Quebec.

**Hon. Mr. Auld:** If the hon. member will hang on I will get the details.

**Mr. Nixon:** Mr. Chairman, I do not think it is necessary for the Minister to go to any elaborate research to get this information. I recall, though, that there was a news release saying that the government of Ontario had entertained at Expo this large group of editors, of ethnic papers from Toronto, largely.

I feel very much in agreement with what my colleague from Sudbury has said, that with these hospitality funds there is no doubt that they can do some good work in giving people from outside of Ontario an opportunity to see what we have here to offer, and that we look forward to them writing pleasantly about our tourism facilities. But you have got to be careful, surely, when you are

going to use public funds to entertain editors of our own newspapers here on these rather elaborate jaunts around the province, and even outside the province. I would admit certainly, sir, that the editors of the ethnic press would, I suppose, not be familiar with the facilities we have. But surely the Minister would understand that he would leave himself open to some criticism if this fund were to be used extensively for that purpose.

Item 5 agreed to.

On item 6:

**Mr. Nixon:** This item, Mr. Chairman, is the one that contains the largest sum in the department for the advertising of the facilities that we have here for tourism. The comments made by the member for London South apply even more particularly because it appears that the \$1,720,000 is spent on the old, established methods of luring or enticing people from outside of this province into Ontario, to come here on their visits and to leave behind as much cash as possible, and at the same time have the advantages of what are obviously some very attractive tourist surroundings.

I would like to know if the Minister has had some research done by someone other than those people who are selling him the advertising, or from whom he is purchasing this service, that would indicate that the comments made previously about the usefulness of media, other than the glossy magazines in the United States, might show a better way of using this sum of \$1.7 million. There is no doubt that from the Minister's comments he is doing some experimenting with the use of local television in the American cities in the upper tier of states; but it may well be that if the views already expressed are as correct as I believe they are, we should be spending a larger sum on the use of television than we are for the printed pictures and the glossy ads that have been so much a part of the Minister's efforts in years gone by.

**Hon. Mr. Auld:** Mr. Chairman, perhaps I might just give a breakdown of that sum. About \$500,000 is involved in literature, both the so-called lure book, and area books, and the specialized things about hunting and fishing and rock hounds, and historic sites and the whole host of literature. The remaining \$1.2 million is broken down this way:

In the United States, television is roughly \$400,000; magazines, roughly \$275,000—that

is *Time* and *Life*, this kind of thing; outdoor magazines, \$21,000; and newspapers, \$6,000; a total of \$705,000 for the United States campaign. And a little more than half of this is in television this year for the first time. The Canadian campaign, in magazines and newspapers is for a total of \$144,000, as I said a few moments ago. The special personality series in a United States magazine featuring the north of the province is \$56,000; and then our Quebec-Ontario co-operative campaign is \$75,000, which is in United States media.

So that is the breakdown and, as I say, there is a substantial amount now in television. As far as our own checking of results and so on is concerned, we do this to a varying extent, depending on the programme itself, through our own travel-research department and through various other independent agencies who do Starch surveys and so on, but that is outside our advertising agency itself.

**Mr. Chairman:** Item 6 agreed to?

**Mr. Singer:** Oh wait, Mr. Chairman, before that is carried, I want to ask the Minister what advertising agency he uses. Does he use Dalton Camp and Associates?

**Hon. Mr. Auld:** No, it is James R. Lovick.

**Mr. Singer:** Oh, I see.

**Hon. Mr. Auld:** Dalton Camp and Associates are used by the St. Lawrence parks commission.

**Mr. Singer:** Pardon? Oh, they are used by the St. Lawrence parks commission? They are not used in this? I was just wondering about the coincidence, because I notice that you do a fair amount of advertising in the *New Yorker* magazine and the province of Nova Scotia does that in there, and I would presume that Dalton Camp and Associates perhaps handled the Nova Scotia account. I was wondering if there was anything—

**Hon. Mr. Auld:** Perhaps the hon. member could have thought it might be that the *New Yorker* was a good magazine.

**Mr. Singer:** Oh, well that may be, that may be. How do you choose this agency that you mention?

**Hon. Mr. Auld:** I am not sure, because I am not sure how they choose theirs, but we asked for proposals from several agencies and the agency which appeared to us to have the

best proposal was Lovick and certainly from the work that they have done for us in the last few years, I think we made an excellent choice.

**Mr. Singer:** How many years have you used them?

**Hon. Mr. Auld:** Four years.

**Mr. Singer:** Did you ask for any proposals from other agencies this year?

**Hon. Mr. Auld:** No.

**Mr. Singer:** How long is it since you have asked for proposals from other agencies?

**Hon. Mr. Auld:** Four years.

**Mr. Singer:** When do you next propose to give any other agency a chance?

**Hon. Mr. Auld:** When we are dissatisfied with Lovick.

Some hon. members: Hear, hear.

**Mr. Chairman:** On item 6.

**Mr. Stokes:** Mr. Chairman, on item 6—advertising and publications—mention was made of the fact that \$56,000 was spent on northern publications—did I understand you correctly? You were answering a question of one of the members.

**Hon. Mr. Auld:** No, I said—and perhaps I was not clear—that the personality series which I mentioned a while ago, in relation to the special projects we are doing for the northern part of the province, was in a United States magazine. Last year it was in the *New Yorker* and this year it is in the *Saturday Review*. The amount of money involved in that programme—the personality series which is a series of photographs of personalities of the north by Yousuf Karsh—is \$56,157.12.

**Mr. Stokes:** I see. I just want to pursue this matter a little further, Mr. Chairman. The Minister mentioned a publication that is put out for rock hounds, and in my riding up along Highway 11, the Minister's department officials had correspondence with a chap who runs a rock shop there.

As a matter of fact, it is practically his only source of income now, since the completion of the circle route on Highway 17 where people have a direct route around Lake Superior, and he went to considerable time and expense to make the department officials aware of the kind of rocks in the area and

the kind of rocks that would be available to rock hounds. He asked if the department would not consider publicizing it in—I believe it was this particular publication that the Minister just sent over to me.

There is a nice picture on page 1—"Rocky shore of Lake Superior"—but unfortunately it does not give a true picture of what is available, particularly in the north along Highway 11. The department officials said that they would take it under advisement, but another year has gone by and there has been no mention made of where rocks of different kinds are available to these rock hounds.

This man showed me his guest book which contained the names of people who had visited him from all over North America. There were some 4,500 names from every state in the union and from every province but people come across his establishment strictly by accident. It is not publicized anywhere and, as I mentioned, he specifically asked that the Minister's department co-operate with him in furthering the interests of rock hounds and making information available to rock hounds of the kind of rocks that are available in the north.

This man made the correspondence available to me but, unfortunately, I do not have it here, but I think the Minister's department officials will know what I am referring to and I wonder what the reason is for not giving people such as him some assistance and making lapidaries or rock hounds—or whatever you want to call them—aware of what is available? I wonder if the Minister would care to comment?

**Mr. Chairman:** Before the Minister replies, and with his permission and that of the member for Thunder Bay, perhaps they will permit the Chairman just a moment or two to inform the committee that we have a very special visitor with us today. In the Speaker's gallery, we have Mr. E. Douglas Darby from Australia. Mr. Darby is a member of the legislative assembly of New South Wales. We welcome him to the province of Ontario and are glad to have him here today.

The Minister, please.

**Hon. Mr. Auld:** Mr. Chairman, I do not think that the hon. member mentioned the location or the residence of the gentleman—

**Mr. Stokes:** Jellicoe.

**Hon. Mr. Auld:** Which is on Highway 11?

**Mr. Stokes:** Yes.

**Hon. Mr. Auld:** Regarding the booklet, I am afraid that I do not know enough about the names of rocks to be of much help to him. The only thing I can suggest is that he might pass along this correspondence to me and I will look into the situation myself.

In reading the booklet, I see that we show the Lake Superior area and the minerals present there—at least those that the Royal Ontario museum say are present, and they are experts in this field. If we have overlooked some specific part of the area or some mineral, we will be delighted to remedy this in the next issue.

**Mr. Stokes:** The point he is trying to make is that he is not a resident of the north shore of Lake Superior, or of that area. He is up on Highway 11 and they feel that it is a forgotten part of the province because they never get any mention.

Once you get north of Nipigon or out of the mainstream of things, the people get the impression that they are forgotten. After having drawn this matter to the attention of the officials of the Minister's department one year and a half ago, he wondered why, when they thought the information that was provided to them was worthwhile, they chose to ignore it and did not incorporate it in this book. He asked me to prevail upon the Minister to get the answers.

**Hon. Mr. Auld:** Mr. Chairman, if we have to, we will set up a new area for the book.

**Mr. Knight:** Mr. Chairman, under item 6 in this vote—advertising and publications—I think that before the Legislature passes this particular item, the Minister of the department should be able to give the House some statistics, the result of some survey or some concrete proof, that indeed this type of investment in this way has paid off in the past—and will pay off in the future.

In other words, does the department have any surveys which will show that certain number of people came here because they heard our advertisement on the radio, or saw it on television, or read a certain booklet? A lot of people who came here last year possibly just came because they were going to Expo and they passed through. They even may not have seen a television advertisement or a magazine article, or whatever the case may be.

Does the department conduct extensive surveys of the tourists who do pass through this province, and does it keep a statistical report which indicates so many people, or an average number of people who came here because of



television advertising, or brochure advertising or newspaper advertising, or whatever the case may be?

**Hon. Mr. Auld:** Mr. Chairman, first of all, I should say that we have no figures as yet on the results from television because the programme just started at the beginning of April and will run through until June.

Some years ago, I believe the department did do what is generally called "coupon type" advertising and kept figures of the number of people who tore off the coupons and sent them in. However, there is no way known to ensure as to whether the people who sent in the coupon and got the literature, came or not.

What we have started to do, and which we are continuing to do, is a series of surveys of samples and I am sure that the hon. member who certainly has been associated with the advertising business as far as radio is concerned, would know how these things work.

A series of surveys based on samples of those who have been here before, those who have not—these are associated with the readership surveys that are done on magazine advertising and the audience ratings of television and radio. We believe, and I must admit that I have not the mass of voluminous detail which has been acquired here with me, we believe that we can show we are being effective and that our advertising is getting effect.

Here is one period of a study which was undertaken by the department itself, by the research branch, last summer. Of the 846 respondents who were asked, 53.9 per cent stated that they noticed Ontario advertising in United States publications. In the year previously the survey revealed that 49 per cent of respondents stated they noticed Ontario advertising in United States consumer magazines.

Going back to 1967, approximately 30 per cent stated that they had not noticed any Ontario advertising, and the balance of 7 per cent could not recall seeing any advertising or they did not reply to the question. The summary of a great deal of statistical information here is that these facts show that our advertising does indeed create an impact, and most important, it is effective over a long period of time.

**Mr. R. G. Hodgson:** Mr. Chairman, I wonder if the hon. Minister could tell me whether the *Shape* magazine, the Kawartha lakes put out comes under this quota or sums devoted to it?

**Hon. Mr. Auld:** I think that would be under—that is a project of the development council, the tourist council, I think, and that would be in vote 2104, item 5.

**Mr. R. Haggerty** (Welland South): Mr. Chairman, our lakes and rivers in Ontario attract more visitors than any other province in Canada. Boat cruising in the province of Ontario is fast becoming a number one vacation pastime for residents of Ontario and the many thousands of visitors. We in this House see the many beautiful brochures in the government programme advertising the province's many tourist attractions. And I have a brochure before me and I will read the little item on the corner:

You could be sitting where all's right with the world because the world is someplace else. Now, our surf may not knock you off your feet—

This rather puzzles me; in many cases in Ontario the surf does, "knock persons off their feet."

**Mr. White:** Wow!

**Mr. Haggerty:** But what we do offer the residents and tourists is the programme of water safety in Ontario. In 1966, there was a substantial increase in drownings in Ontario; in small crafts and accidental drownings there was a total of 329 persons; there were 114 deaths under the age of 18.

**Mr. Chairman,** I do have a great interest in this matter. I live close to the lake, Lake Erie, Bertie township in this area. When you hear the wind come up and the roll of the lake, you can sit there on a Sunday afternoon—you can count and say, today there is going to be a drowning out there. Sure enough, there is.

There should be an expanded educational programme of water safety in Ontario. The question I would like to ask the Minister is what programme has he for water safety in Ontario?

**Hon. Mr. Auld:** Mr. Chairman, there is no water safety programme in my department, although in the estimates of the St. Lawrence parks commission there are funds which are used to train and to employ beach safety supervisors who operate on the beaches under the jurisdiction of the commission.

I can tell the hon. member that there are one or two issues of the safety magazine published by The Department of Transport. There are one or two issues devoted to water safety in the spring and I think that the

hon. Minister of Health makes a grant to the Canadian red cross society which operates a water safety programme. But to give an answer—there is no programme operated by this department, or contemplated by this department in terms of water safety.

**Mr. Haggerty:** Then perhaps the hon. Minister does agree that we do lack such a programme in Ontario? Where visitors are charged for admission to our parks and private beaches, the owner should provide an adequate number of lifeguards. There should be warning lights installed so that boaters and swimmers may be warned to stay out of the rough waters. I am sure this would reduce the number of drownings in Ontario.

**Mr. Chairman:** Item 6 agreed to.

On item 7:

**Mr. White:** Mr. Chairman, I recall to the memory of the hon. Minister and other members the really strenuous debates that took place here a few years ago, at which time you may recall we provided much more adequate facilities for the representatives of the radio stations and the television stations. At that time, the Opposition allied itself, so to speak, with the print media in attacking this improvement as managed news. Of course, it was not, as I attempted to explain at the time. It was entirely different from managed news, being undertaken by the Kennedy administration at that time, with some success, I might add. This was simply an improvement in facilities—

**Mr. Singer:** The hon. member has got it twisted again.

**Mr. White:** And as a matter of fact, I have been trying to recall, and I asked the hon. member here if he could remember the name of the award that Mr. Scott Young gave me at that time; foot-in-mouth award or some such thing. I have just forgotten what it was.

**Mr. Sopha:** You excelled yourself—

**Mr. White:** Because of my contention that electronics representatives should be well served here. Now, I am tempted to ask two things: has the hon. Minister had any recent complaints from the Opposition about TV and radio facilities here which remain entirely unchanged?

Interjections by hon. members.

**Mr. Singer:** We straightened it out.

**An hon. member:** And the government did nothing.

**Mr. White:** It was a farce and a phony issue from the word go.

**Mr. Sopha:** The record goes out into the province and it has to be accurate.

**Mr. J. B. Trotter (Parkdale):** I am glad you mentioned it.

**Mr. Sopha:** But the hon. member for London South fictionalizes that our complaint was totally inaccurate, and at the time—

**Mr. White:** That whole campaign was complete and utter nonsense.

**Mr. Sopha:** At the time two or three years ago when we made our complaint, we merely wanted Mr. Fairbairn, I think that is his name, to be working in the total interests of democracy in Ontario. That was all we wanted him to do; that he was the exclusive property of the Minister of this Department and other Ministers of the Crown in disseminating propaganda throughout Ontario about their greatness. We straightened all that around and now Mr. Fairbairn works for us as well as he does for the government. We are perfectly happy. I might say that for the foot and mouth award, you have it in up to your knees!

**Mr. White:** That whole campaign should be a source of shame to the Opposition.

On vote 2104, item 1:

**Mr. Pitman:** Mr. Chairman, under the tourist industry—

**Mr. G. Bukator (Niagara Falls):** I have been waiting all afternoon to get on to item 7 of vote 2103.

**Mr. Chairman:** The Chairman thought it was carried, but in view of the noise I believe that the member should be permitted to say something.

**Mr. Bukator:** Thank you.

**Mr. Chairman:** Item 7, vote 2103.

**Mr. Bukator:** Exhibition displays: Are there any displays on the Rainbow bridge from your department? The Rainbow bridge was completely reconstructed and the provincial government has several offices there. I was wondering whether your department had any of that space.

**Hon. Mr. Auld:** Is this underneath the plaza?

**Mr. Bukator:** Yes.

**Hon. Mr. Auld:** We have a display.

**Mr. Bukator:** I wonder if I could elaborate a little on that. I watched the reconstruction with interest. Naturally the government did put in some information area underneath the plaza below the bridge in the traffic portion of it, and I was wondering whether the location was right.

I was wondering whether the traffic through that particular area was sufficiently great enough to warrant that type of location. Now I realize that when that area was in stores, Mr. Chairman, they did quite well there because the people would shop about from one store to the other, but I was wondering what the expenditure was—you do rent that space—what you pay for it?

**Hon. Mr. Auld:** Mr. Chairman, The Department of Highways owns the property and our department, in conjunction with others, has taken some space there. We have long-term plans for the area which were developed by our department and The Department of Lands and Forests and others, jointly. There is not heavy traffic there at the present time because of the difficulty of access.

The long-term plans of The Department of Highways, which are being implemented, as I understand it, will mean that there will be ready access there by automobile, which is the problem at the present time. There is no rental—and attendance has been spotty, I would say.

**Mr. Bukator:** That was well put by the Minister. I am sure what he means by "spotty" is, in my opinion, of the many millions of people who appear in that area, is very sparse.

So I was wondering by the same token, that if, beside the portion as you come over the bridge to the right, you have a tourist information area there. I am sure it would get a better play because it is exposed to the travelling public as they come off that bridge.

I would like to make what I consider a good business proposal and suggest to the Minister that those stores could be re-rented to some of the souvenir establishments or whoever would rent them as they were before, and then reconstruct the old building that you have on the right, where the tourists, as they come off the bridge, can get the

information they want. It would be exceptionally good business because of the location of the old building.

I am sure that the city officials, if they have not been to the Minister yet, will be. But underneath the bridge where you have fine displays, I know that the people just do not find it and do not drop in. There is an investment there by the government which I do not think is paying off.

**Hon. Mr. Auld:** I might say, Mr. Chairman, that our present location, to which the hon. member referred, is going to have to be changed because of the plans which The Department of Highways has for that bridge access and, I think, is working out with the city.

I am not aware of how the thing is going but I do understand we will probably have to move. We are not sure as yet where we will be, although it has been indicated, with the kind of change or interchange which there will be there, it may well be that there will be easy access to this present location.

But I would only say to the hon. member that we are well aware that this is a very important border entry point, as I mentioned earlier in the day, and we want to have a location which is easily accessible to those who are coming in over the bridge.

Vote 2103 agreed to.

On vote 2104:

**Mr. Chairman:** Item 1:

**Mr. Pitman:** Mr. Chairman, I notice in the Minister's annual report of The Department of Tourism and Information, that on page 19 it discusses the tourist industry development branch and it gives a number of activities which this branch carries out.

First, of course, is licensing and inspecting tourist establishments. I would like to know under this item 1, the salaries of those who are involved in this branch; just how much, you might say, goes into the licensing, and what might be called the inspecting role of the department, which I admit is an important one and a necessary one if we are going to have a degree of quality in our tourist accommodation and activities. But I am wondering how much of it goes into item 5.

It seems to me this is the important one, providing advisory and counselling services to tourist establishment operators and prospective operators. I want to ask this because it seems to me that so many tourist operators desperately need help and they need coun-



selling help. I will not repeat myself on what I have already mentioned but they need transition to the new kind of tourism, a more sophisticated kind of tourism.

As well as this, I think they particularly need help in how to look after money and how to acquire capital and look after capital. I might just quote here a comment that Mr. Caswell made, who is the president of the association of tourist resorts of Ontario, who made a number of comments on this point. At one point, he suggests that The Ontario Department of Tourism and Information should administer a loan programme in preference to traditional lenders, which he was suggesting should operate 20-year loans at 6 per cent.

"I could go on to suggest also," this same gentleman said, "that The Department of Tourism and Information should have a larger budget and a larger staff." And I think most hon. members in the House would agree with this, that this is an industry which needs a greater status, as Mr. Caswell has suggested.

There have been a number of points I think in relation to this consultation; it is a two-way street, and I think the Minister and his department would get a great deal more reaction from tourist operators as to what their problems are.

I was talking to a number of tourist operators over the last number of months, and so many of them say, "You are right there when we are getting something inspected but when we need you, when we need help, you are just not present." I think this is the area which desperately needs expansion.

I have suggested the desperate need these people have for low-cost loans and long-term loans so they can renovate, so they can change their operations to a more effective kind of tourist accommodation. As well as that, they want to feel that The Department of Tourism and Information is concerned with their problems.

I know this does not come up under this vote and I know that the department has been generous with some of the regional councils, but for example, when they come to fight a battle with the federal government, as they are in my area over waterlot leasing, they do not feel that the department is conscious of the desperate importance of this battle so far as tourism in this area is concerned—and they are fully aware of how much they need the help of this department to go to bat for them with the federal government.

I think this consultation could very well be a two-way street where you become, perhaps, more aware of the needs of these people—and certainly where they would become far more aware of what you can do for these people. I suggest to the Minister, particularly, help in re-organizing their operations and help in getting low-cost loans and capitalization.

Item 1 agreed to.

On item 2.

**Mr. Pitman:** I wonder if the Minister could give me some idea as to how many he has in the consultation services?

**Hon. Mr. Auld:** There are 32 in the field staff and about a quarter of their time would be involved in inspection. Licensing is fairly simple; it is sort of common with inspection. The other two-thirds to three-quarters of the staff's time is involved in counselling with individuals; in meetings with associations; with the operation of seminars, hospitality seminars; with meetings in conjunction with the Ontario development corporation in book-keeping activities and financial counselling.

ODC have been of great help in this and have sent teams around with our people to work out some of these problems. They designed a simple accounting book which has been very well received by small operators in the accommodation field. It has been of help to them in finding out just how they are making out. They work at meetings of the associations when we have representatives of my department, The Department of Lands and Forests and The Department of Highways, and we sort out some of the problems about fishing seasons, hunting seasons, highway sign programmes and so on.

Naturally, I think we have a well qualified staff; the staff requirements are that they be either graduates of, say, something of the order of the Ryerson hotel and business administration course, or five or more successful years in the industry, so the people we have in the field, generally speaking, have the respect of the industry.

Actually, we would like more staff and we hope to be able to expand it so we can do more of this work because I would agree with the hon. member that this is the more important role of this branch. We are not primarily policemen, we are, in effect, perhaps in the guidance business to some extent.

**Mr. Pitman:** I wonder if there is any suggestion of setting up courses in the community colleges, colleges of applied arts and

technology, for tourist operators? And the second question—I was wondering whether the Minister has considered that tourism is a special and rather a different kind of industry, and perhaps that the Ontario development corporation is regarding this industry more in terms of the usual type of industrial operation, that there would be an advantage in having this loan agency coming under his department, rather than under the department of the Minister of Trade and Development.

**Hon. Mr. Auld:** Mr. Chairman, we have been talking as a matter of fact with several education institutions about courses in the industry. We have been running some experimental short term ones in the high schools. I think two of the community colleges were operating short courses this year to students who might be summer employees and we are pursuing this end of it.

As far as the Ontario development corporation is concerned, my own feeling, as the Minister of this department, is that they have the staff and the organization to run any kind of a loan programme and we are having discussions with the Minister and his officials regarding their actual policy and it may well be that something will be worked out in this connection. But here again it is the old story of money, and where are we going to get it to lend?

Item 2 agreed to.

On item 3:

**Mr. T. Reid (Scarborough East):** Mr. Chairman, I was wondering if this is an appropriate time to bring up a question concerning the administration of The Department of Tourism and Information Act, because it relates to the overlapping responsibility between other departments. The question is related to the point the Minister of Highways made to the question posed yesterday by the member for York Centre, and it has to do with MacRae Lake and the access to the lake at the MacDonald River bridge and Highway 103.

I am advised that the MacRae Lake was surveyed by Crown land surveyors in 1966, and also that employees of the district foresters at Coldwater, and many other employees of The Department of Lands and Forests have constantly advised people inquiring about this area that the reason the Crown lands around MacRae Lake were not for sale, was because the area would be developed as a provincial park before 1970.

Now this relates directly to the question of tourism for this reason—every weekend, perhaps 30 or 40 canoes are launched at the MacDonald River bridge on Highway 103. Of these, eight to 12 parties have been in the habit of staying in the lake area overnight after the portage around the water fall which cuts off Lake MacRae from Lake MacDonald.

These are tourists who are coming into this area, some are Canadian tourists, and some of the more foreign tourists coming to Ontario.

Now the decision to disallow overnight parking in The Department of Highways facility at the highway bridge cuts off the only access to this fine recreational area for many families for whom the double journey would be too strenuous within the compass of a single day.

The banks of the MacRae Lake, as the Minister well knows, are a paradise of well kept camp sites that have been used time and time again without incident by very conscientious canoe trippers. These people who are using these facilities, these tourists to this province, are not, I gather, the boisterous, beer drinking groups that sometimes frequent near some of the other provincial parks.

It takes some effort to engage in recreational activity of this kind and it is short-sighted, in my opinion, that when there is no need for it whatsoever, simple, off-the-highway parking should be denied to these people, mainly because The Department of Highways seeks a clean cut division of role *vis-à-vis* another department.

I would suggest, Mr. Chairman, to the Minister of Tourism and Information, that he is probably the man who should step between The Department of Highways and The Department of Lands and Forests in order to insure that this area can be opened up for tourists. We are into overlapping, departmental confused responsibility. I would like to see the Minister of Tourism and Information step in and mediate between the other two departments and also, perhaps, bring in The Department of Energy and Resources Management whenever some water pollution is involved in cases like this, to thresh out a sane, recreational policy for Ontario which I feel should be in his department.

Items 3 and 4 agreed to.

On item 5:

**Mr. R. C. Hodgson:** Mr. Chairman, under item 5, grants to recreation associations, the KLRTC association of Peterborough and area,



which has a publication called *Shape*, recently published a map which eliminated, or left out, quite a few numbered highways in my area as being shown as King's highways. I wonder if this department can exercise any sort of observation, or control, or assistance, in providing information for these maps and if they contribute to the association for such publications, why they do not exercise this sort of control.

**Hon. Mr. Auld:** Mr. Chairman, the only control that could be exercised by my department to an organization like this to whom we give a grant would be to insure that the accounts which they submit to us are accurate. We do not attempt to direct the kind of work that they do. In fact, when this programme was originally set up the idea was to make it as flexible as possible.

With the number of councils there are, we attempt to give assistance in their literature programmes when they ask us and when we can. We have started—and with some success—are moving along in a programme of getting the councils to work together more effectively in their overall marketing approach. This has been done in eastern Ontario and we are now in the process in London. We hope to be doing it here and in two or three other places shortly. But to answer the hon. member, I am afraid that we have no control over what they do print and actually we would not have sufficient staff to edit what might be done by the 36 councils even if, in fact, they all asked us to do it.

**An hon. member:** Mr. Chairman, if I might just comment on that and find actually just what—

**Mr. Pitman:** The Kawartha Lakes tourist council did not produce the map. It was produced by somebody else. It was not the responsibility of that council. The mistake was made by some other body. Unfortunately, in the press, the Kawartha Lakes tourist council was made responsible for it.

In regard to this business of grants to the various regional associations, I wonder if the Minister could tell me, how you decide the area which each of these tourists councils is to look after? There seems to be a great deal of difference between, for example, the Kawartha Lakes tourist council and the Great Pine Ridge tourist council, as to where the edge of their boundaries are.

The Kawartha Lakes tends to think it should go south to Rice Lake, and the Great Pine Ridge goes all the way up to virtually

the edge of Peterborough. It seems to me that two charters were given out and there does not seem to be any definite ideas as to who controls the area on this border.

**Hon. Mr. Auld:** Mr. Chairman, I cannot say how the boundaries were originally established, it was before my time in the Ministry of this department. I believe that they were established after discussions with the various groups which make them up, chambers of commerce, tourist associations and so on. I would be very surprised if there was unanimity in acceptance of the original boundaries in the first place.

There have been requests from time to time for the changing of these boundaries from, perhaps, one faction or another. Some of these associations have been extremely effective throughout their whole lifetime. Some of them have had their ups and downs, depending on the interest of the individuals, and their views on boundaries have changed from time to time, perhaps due to the make-up of the various executives.

The boundaries, I believe, were discussed at some length and then arbitrarily decided. As I mentioned in my introductory remarks, we have made some adjustments at the request of the groups; I would be surprised if everybody and every one of the 36 councils was delighted with all the boundaries. But I think that, generally speaking, they are effective and that they are generally accepted.

**Mr. Knight:** Mr. Chairman, speaking on this item, "grants to regional associations", I think that this is perhaps potentially one of the most important areas for The Department of Tourism and Information.

Working on the basic theory that it is better to help people to help themselves, than to just give them handouts, I think these regional councils should know their own areas, their assets, what they have to sell, what they have to offer the tourists, better than anyone else would know.

And it is better if they extend the hand of friendship, the hand of welcome to the tourist. The more this type of regional tourism is carried out in this province, the more successful tourism on a whole is going to be in the province of Ontario. It strikes me that this \$160,000 is kind of a small amount in comparison with the total amount that is being expended. Now, I am just wondering if perhaps this is not the area under which we could put into effect some of the proposals I made in my remarks last night. They dwell



primarily on the development of lakeside community marinas, and community travel-trailer parks.

I would like to ask the Minister if a regional council approached this department and said, "I think perhaps we might be able to sell our community on the idea of establishing a marina, or of developing a travel-trailer park in the interests of attracting that many more tourists, but we need a little bit of financial assistance." Is there any way that this department could go to bat for them, could encourage them financially, in the same manner that it does in offering grants to restore historical sites in certain communities?

Perhaps some communities in Ontario do not have that place in history that others do, certainly not that predominantly. But perhaps on the other hand they might be well situated to develop a marina so that they could attract tourists to their area. It is not their fault if their particular community did not play a big part in the history of the province or the country. By the same token, in the development of a travel-trailer park, perhaps the community is well situated to attract the travel-trailers and would like to be able to accommodate them. What I am saying here is—could the department get into a more concrete type of assistance, a more practical type of assistance for these regional councils? I would certainly urge the Minister and the department to seriously consider this.

**Hon. Mr. Auld:** Mr. Chairman, the present matching grant can be used for almost any purpose. It could be used for a portion of the cost of a marina, or a wharf, or a park or a lookout, of a ski-tow or anything else. I would be naive to think that \$10,000 was going to build a great marina. But there is no limitation to the type of attraction or promotion for which these funds can be used.

Really, there have been many representations to increase the matching grant, to double it as a matter of fact. The question really is, as far as I am concerned, whether we should take funds that we are using to promote the province as a whole and hand them out to other people to do it, or whether we should continue to do our job on behalf of the whole province. I might just say this—as I understand it—and I would agree to it if this was the case, the philosophy behind these grants was to try and get a sufficiently large area and a sufficiently large number of people and a sufficient amount of funds to do an effective tourist-promotion job for an area. And so the carrot of a matching grant of \$5,000 was offered.

I do not think there was ever any indication or any plan at that time that this would be escalating and that some day it might get up to \$100,000. I think it has been effective and I think that the work that has been done by the regional council generally has been good. But I do not know that the best thing for this department to do is to get into a larger subsidy idea.

It seems to me, for instance, Mr. Chairman, the Canadian government travel bureau's job is to promote Canada, and its ten provinces and two territories in many places, but particularly far away. I think it is our job in this province to promote this province in, say, a circle of 500 miles from our border; and it is up to the regional councils to promote their own areas, say, within 100 miles. I think that this is the most effective use of manpower and funds. And this is what we are attempting to do.

**Mr. Pitman:** Mr. Chairman, I would like to comment on what the Minister has just said. I think it is very important to encourage these regional councils by giving these grants, but I think that one has to maintain a provincial thrust. I would suggest that in the long run it may be even more important because there are some types of activities which the local regional council cannot deal with. I have been in touch with the Minister of Lands and Forests and he realizes one of the problems that we are dealing with in our area, which is a problem of water levels on the Trent River system, and the Trent canal system. This is essentially a tourist operation now; it was once a transportation system and at one time the federal government, I suppose, looked upon it as a transportation system.

I think it is ludicrous now that the federal government should want it. I wish the Minister of Tourism and Information and the Minister of Lands and Forests and perhaps the Minister of Energy and Resources Management would get together and buy the dam thing, and run it as a tourist operation and as a control for water and natural resources.

**Hon. Mr. Auld:** I think they would give it to us!

**Mr. Pitman:** I do not know whether they would give it to you or not, but in any case, right now our main concern is, of course, so far as the Minister of Lands and Forests realizes—and one or two of his gentlemen are coming up to try and negotiate with The Department of Transport to see if we can get somewhere—in looking after the water resources which are so important to tourism in this par-

ticular area. I do suggest that in a matter such as this, and in a matter such as water-lot leasing, in terms of dealing with the federal government you must have a provincial thrust, and you must have a provincial protection for tourism.

I think that in spite of the fact that I agree with division of funds among tourist councils. I think here must be a provincial direction in which the whole province can see some direction. This relates also, of course, to the role which tourism is going to play in the design for development and what the role of the Minister is going to be in the master plan for development; all of these things.

One would hope that the master plan which would include these tourist councils, would relate to what the full master plan of the entire province is going to be. This is what worries me about the master plan getting off before the Provincial Treasurer (Mr. MacNaughton) gets all his returns back from his economic councils and begins to work out a plan for the entire province. In conclusion, I do hope that there is a continuation of provincial direction in this matter.

**Mr. Nixon:** I wonder if I could ask the Minister if the research and study on the development of the Lower Grand was made in conjunction with the regional tourist association in the Niagara-Iroquois area?

**Hon. Mr. Auld:** It was made at their request, Mr. Chairman, by the research branch. I suppose we could discuss it here or—

**Mr. Nixon:** Wherever you say.

**Hon. Mr. Auld:** I would prefer to discuss it in the research branch because that is where the funds that we used for it came.

**Mr. R. G. Hodgson:** Mr. Chairman, I would like to ask the Minister if it would not be possible to print one of these brochures that the department puts out, with several blank pages that the regional council could put in their own advertising or as a supplement.

**Hon. Mr. Auld:** Mr. Chairman, I would certainly consider that. I may say it has never been suggested before; it sounds like an interesting idea. We will look into it.

**Mr. Chairman:** Item 5, the member for Thunder Bay.

**Mr. Stokes:** Under item 5, Mr. Chairman, membership in grants to travel organizations

in 1966 and 1967, page 31. There are 25 tourist councils listed here for a total of \$116,979. The Lake-of-the-Woods regional tourist council got \$5,000; the Patricia got \$5,000; and the Rainy River got \$5,000. The Upper Lake Superior tourist council—I imagine that was what was formerly called the Algoma-Thunder Bay, if I interpret the Minister's remarks earlier; it was a consolidation, now you have separated them. Assuming that to be correct and I stand corrected, that would be a total of \$20,000 out of \$116,000. I was wondering if, in the Minister's opinion, he thought that was a fair share of grants when you consider that we have four-fifths of the land mass of the province lying north of a line from, say, Parry Sound to—

**Mr. Sopha:** The French River, to Lake Nipissing, to the Ottawa River.

**Mr. Stokes:** Fine. Thank you very much. I was wondering if, in the opinion of the Minister, that was a fair share of this particular grant.

**Hon. Mr. Auld:** I would think that it would be a fair share, Mr. Chairman, in terms of the number of operators, the number of people who raised the council's share this year as compared to the number in other areas. One of the problems, of course, as I mentioned, is the large areas that are involved sometimes. This is why we have to divide the area in half; in fact, to double the opportunity for a grant even though in terms of comparison to southern Ontario areas, it might seem more generous. But to get a viable operation, it is obvious that everyone cannot go 300 miles to a meeting every month, plus the fact that there are certain problems in some parts of the north that are perhaps more expensive to solve than they are in the south.

**Mr. Chairman:** Item 5?

**Mr. S. Farquhar (Algoma-Manitoulin):** This is the basic problem with the regional councils; that in divisions of area by boundaries of each district, each one finds itself a local entity within the middle of it, and captures the effort right within that local area, the fringes and the outside areas—for reasons of transportation to get to meetings and for reasons of autonomy and local interest. There, certainly the chambers of commerce are stronger and healthier than in an urban centre, so they tend to capture the grant and the activity within the regional district, and leave nothing much for the outside fringe.

Is this not the basic problem? And is this not the reason, for instance, that a regional council cannot get very healthy in sparsely populated areas, for instance northwestern Ontario? This seems so to me and I am wondering how the member for Port Arthur mentions that there are specific things that could be done in those areas, not necessarily through the regional council. I tend to think that the department is remiss in its approach to the specific things that can be done in some of these areas.

Mind you, it seems to me that in these areas beyond the metropolis, this is the place where the potential is, but that potential does not get attention because it cannot produce membership to the local council. But those places are where the tourism potential is; where there is room and lakes and other than metropolis conditions. However, it seems to me, that the part this department should play, for instance, in the sparsely populated areas where the potential is, should be in specific ways.

For instance, the member for Port Arthur suggested, the department get together with ARDA which has some funds and can zero in on these specifics. You have liaison with ARDA, and you can work with ARDA; would this not be a lot more reasonable and constructive than trying to work through regional councils, which do not have a possibility of working anyway in a sparsely populated area?

Item 5 agreed to.

On item 6:

**Mr. Knight:** Item 6; this has to do with the tourist reception centres? I am curious about the figures that these centres produce; they do not seem to be symbolic of the number of Americans who come to the province of Ontario, from what I can gather, because they seem to have led me up the garden path in my remarks last night. I am curious about the reason why more Americans do not go to these tourist centres? Could it possibly be that they are situated too close to the customs offices? From a practical point of view, when the tourist hits the border point he clears customs, and he makes tracks for certain reasons. It seems that people shy away from these customs offices.

Do you know what I mean? Especially if they happen to have something in a suitcase or the trunk that they do not particularly want the customs officer to see. They get away from the customs officer with a sort of a gasp; you know, "We made it." I am wondering if it is advisable, when you take that into consideration, to have your tourist centre too close to the customs, and having it close to the border. Would it not be better to situate it somewhere else?

We have a practical example at Pigeon River in my part of the country where the tourist centre is 100 feet from the customs office. It is like a trailer, a big travel trailer; and it is very nice. It is well staffed and the people are very nice and very informative there. It is not as big as we would like it to be, possibly, but I do feel that it is too close to the customs office and that this is a deterrent to the tourist to actually come and visit our tourist centre.

After all, that is what we have them there for, so that we can make them welcome to the province, and gain information from them as to why they came and so on. I would like to drop that idea with the Minister right now. I would like to suggest very specifically that he move the tourist reception centre farther away from the customs at Pigeon River border crossing, and if the idea applies in other border crossings that he act accordingly.

**Mr. Chairman:** Item 6 agreed to?

**Mr. Haggerty:** Mr. Chairman, I asked to be on the floor here, so I—

**Mr. Chairman:** It being 6 o'clock—I did not understand what the member wanted—did he want to speak to item 6?

**Mr. Haggerty:** It is 6 o'clock now.

**Mr. Chairman:** I am asking if he wished to speak to item 6, on this vote?

**Mr. Haggerty:** Yes.

**Mr. Chairman:** All right; it being 6 o'clock, I do now leave the chair. We will resume at 8 o'clock and the member may speak to item 6 at 8 o'clock.

It being 6:00 of the clock, p.m., the House took recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, May 14, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

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TUESDAY, MAY 14, 1968

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF TOURISM AND INFORMATION

(Concluded)

On vote 2104:

**Mr. Chairman:** The member for Welland South.

**Mr. R. Haggerty (Welland South):** Thank you, Mr. Chairman.

**Mr. Chairman:** Vote 2104, item 6.

**Mr. Haggerty:** I refer the Minister to the tourist reception centre at Fort Erie: I am sure the matter has been brought to his attention on previous occasions by the member for Niagara Falls (Mr. Bukator). This centre has been discussed many times by representatives from the Minister's department throughout the Niagara region over the past eight or ten years, always leaving the impression that it has top priority.

I refer to the letter from the greater Fort Erie chamber of commerce, and I quote from it:

As you are aware, the Peace bridge is the largest single point of entry to Canada and the present tourist information "shack" leaves much to be desired.

I think I mentioned on different occasions that it is a two by four, with perhaps two rooms and a path. Has the Minister any immediate plans to develop a new centre at the Peace bridge, the gateway to Canada for many visitors from south of the border?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** I am sorry, I am afraid I missed something there. The hon. member was talking about the problem of the condition of the centre at Fort Erie and when is something going to be done about it?

There are two questions involved. One is the matter of funds and priority, and the other is the question of certain Department of Highways plans for changes in the road there. The only thing that I can tell the

hon. member is that we are very aware of the volume of traffic which crosses and the desirability of a new building, but until some of these other matters are resolved I am afraid that I cannot tell him when it is going to start.

**Mr. Haggerty:** Mr. Chairman, I might say to the Minister that The Department of Highways have completed their projects in that area, in fact I think that the Peace bridge is widened to two more lanes and the roads in that area, I think, have been completed.

I might say that in the last provincial election this was given top priority by the Conservative candidates of that time.

**Mr. G. Bukator (Niagara Falls):** I have said this annually. When you come off the Peace bridge you have fine roads there now, they have been improved, and on the left side as you come off the bridge the provincial police have a new office. When they opened that new office I said that when the little shack was moved to the right there was a spot for four cars to park, and if two of the employees park their cars there it eliminates two parking spots for the tourists. There is no possible way to get the attention required in that particular spot.

Now it has been mentioned and it has been on the list of projects for The Department of Public Works, and I think this is where we can take it up. It has been mentioned there on different occasions and they always use the same argument that the hon. Minister has used, that when they decide what will happen with the roads in that area then they will build the building but until this is decided they cannot do it.

That decision was made two or three years ago by the present mayor. They have decided where they want it. Now if that is not so I will be the first to admit that I am wrong.

But I do believe that the largest port of entry on the whole frontier between the two lakes is the Peace bridge area and there ought to be a new building there. It is all right for the Minister, Mr. Chairman, to get up and say when they have decided what to do we will build, possibly. I say to him that it



is long overdue and they have decided; but this government has not.

Vote 2104 agreed to.

On vote 2105:

Items 1 to 3, inclusive, agreed to.

On item 4:

**Mr. E. W. Sopha** (Sudbury): I wonder what the hon. Minister expects to find about the early beginnings of life in this province with \$9,000?

**Hon. Mr. Auld:** The sites that are going to be looked at this year are several in the Huronia area, in Midland-Penetanguishene, in Victoria, on the Ottawa River—or below the Ottawa River at Lancaster—and at the Dryhurst on Lake Nipigon.

**Mr. Sopha:** You are only going to look at them.

**Hon. Mr. Auld:** Perhaps I phrased that improperly, Mr. Chairman. These are the areas that are going to be investigated, or as the archeologists say, dug.

**Mr. Chairman:** The member for Kent.

**Mr. J. P. Spence** (Kent): Mr. Chairman, under this vote: In the riding of Kent, or in Kent county, we have near the hamlet of Clearville an historic site where an Indian village once stood. A great deal of history is available from that Indian village. The University of Western Ontario did some research and investigation and a considerable number of relics have been located. I have received many letters from ladies' organizations and different organizations in southwestern Ontario suggesting that if something was done to set aside something, a replica or whatever it might be of this old Indian village, it would attract tourists in southern Ontario.

I believe, Mr. Minister, that the Kent county tourist association has contacted you and brought this to your attention. We in that part of the province believe this is something that would be of interest to tourists and to many in that part of Ontario. It would be something for you to look into and consider. I think this would help southwestern Ontario.

We in southwestern Ontario would like to get a few dollars from the tourists too. We have a great deal to show them, I feel, and I would like to see you, through you, Mr. Chairman, to the Minister, make an investigation of this historic site and see if something

could be done. I would like to ask you, Mr. Chairman, what the department's approach is to unusual sites such as this, a great historical background which would be of interest to the tourist coming here from the United States and from other provinces?

**Hon. Mr. Auld:** Mr. Chairman, the vote covers primarily investigations of sites as recommended by the archeological and historic sites advisory board, and the work which is done is in connection with the erection of plaques. This is a modest amount and we are not attempting, by any means, to do archeological investigations at all the sites around the province. There are many agencies involved in this—the University of Toronto, the Royal Ontario museum, the University of Western Ontario and a number of others.

Primarily, the work that is involved in this vote is to complete investigations which relate to the erection of historic plaques. I have a great deal of interest myself in this and a great deal of sympathy with the hon. member on the point that he raises as far as tourist attractions are concerned, because I think that historical reconstructions or restorations have a great deal of interest to people and also are pretty important in teaching us by reminding us of our own history, if they are well done. Again, as has often been said in this House, there is only so much money and you have to have priorities to carry out these projects.

The Huronia investigations, of course, are related to some extent to the work that we are doing with the Huronia advisory council—the restoration of Ste. Marie, and the work at Penetanguishene and at Wasaga Beach. The other matters are primarily to do with the board and work which they expect to be doing to validate the erection of plaques. There is no plan at the moment, as far as my department is concerned, to undertake widespread archeological investigations.

**Mr. Spence:** Mr. Chairman, may I ask the Minister if there are no grants available to develop these historic sites through your department for tourist attractions or to encourage tourists?

**Hon. Mr. Auld:** None, other than the grants to the regional tourist councils, which we discussed earlier today, and which can be used for any number of purposes but which would not be sufficient to undertake any major restoration. I would say this, Mr. Chairman, that there is one group in the province—the Kiwanis club in Sault Ste. Marie which undertook a project, the reconstruction

of a fort on James Bay—which got assistance in the form of a loan from the Ontario development corporation as a tourist attraction. They had assistance from my department and from the university in the research that was done and in certain advisory fields, but there are no grants as such for this kind of thing.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, where does the Ontario heritage foundation get its funds? We voted a supplementary estimate to cover last year's expenditure. I had thought that the Minister would have set the thing in a more orderly course by including a vote for it here. Perhaps it is included here.

**Hon. Mr. Auld:** Mr. Chairman, as I mentioned at the time of the supplementary estimates there was an amount of \$500,000 voted for the foundation. Of this, \$450,000 goes into their capital fund as provided in the legislation; the other \$50,000 is available for current expenses. In these estimates—and I think it is under administration, under the first item—is the amount of \$20,000 for their staff, which is an executive director and secretary, and the expectation is that this will be returned, by journal entry I suppose, to the department at the expiration of the year, when the interest from the capital fund, which is to be paid to the current fund every four months, is available and other donations are available. I hope that that is clear.

**Mr. Nixon:** It is not clear, I am sorry. But it is my understanding of what you have said, then, that this will not be a recurring item and that we have funded it to the extent that it will have to go on private contributions and the interest on the fund. Is that right?

**Hon. Mr. Auld:** I think the hon. leader of the Opposition raised this point at the time of the supplementary estimates and I think that I said that there was no commitment on the part of the government to supply funds to the foundation every year. On the other hand there was nothing to prevent the government from making funds available if the government of the day so decided. The whole theory of the foundation, and I think I mentioned this at the time I introduced the bill, is that it is a vehicle for members of the public to contribute land, money, and artifacts or whatever, which will be preserved under the authority of the statute.

**Mr. E. Sargent** (Grey-Bruce): Would the Minister advise, does he have an Ontario

counterpart to the Canada council here in his department?

**Hon. Mr. Auld:** Not in my department. Perhaps the hon. member is referring to the Ontario council for the arts, whose funds are in The Department of Education.

Items 4 to 6, inclusive, agreed to.

On item 7:

**Mr. T. P. Reid** (Rainy River): Mr. Chairman, I was wondering if the Minister could comment on the following. Of the museums in Ontario which receive grants from The Department of Tourism and Information, how many of these museums also receive grants from other departments of this government?

**Hon. Mr. Auld:** Mr. Chairman, I do not know of any of the museums which are municipally owned or owned by conservation authorities, and which are the only ones to which we pay grants, that are receiving grants from other departments of this government.

**Mr. M. Shulman** (High Park): I would like an elucidation please, if I may. Will the Royal Ontario museum be coming under this section next year or will it be under another department?

**Hon. Mr. Auld:** Mr. Chairman, there is nothing in these estimates for the current fiscal year which relates to the Royal Ontario museum.

**Mr. Shulman:** We have had some notice that the Royal Ontario museum is being taken over by the government. Will it be coming under your department, sir?

**Hon. Mr. Auld:** As far as I know, it is not coming under my department, Mr. Chairman. I believe that the Minister of Education (Mr. Davis) made some statement about the Royal Ontario museum the other day.

Item 7 agreed to.

Vote 2105 agreed to.

On vote 2106:

**Mr. Chairman:** Theatres branch, vote 2106. Perhaps we can take this as a total vote.

**Mr. Nixon:** There have been some comments about the changing philosophy of the theatres branch in their responsibility to review what is going to be generally shown across the province. The statistics, as I remember reading, indicated that last year

there was little or no interference with the films that had come under review. This year the theatres branch had undertaken some more extensive cutting and censoring of the films that would be made available for general distribution across the province.

I know the Minister is aware of a very great change in social attitude towards this. Things that certainly would not have been acceptable generally some 10 years ago are now shown in the neighbourhood theatres without much of a flicker as far as most people are concerned. Unfortunately, the hours of sitting of the House recently have kept most of us from seeing these movies ourselves, though I personally would be very interested in seeing some of the current ones that are available downtown.

I think the Minister should be moving towards the elimination of the censorship responsibilities that the government has had for such a long time. The criminal code of Canada has some very definite provisions that are enforced, of course, by his colleague the Attorney General (Mr. Wishart) and it appears that the citizens of the province are more and more prepared to undertake the responsibility of what they choose to see and discuss than they had and were prepared to take in years gone by.

I personally think this is a healthy approach. We should not permit anything that smacks of pure pornography to be shown generally but as to who is going to judge what comes under that particular heading I would not for a moment say, and I do not know whether the Minister is able to say either. Whether he is the best judge of what is in good taste in the province is something else of which I remain completely unconvinced. Further, the branch has had a long an illustrious history. It has been going for a good long time under the same general direction and there have been very few complaints indeed as to the decisions that have been taken.

I think a good many people, however, continue to be offended that someone else's choice and taste is exerted upon what is generally shown. With some of these general remarks I would like to hear the Minister's philosophy, which appears to be changing somewhat in this regard, as to whether he feels his responsibilities are increasing or decreasing and what accounts for the larger number of cuts made in the films that have come under the jurisdiction of the branch in the last few months—since the beginning of this year, I guess.

It may very well be that the level of taste is deteriorating even in the Minister's view, but I think it would be interesting to hear what he has to say about it.

**Hon. Mr. Auld:** Mr. Chairman, first of all the Minister is not the one who sees films; the board carries out this responsibility and, I think, carries it out very well.

**Mr. Sargent:** He sees the hot ones.

**Hon. Mr. Auld:** I have often wondered if we did a little clipping, if we could put it all together sometime and if we do not get quite enough money in the estimates, we might run it some place.

**Mr. C. G. Pilkey (Oshawa):** Any chance of getting on the board?

**Hon. Mr. Auld:** But seriously, Mr. Chairman, if one can sum it up this way and I may say that I think the board has been justifiably congratulated on the attitude that it has taken in the last seven or eight years. I think that the board is with the public taste and, as we all know, it is a very difficult thing to try and make any kind of moral judgment, or a judgment of taste in this field. On the other hand, let us all remember that while films are an art form they are a commercial form and there are perhaps always those who, if they feel that they can, will try to make a buck and put everybody into disrepute, if I can put it that way.

I have been very interested in what has been reported in the press as far as the board's attitude is concerned. I do not know how many of the hon. members of this House attend the films frequently but there have been a great many films which have been passed by the board which have not had the same treatment elsewhere and which have been accepted, I think, by the general public.

On the other hand, there are those that I referred to in my remarks last night which are made by the fast-buck artists, and which perhaps, if shown in their entirety, might put the whole industry in disrepute. To give one example, there are a number of films perhaps imported to North America, which, by themselves do not attract much of an audience. The distributor here will shoot a few scenes which bear no relation to the film but which are sensational and which he inserts and then uses in his advertising to draw a crowd.

I do not think that we are by any means in the consumer protection business; on the



other hand, I think that there is some responsibility on the board as long as there is an Act requiring a board to be set up and review films, to keep some sort of an eye on what is going on.

I just happen to have with me by chance one page of some eliminations that the board asked to be made. I have no intention of reading them but if the hon. member who I know is—I should not say interested, perhaps that is not the word—concerned, would like to read these and he would like to read them in the House, I would have no objection.

**An hon. member:** What is the matter with the rest of them?

**Hon. Mr. Auld:** I am not sure that they are parliamentary but I would be glad to send them over to him—

**Mr. Sargent:** Go ahead.

**Hon. Mr. Auld:** —so that he will have some idea of some of the things that the board have to deal with. I think that it is—

**Mr. Sopha:** Is it titles of films you are speaking of?

**Hon. Mr. Auld:** No, I will give you the titles of the films. As a matter of fact, there are some rather interesting titles.

**Hon. A. Grossman (Minister of Reform Institutions):** This is the meat.

**Hon. Mr. Auld:** There are a few problems which, as the hon. leader of the Opposition can see, the board faces. I do not know how many members have seen the film "Ulysses," which was a controversial film—at least the book from which it was made was controversial—

**Mr. Sopha:** Is this document in code?

**Hon. Mr. Auld:** The hon. member leads a very sheltered life in Sudbury, I can see that. As far as the titles are concerned, actually—

**Mr. Sargent:** Read them into *Hansard* and make them best sellers.

**Hon. Mr. Auld:** We have some interesting titles.

**Hon. Mr. Grossman:** Put them in a book and make \$1 million.

**Hon. Mr. Auld:** I can tell the hon. member some of the films that had eliminations made last year were "Love-Ins," "Motorpsycho," "Sadismoe," "Born Losers." And here are a couple that would make a rather good double

bill: "Weekend Italian Style" and "I'll Never Forget What's-His-Name." There was one called "Bloody Pit of Horror" and one called "Flamboyant Sex."

**An hon. member:** What kind is that?

**Hon. Mr. Auld:** If it were not for *Hansard*, I would reply to that. However, there were quite a number.

Seriously, though, Mr. Chairman, actually a number of these restrictions or at least a number of the eliminations were made at the request of the distributor. The hon. members know there are three categories: restricted, which is the category where only those over 18 can attend, 18 and over; adult, which is a guide, meaning that in the opinion of the board it is more suitable for adults although children can be admitted; and general. And particularly in the summer time, when the drive-in business, which is a family business, is large, a number of distributors prefer to have an adult classification rather than a restricted classification and so would make certain cuts themselves.

I think the board has and is doing an extremely good job and part of its problem has been with trailers, where the trailer or—the hon. member is not reading any of the eliminations.

**Mr. Nixon:** No, I am listening to the Minister; one of his colleagues wants the page back.

**Hon. Mr. Auld:** With trailers, which is the advertising part of a film. If the trailer is for a restricted film and is shown with an adult movie, unless there is some discretion used in the making of the trailer this can be offensive to those who go to an adult movie with their children.

**Mr. Sargent:** Mr. Chairman, would the Minister permit a comment on censorship in the area of junk which is being sold in bookstores? You are spending \$146,000 on this censorship here of an older group, but who is going to look after the junk that is being sold now; the real smut that is being sold in these bookstores? Is there not some area for discussion on this?

**Hon. Mr. Auld:** I would say, Mr. Chairman, this is a field which is not covered by The Theatres Act and is not my responsibility. It is a matter of the criminal code, I presume, and the enforcement by local law officers.

**Mr. Shulman:** Mr. Chairman, now that we are on the subject, I might just mention the

book situation briefly as an example of the same situation the Minister is in now. Some years ago it was considered the function of the government to read all the books that came into this country and decide what should be sold here and, rather sensibly, a Liberal government a few years ago decided that perhaps this was not the function of government. It withdrew these rather foolish restrictions which were held at the border and it became the function of the courts to control any pornographic material that came into the country; and the country has not gone to pot as a result of it.

I would like to suggest to the hon. Minister through you, sir, that this same situation should apply to movies. Surely it is not the function of this government to be censoring what we, as adults, see in the theatre. If there is something pornographic, there is a place for charges to be laid, and that is the courts. And if the courts decide, in their wisdom, that the films are properly shown, then any adult should be allowed to see them.

You have a sensible system of grading films. You have adult films, you have general films, you have restricted films. And that is where you should stop! If you feel that a film perhaps could affect a young person unduly, you should grade the film as adult, and surely we as adults in this province should have the right to see anything we wish. And you should not have a group of people who are sitting here in this building, or working for the government, viewing pictures and deciding for us what we can see. And to show you the absolute ridiculousness that can result from this, I am going to tell you two stories. One, which I am sure will make the hon. minister blush because he said it jokingly and I presume he did not realize the truth. All of the little bits that are cut out of the pictures are put together, and two years ago they were shown in this building, in The Attorney General's Department to many of the senior civil servants, and there was much glee at seeing this very interesting film.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): What was wrong with that?

**Mr. Shulman**: What is wrong with it is this government has decided that the public cannot see films because of certain bits in it, and yet they cut all these bits out, make presumably a super-pornographic extravaganza, and who do they show it to—presumably those who are most likely to be

corrupted in The Attorney General's Department. Well, leaving this aside, a more ridiculous situation is this recent film, I believe its name was "High". This is a picture which is winning awards in other parts of the world, and we in Ontario are not allowed to see it.

Surely the government must realize the ridiculous position they have put themselves in. Here we have a Canadian film, produced with Canadian talent, winning awards in other countries, and no one in this country is allowed to see it. They tried to show it to the press but the government stepped in and stopped it. Ultimately the press, or some small portion of the press, were allowed to see it.

The whole situation is just so foolish.

The Minister has mentioned trailers. Certainly I agree if you are having films shown in a general category or in an adult category, trailers which come in the restricted category should not be allowed. But this is a very simple thing to manage. It is a very simple thing to say: "You may not show trailers of a restricted movie other than the title and adding that it is restricted." You certainly should not be allowed to show restricted scenes to a general audience, but that is really a very simple problem.

The Minister has also mentioned that the distributors have requested certain cuts. Well surely, Mr. Chairman, if the distributors wish to cut parts out of their films that is their business; they certainly do not have to come to the government and ask the government to censor the film. So once again—and it has been said before, I am amazed that in 1968 we have to say it, but this is after all a Conservative government—may I say to the Minister, through you, Mr. Chairman, his job is not restricting what we are to see.

For goodness sake get out of the censorship business!

**Hon. Mr. Auld**: Mr. Chairman, I just make comment on one of the statements of the hon. member for High Park. I would like to know who and when and where? Who was present, when it was shown and where it was shown? That is, the collection of cuts which the hon. member mentions.

**Mr. Shulman**: I will tell you exactly where it was shown.

It was shown on the second floor of this building. I believe it was approximately two years ago; there were a number of senior civil servants from The Attorney General's Department there.

This is not the point at all. Do not go off on a side issue. The point is—

**Hon. Mr. Auld:** I would like to know who was there and when it was.

Interjections by hon. members.

**Mr. Shulman:** I am sending a note across the floor to you now with further information.

**Mr. Chairman:** Is vote 2106 carried?

**Mr. J. E. Stokes (Thunder Bay):** I would like to get the Minister's opinion on an incident that happened in November of 1966. I have some correspondence here, mimeographed copies of correspondence from The Department of Tourism and Information. Apparently there was a letter—

**Mr. Chairman:** Will the member relate the incident from 1966 to these particular votes?

**Mr. Stokes:** I think I can.

**Mr. Chairman:** All right.

**Mr. Stokes:** Here is a letter.

On November 1, 1966, I had the occasion to talk to you on your radio programme.

I realize that you are a very busy person, but I was the young gentleman that talked to you about the many persons that were refused admittance to the Tepee drive-in theatre at Liverpool Road and Highway 401. I was fortunate enough to be able to talk to the manager and try to convince him that the Ontario censor board would not be so meticulous as to charge anyone with bringing a three and a half month old baby to a restricted show. The manager said to me that he was not going to pay a fine of \$250 for letting a person under the age of 18 into the show.

I know of a theatre that was fined for this, and my wife and I felt that either the Ontario censor board or the manager of this particular theatre had taken this restriction code a little too seriously. Co-operation in this matter would be appreciated deeply by us and many other young parents who encounter this problem.

And the reply that he got through the gentleman, who is on radio CHUM, says:

In replying to your letter of November 9 outlining the complaint registered by this particular person with reference to admission to the theatres presenting films classified as restricted entertainment, we

quote subsection 4, section 23 of The Theatres Act which reads as follows: "No person apparently under 18 years of age shall be permitted to purchase a ticket of admission or be granted admission to, or permitted to remain in, a theatre where a film classified as restricted entertainment is about to be or is being established.

"Having reference to the remark that the theatre was prosecuted and paid a fine of \$250 for contravening the section above mentioned, we must say that there has never been a court action instituted by this department for any infraction of the quoted section."

It is signed by the assistant director of the board of censors.

Not satisfied with that reply, he wrote again and they reaffirmed their previous position and it reads as follows:

In reply to your letter of November 14, we feel that section of the Act previously quoted is perfectly clear regarding who can and cannot attend motion picture entertainment classified as restricted, and again we quote in part: "No person apparently under 18 years of age shall be permitted to purchase a ticket of admission or be granted admission." This is the law and can only be amended by the Legislature.

Does the Minister, in all sincerity, think that it should apply to babes in arms? How else would a lot of young couples get out—

Interjections by hon. members.

**Hon. Mr. Auld:** Mr. Chairman, I will not waffle about it; I do not think that it should apply to babes in arms and I can see the problem. The problem, basically, is this: How young is a babe in arms?

**Mr. Sopha:** It all depends whether you are at a drive-in or not.

**Hon. Mr. Auld:** I am glad that the hon. member got the point.

Seriously, we are looking at this because I think there should be some reconsideration. On the other hand, I think the hon. member would agree that if you say one-year-old then the parents of a child of 14 months conceivably might be barred from going in with the child.

As the letter from the assistant director points out, there never has been a charge laid, and I would be surprised if the theatre inspectors were running around and looking



in the back seats of cars to see if the baby is there or not. The only thing I can say to the hon. member is that we are looking at this and are studying it to try and find a definition which might cover the problem which he has raised.

Vote 2106 agreed to.

On vote 2107:

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** Mr. Chairman, I should like to ask the Minister if, included in this particular estimate, there is an amount for computer services. I note that in the public accounts for 1966-67 there was an item for the commercial and technical computer services for Ontario limited, and I would like to know if there is included in this estimate for 1968-69 a similar amount.

**Hon. Mr. Auld:** I think, Mr. Chairman, that the computer service that we would use would be in The Treasury Department and the amount to cover it would be shown in their estimates.

**Mr. T. Reid:** It seems to me that the increase between actual expenditures in 1966-67 and the amount of the estimates for 1968-69—a two-year period—of \$41,000 is really more than that because an item has been taken out. If I understand the comments made earlier about the uses and services for computers within the government, the department of the Minister of Tourism and Information would not have to pay for its services. I would ask him if I am correct in that these services are performed by the Treasury, and that there is not a charge against his own department?

**Hon. Mr. Auld:** That is correct, Mr. Chairman. Actually, any computer services that we may have used in the past would have been done by an outside firm which was doing a study for us and would have been part of the fee that that firm would have charged to us. The increase this year is \$25,000 in salaries, which covers the normal annual increments—the summer staff of 10 employees who are doing a land use inventory, and an increase in the complement from five to six—increased travelling expenses of \$9,500 which will cover the cost of the travel expenses of the increased complement and the summer staff, and \$3,500 for additional equipment made up of furniture, printing

and stationery, communications and sort of a lump item of \$1,000.

**Mr. T. Reid:** Mr. Chairman, are those figures in relationship to the actual expenditures for 1966-67 or for the estimates for 1967-68?

**Hon. Mr. Auld:** That is the increase in the budget over 1967-68; I do not have the actual figures for 1967-68 at the moment.

**Mr. T. Reid:** I have another question, Mr. Chairman. First of all, are the firms receiving the contracts for the surveys for 1968-69 the same as the firms who received the contracts in 1966-67? That is to say, Gordon Lusty survey research and MacDonald research received research grants from the department for research on behalf of the department in 1966-67.

**Hon. Mr. Auld:** Mr. Chairman, I can only say at the moment that there are no commitments to those two firms. The money is here but the selection of the additional firms that will be required has not been made yet.

**Mr. T. Reid:** Is there an amount in this particular estimate to publish bids for tenders from firms interested in this type of research? This might perhaps include universities?

**Hon. Mr. Auld:** I am informed, Mr. Chairman, that we do not put an advertisement in the paper asking for tenders. We ask for quotations from say half a dozen firms who might specialize in the specific kind of survey work which we want undertaken.

**Mr. T. Reid:** Mr. Chairman, might I ask the Minister if there is a professional journal for firms engaged in this type of research?

**Hon. Mr. Auld:** I do not know, Mr. Chairman.

**Mr. T. Reid:** Mr. Chairman, if there is such a journal, would he place an advertisement in that journal letting the people who could perform this type of research, or people who think they could perform this type of research, know that this money is available? It amounts to quite a bit of money in terms of thousands of dollars.

**Hon. Mr. Auld:** Mr. Chairman, I am informed that we are aware of all the companies and there are not that many, to my knowledge, who do the kind of research that we require. I again wonder whether this is the kind of thing that you can actually call tenders for and take the lowest bid.

**Mr. Sargent:** It certainly is.

**Hon. Mr. Auld:** It is similar to film making, where a great deal of the value of the firm is in the people it has with it and the methods that it uses. We do not call for tenders, as I have explained in this House on many occasions, simply because we feel that we would get a broad series of proposals. We give an outline of what we want done and we get various proposals as to how a firm proposes to carry it out.

So it is really a judgment on the part of my department as to how we will proceed with some of these things, where there is no simple way and where there is no definite, or perhaps only one way, to go about something. I simply say this, that if there are firms which feel that they are not being consulted by the department to do work, we would be delighted to hear about them, but my understanding is that it is a limited field and our research people are aware of those who are in the field and who can do the kind of work that we want. I will enquire about a professional journal, but I must admit that I have never heard of one.

**Mr. T. Reid:** Mr. Chairman, while I have the floor I would like to ask a few more questions on this particular estimate. In 1966 and 1967 there was an expenditure listed for the Office Overload Company, and I was wondering if in the estimate for the forthcoming fiscal year the Minister has included an item for Office Overload?

**Hon. Mr. Auld:** Mr. Chairman, we do not include an item for Office Overload in our normal estimate because in the normal course of events we expect the kind of work involved, mainly clerical work, to be done by our own staff. The only time that we use Office Overload is when for some reason or other we do not have our own staff available through resignations, retirements and so on, or when we get a short-term job which requires a great deal of clerical work as part of some other project. The hon. member is probably aware that the civil service commission is now setting up a service similar to Office Overload, and if we require this kind of service in the future, I presume that this is where we would obtain it.

**Mr. T. Reid:** Mr. Chairman, I am delighted to hear and know that the civil service commission is thinking of running an internal office overload for the various departments of government. Does the Minister know if his department will be charged for services that

he receives from that division? And if that is the case, would it not make sense also for The Treasury Department, if in fact it is the department that the Minister's department uses for computer services, also to charge so that we on this side of the House have some idea what the real costs are of running the Minister's department?

**Hon. Mr. Auld:** I suppose, Mr. Chairman, that that question should be more properly directed to the Provincial Treasurer, who runs The Treasury Department.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Chairman, this is just another case of government, of another department head saying that it is hard to call for tenders, a low tender, on a deal like this. All down through the whole pattern we have the department heads letting out contracts for that low tender. The way I would suggest that you do this—

**Mr. Chairman:** What item is this?

**Mr. Sargent:** I am talking on travel, on how he lets his research contracts—two cases last time to MacDonald research and Lusty survey. You must write specifications for the job that you are calling for—just a moment, try and learn something for a moment—and then you put up a performance bond and a hold-back. And if you do not get your performance, they do not get paid. It is as simple as that.

This whole pattern of you having the power to give a deal to a friend, and I do not say that you do it, but it happens right down the whole bit; the calling in of these consultants. It is going too far, the fact that the Minister has the power to say, "Well, we will give it to this fellow this time." We do not know what is going on. The Opposition has no way of knowing what is going on. There must be a low tender operation in any good business operation, in any fair and honourable and honest operation.

And this continuity of you saying, "well, we leave it to our own judgment"—and the hon. Minister knows that I regard him highly and I do not suggest that it happens in his case. But the pattern is here and you can do anything that you want, and this is illegal and it is wrong. I think there should be some fairness on the part of the government in treating public money as you do in the area of business. It has got to stop.

**Hon. members:** Hear, hear!

**Mr. Chairman:** Vote 2107, the leader of the Opposition.

**Mr. Nixon:** Mr. Chairman, one of the pieces of research that I believe was done within the Minister's own department was in co-operation with the Niagara Iroquois tourist association, which is one of those regional associations. It had to do with a survey of the lower Grand in the riding of the hon. member for Haldimond-Norfolk (Mr. Allan) and extending up into the riding of Brant and, as a matter of fact, having some influence, I believe, through four or five constituencies.

I am not sure of the name of the man in the department who did this but I understand that it was Dr. Klopchic—is that correct, Dr. Klopchic? The recommendations are very interesting because they have set out the possibility of the expenditure of \$10 million for the development of a new recreation centre there which would serve hundreds of thousands of people, as far as summer recreation facilities were concerned, particularly for the Hamilton region. There is already a considerable amount of boating in the Grand, but the single dam that permits it at the Caledonia is very much in a state of disrepair. The Minister of Energy and Resources Management has had this brought to his attention through the conservation authority on other occasions.

The Grand River has the misfortune of once having been a navigable river. There was an organization called the Grand River Navigation Company which sometime before 1850 drew barges from Buffalo right to Brantford. Because of that I suppose the government of Ontario feels that it is a federal responsibility and those people in Ottawa consider it a matter for a conservation authority, or at least a park development under the jurisdiction of the provincial government.

If this buck passing is allowed to continue it means that there will be no development there whatsoever. The conservation authority are interested in it, but there does not seem to be the ability to decide whose responsibility it is. The expenditure of \$10 million on a project like this would be very much in order. It would bring in all sorts of business if you want to raise it that way, but more important than anything else, it would make a centre of recreation where we desperately need it, and where the people are. The citizens of Hamilton and surrounding area would be able to take just a short trip and have these excellent facilities available.

There is just one other thing associated with the potential there which was touched

on in Dr. Klopchic's report. That is the Six Nations reserve in that particular area. As a matter of fact, I brought it to the attention of the Minister of Highways (Mr. Gomme) today, by means of a question, that the river separates, without a crossing, these two sections of the most populated Indian reserve in Canada. They have a tremendous tourist and sales potential there with their own activities and the kind of work that is based on their own special abilities.

It would seem to me that with a minimum expenditure and some co-operation between the two levels of government, and a great deal of initiative that this Minister might very well show in this regard, we could have a new tourist centre that would be of economic value to us all. It is something that the provincial government should undertake. We cannot allow this difficulty over jurisdiction to hold us up much longer. The hon. member for Peterborough (Mr. Pitman) brought a similar situation to the Minister's attention this afternoon. It concerned the Trent system, which has been under federal jurisdiction for a good long time, but is no longer a commercial undertaking in the sense that navigable water normally is.

It really is a great source of tourist and recreation importance, and I think that this department, if it is going to justify its existence, should undertake some of the expansion projects that would be in the best interest of the province. I have not got a question particularly associated with this, but I am convinced that in the area of the Grand River, if we are going to take advantage of the efforts made by the Minister's colleagues to reduce pollution—and there should be a great deal more along these lines in the next ten to 12 years—then we are going to have a waterway which will be very much suitable for recreation.

We should undertake the expenditure for development with the dams that are going to make the river a succession of small lakes, connected by locks, we can create something that would be the pride of southern Ontario and would mean a great deal to that part of the province. I put it to the Minister as sincerely and as strongly as I can. This is something that we must undertake in the province.

I am not at all critical of the federal authority in this. I suppose they want to unload what the Minister himself said was a very difficult situation, with regard to the influx of tourist traffic, the control of pollution and so on in the Trent system. I would say



to the Minister that this report leads the way to reasonable expenditure for recreation facilities that in the long run are going to return a great deal to the economy of Ontario.

**Hon. Mr. Auld:** Mr. Chairman, I do not want to take too much of the time of the House. I should first declare my interest as an avid boater, and say that I am very interested personally in this kind of thing. I was going to comment when we came to this vote on some of the matters raised by the hon. member for Peterborough this afternoon.

I simply say that the department has had two committees working—one an inter-departmental provincial committee, and one with The Federal Department of Transport—on the recreational aspects of the Rideau system last year from which a report was produced.

I have been in correspondence with the Minister of Transport of Canada about expanding this to extend its terms of reference and to start working on the Trent-Severn, and no doubt the things that will flow from this will affect other navigable waters and other waters which might be made navigable. There are a whole host of areas around this province where, with substantial expenditure by some public body, new areas can be opened for boating.

I think we are all aware of the tremendous expansion in pleasure boating. I have said on other occasions that the pleasure boating field is in somewhat the same state of growth today as the automobile was, say, in 1920. I think that we have to recognize this and we have to provide for it and it is going to be a costly business. There have to be methods found for paying for the facilities which the boaters will use. I think as a boater myself that boaters are prepared to do this.

It is a long-term problem because of this multiplicity of jurisdictions—provincial, federal and municipal, and in some cases conservation authorities which are involved in a different way with all three levels. This is a kind of jungle of jurisdiction which all involved are anxious to sort out. We have to take a stab at it, and it is not going to be easy. I do not think that answers the unspoken question of the hon. leader of the Opposition but I can simply say that as far as our department is concerned and other departments of the province who have an interest of one kind or another—The Department of Energy and Resources Management,

The Department of Lands and Forests being two—that this is being worked on.

**Mr. Nixon:** Well, Mr. Chairman, the answer to the problem as I see it is not to set up a number of horizontal committees and so on, but for someone to take on the responsibility. I would suggest that it be this Minister, and not the Minister of Energy and Resources Management, he has other things to do; the hon. Minister of Lands and Forests (Mr. Brunelle) would be deeply involved, he has responsibilities elsewhere. It seems to me that this is associated with tourism or could be very definitely, that this Minister has done the preliminary investigation that points the way to this development; and I believe that you could cut through a lot of the entanglement if you simply convince yourself of the usefulness of this expenditure and simply clear away the difficulties both with his own colleagues and at the other level of government and proceed with it. It is sitting there to be done.

The Minister's colleague is concerned with the control of the river as far as the flood damage that it might do and the development of the river as a source of municipal water supply and for some other purposes, but the recreational facilities might very well come under the jurisdiction of the Minister of Tourism and Information and I would hope that the approach would not be a sort of a start-at-it with the setting up of some committees who are going to look into the possibilities. It was taken on as a project and it can be accomplished. \$10 million, of course, is a very large portion of his budget; almost all of it as a matter of fact. But it would be a programme that I think could be accomplished over seven or eight years and would return in short order the investment.

**Hon. Mr. Simonett:** May I say in answer to the leader of the Opposition that we have filed a report on the Grand and I imagine he has read it. We are ready to go on a multi-million dollar programme up there for not only flood control; also recreation and boating, pollution and everything. But I might say that we have not had very much co-operation from our federal components in Ottawa. We have asked them on several occasions if they would be willing to go along with us on a cost-sharing grant with the municipalities in the Grand conservation area and I would say, at this time, that we have not had anything yet that is constructive. We have not had the answer "no" yet, so perhaps if you could go to work on your

counterparts down there and, if they are willing to go with us, we are ready to go ahead now and solve some of the problems you have in the Grand.

**Mr. Nixon:** The hon. Minister is very quick to suggest that we on this side go to work on our friends in Ottawa. It really is the most ridiculous comment that I have heard. Our responsibility here is in this House. You people over there deal with the federal government. Now the suggestion you make is very improper indeed and I would say to him, Mr. Chairman, that the plan he is talking about is entirely different than the one that is the result of the investigation undertaken by the Minister of Tourism and Information. It certainly is. Your programme on the Grand does little or nothing south of Brantford. You do not know what you are talking about, so do not get into this debate.

**Mr. Sopha:** Of course he assumes they are going to be back there after June 25.

**Hon. Mr. Grossman:** Well we all assume that you had better do it before it is too late.

**Mr. Sopha:** You take it for granted do you?

**Mr. Chairman:** Order please!

**Mr. Sopha:** Well if you do not I will go up and tell Dalton Camp he is being nominated tonight.

**Mr. Chairman:** The member for Thunder Bay has the floor.

**Mr. Stokes:** Mr. Chairman, I have before me the travel research reports, entitled "Abstracts", and there are some 21 reports here. Unfortunately there are four of them that have been omitted. One that would concern me most was the Atikokan visitors study of 1964 and that seems to be the only reference of any study that was made in northern Ontario at all except for report No. 10 of 1966, put out by Peter Klopchic, director of travel research. It is the analysis of the study of the Sudbury tourist region and the purpose of this study was to reveal the impact of the value of tourism in Sudbury vacation area to find the deficiencies of the tourist plan and the means of improving it. The report itself, the results of the findings, are very brief and concise, stating:

(a) The incidence of visitors just passing through is very high and it is imperative that local authorities and merchants do their

utmost to persuade tourists passing through to stay longer in the area.

(b) Recreational facilities were rated very low—only 27 per cent of visitors rated them positively. Retail prices were also low as well as enjoyment of fishing. It would be advisable that many possibilities for improvement of recreational activities, fishing and retail prices be investigated and implemented.

(c) The bulk of patrons for hire facilities in the area are United States visitors. Careful attention should be given to their vacation requirements, the type of facilities and entertainment they prefer and, of course, advertising should be focused where these visitors originate; principally in Michigan, Ohio, New York and Pennsylvania.

(d) Visitors from Ontario and the United States who own a camp, cottage, cabin, or other dwelling in the area have the longest average length of stay and the highest spending per party and cottage developments should be planned and promoted extensively to take advantage of this prime source of tourist dollars.

(e) The greatest tourist attraction in Sudbury is "the big nickel".

Now whatever happens to these reports? Does a copy of the report channel back to the people in the area? What recommendations, if any, do you make to the people in the area? What sort of encouragement do you give people in the area to rectify these shortcomings? What is the purpose of these studies if we do not see any tangible results of them? As I mentioned when I opened my remarks, this is the only reference in the 21 reports in this brief that makes any mention of those in Ontario and I was just wondering if the Minister would comment on it. Is there any tangible results coming from a study such as this?

**Hon. Mr. Auld:** Mr. Chairman, as I recall that study was made as the request of the tourist council in that area. Now we simply made the study and handed it over to them to deal with as they wished. That was the original study, a new one has been made which is a bit more up to date. We have no power, or should we have I think, to go into an area and do a study and tell everybody what they ought to do. We simply take a survey and pass along to the community the results of that survey.

I would also point out, Mr. Chairman, that we have almost completed, or will have completed very shortly, the recreational study



of the Kenora, Lake of the Woods and Rainy River. This is being done by a consultants firm for us under the travel research department's supervision and, in addition, we have planned to do a study this year of the visitors to Manitoulin Island—from whence they come, their attitudes, and so on which will be of interest to the people in that area.

**Mr. Sopha:** I am provoked to ask what is the necessity of hiring an outside travel consultant firm to prepare this study? Why could not the study be done by The Department of Lands and Forests?

**Hon. Mr. Auld:** Well, Mr. Chairman, we do many kinds of studies; some we do with our own staff, some with casual staff and some we do with outsider firms. The main reason that we use outside firms is that they are far more flexible. If we do not have a large staff of our own which we have to keep busy, we can change the kind of study which we need to do because of additions which occur. Frankly I think we are a lot more flexible to have a very small but very skilled and capable staff as I believe we have at the present time, and to hire those as casuals on our own payroll or as specialized firms to do the various kinds of research and study which we require.

**Mr. Sopha:** Mr. Chairman, my main interest is saving money, and I have a good reason to believe, and indeed close and personal knowledge, that almost the total orientation—no, that is too strong; on balance the greater orientation—of The Department of Lands and Forests is towards recreation. To bolster that I referred to the study they have just made of the Georgian Bay area, a complete and total composite study of that area from the point of view of recreation. In that case, demonstrating expertise like that, I ask what is the necessity to go outside and hire an expensive firm of consultants to conduct a relatively minor study such as denoted here?

**Hon. Mr. Auld:** Mr. Chairman, I should point out that there are many different kinds of studies. The inventory of existing facilities in the recreational field can well be done by The Department of Lands and Forests. To my knowledge The Department of Lands and Forests have not done, nor do they have the staff to carry out, a study of visitor attitudes, visitor expenditures in a community, or this sort of thing, which are of great interest to the community, particularly if the community does not seem to be enjoying the kind of

tourist business which the traffic in the area would indicate it might.

I am informed that the Kenora study, which is the one I mentioned and which is just about complete, was done by an outside firm, a consulting firm, because it would require too much travelling on the part of our own staff. But about eight out of ten of the various studies that we have done, were done by our own staff.

**Mr. Sopha:** How much in dollars for that study; in coin of the realm how much?

**Hon. Mr. Auld:** The cost was \$25,000. It was done under ARDA and it was financed jointly by the province and the federal government.

**Mr. Sopha:** What a wasteful expenditure of public money. If anybody had any business sense over there, they would send the supernumerary to The Department of Lands and Forests—which department seems to be replete with personnel—to find out the physical facts of the area. They ought to know that anyway; that should be in the archives of government information. Who should know more about the physical features of this province than the government? Surely there should be some central place where everything that can possibly be known about the characteristics of this part of the planet will be on file, and then having done that, all the Minister has to do if he wants to know about visitors' attitudes is break a couple of people away from their desks down here in his department and tell them to go up and ask them.

They can sit parked in a car and ask them as they go by what their attitudes are or what attitudes they are looking for, towards the visitors. Maybe you are looking for the sore heads or something to invite them to go back to the United States. I would like to find out just what you are trying to find out. Of course the truth is that a lot of this information that is collected in this area is meaningless and irrelevant to any future experience and ought not to have been pursued in the first place at the sum of \$25,000. I am astounded at the waste of public money.

**Mr. Stokes:** Mr. Chairman, just to pursue this one step further, if studies such as this kind are really used to promote more tourism in the north I am all for it, and I think that \$25,000 is well spent.

Now to report No. 17, a short economic evaluation of hunting and fishing in Ontario dated 1966, having reference to—



**Mr. Sopha:** Do you ever get beyond 1966? This is 1968.

Interjections by hon. members.

**Mr. Stokes:** I am not dealing with abstract things; I am dealing with figures and facts, something that I know something about.

**Mr. Sopha:** You are out of date.

**Mr. Stokes:** This particular study is to determine the approximate value of resident and non-resident spending on hunting and fishing and it is a product of the same Peter Klopchic, director of travel and research. The main findings were that the total expenditures of Ontario and non-resident hunters and anglers in Ontario were, for residents a total of \$135,369,000, and for non-residents \$108,672,000, for a total of \$244,042,000. It seems to me that the hunters and the fishermen, particularly the residents of Ontario, are paying quite enough for the privilege of going out hunting and fishing.

I was wondering if this study and the facts and figures of it were made available to the Minister of Lands and Forests before he saw fit to serve notice that he was going to increase the hunting and fishing licences. We are getting, by 1966 standards, \$135 million from that source. It has gone up considerably I would imagine in the last four years. It is a considerable amount and I would think that we are paying sufficient for the right to go out and hunt and fish in our wilderness areas. I think this report bears it out.

The recommendation of the report was that hunting and fishing are high on the list of Ontario's attractions and should be extensively advertised, not only in the United States but in Europe and other countries, to attract more hunters and anglers to the province. Certainly if the government finds that they need more money to make hunting and fishing facilities available on a much larger scale than they are at the present time, they should not tax the people who are already paying a significant amount for it. I would think that if extra funds need to be made available, there are many other sources that could be tapped rather than the person himself who is actually paying too much now for the kind of results he is getting, particularly along our main highways, our main arteries, where fishing is almost a thing of the past unless you have the wherewithal to fly back into some remote area. I think that it is unrealistic to ask those people who are already contributing so much—

**Hon. Mr. Grossman:** Oh, no, there are fish all over Ontario, lots of fish.

**Mr. Stokes:** Just come up into my area. There are not lots of fish, I can assure the hon. Minister of Reform Institutions. We have one fish hatchery to serve all of north-western Ontario; one fish hatchery to serve all of northwestern Ontario!

**Mr. J. Jessiman (Fort William):** Two.

**Mr. Stokes:** We have one. There is one at Dorion and they are phasing out the one at Port Arthur—

**Mr. Jessiman:** One at Port Arthur and the one at Dorion.

**Mr. Stokes:** It hatches about 90,000 fingerlings a year. Yes, ask the district forester in Port Arthur whether he considers that establishment at the mouth of the Current River a fish hatchery and he would reply in the negative. It is not a fish hatchery, I know what I am speaking of.

**Mr. Sopha:** Well, do they have baby fish there?

**Hon. Mr. Grossman:** No, it is an unsuccessful hatchery.

**Mr. Stokes:** No, they do not.

**An hon. member:** Well, it is not a fish hatchery.

**Mr. Stokes:** Just to finalize my remarks. I wonder if all this information is made available to The Department of Lands and Forests?

**Hon. Mr. Auld:** Mr. Chairman, if I might just make one comment which relates to the report. The figures are shown in a report which was done by our own staff, which consists of as now of six and used to consist of five, so that if we sent four or five people out of the office there was no one to answer the phone. The economic benefit of that is to the province as a whole. That is not government revenue; I just thought perhaps the hon. member might have that confused.

**Mr. Sargent:** Mr. Chairman, are these firms—MacDonald and Lusky—are they Canadian firms?

**Hon. Mr. Auld:** I hate to say this, they are both in Toronto.

**An hon. member:** What is wrong with that?

Vote 2107 agreed to.

On vote 2108.

**Mr. Sargent:** Mr. Chairman, on this vote, I would like to say that I have always felt that our park dollar was the best dollar we spend in this country, and I do not think St. Lawrence park is any different. In fact, the hon. Minister from Stormont is, I think, doing a great job. If you go through the estimates you see that Dalton Camp and Associates were paid \$75,000 in the last estimates.

**An hon. member:** Where is this?

**Mr. Sargent:** Dalton Camp and Associates, \$75,998.38. I notice under this maintenance, 1967—

**An hon. member:** What year was that?

**Mr. Sargent:** The only point of reference is 1967.

**An hon. member:** It is up-to-date.

**Mr. R. F. Ruston (Essex-Kent):** The latest book of estimates!

**Mr. Sargent:** The only check point we have is this book. This vote has been increased to \$571,000, and in the last estimates it was \$137,000. Now for an advertising man like Dalton Camp to receive this amount—we all know that he is part of the hanky-panky the boys have got going on. This continually goes up, it goes on through the estimates over the years. We missed his name, we did not find him in here getting fantastic sums of money, but my recollection of the payment of fees in the advertising business is 15 and two. They make 17 per cent of the line rate or the amount of money of the budget expended.

**Mr. Chairman:** Order, order!

We do not see any item for advertising in vote 2108.

**Mr. Sargent:** That is the trouble you do not see, but it is there, Mr. Chairman. You had better clean your specs and get going, because it is in there.

**Mr. Chairman:** Where is it?

**Mr. Shulman:** Maintenance!

**Mr. Sargent:** It is under maintenance, they have a figure there—

**Mr. Chairman:** There is no \$500,000 under maintenance at all.

**Mr. Sargent:** Well on St. Lawrence park, they have a figure of maintenance; in vote

2108, item 3, at \$571,000! Okay, are you with me?

**Mr. Chairman:** Maintenance is not necessarily advertising. You have to—

**Mr. Sargent:** I know, but why do you hide Mr. Camp in there then? He is in there, in there for—

**Mr. Chairman:** I do not know. I do not know that.

Interjections by hon. members.

**Mr. Sargent:** I would like to know how much and what kind of cake we are cutting here for Dalton. It shows \$75,000. What kind of budget are you giving on this particular shot? What is he doing here? Is it a free basis? Is it commission?

You should be worried about this!

**Hon. Mr. Auld:** Mr. Chairman, I would not want to keep the hon. member in suspense. The amount budgeted by the commission for advertising through the Camp agency this year is \$80,000.

Now to answer the hon. member's question—

**Mr. Sargent:** You are budgeting \$80,000 in all votes? Is that his net take; or what is the gross?

**Hon. Mr. Auld:** That is the gross.

**Mr. Sargent:** Through Dalton Camp?

**Hon. Mr. Auld:** That is all media.

**Mr. Sargent:** So he will make about \$12,000 commission.

**Hon. Mr. Auld:** I would presume.

**Hon. Mr. Randall:** Maybe he should buy a hotel.

**Hon. Mr. Grossman:** Even without a licence.

**Hon. Mr. Auld:** He might be better off in the publishing business.

**Mr. Sargent:** Do not believe it!

**Hon. Mr. Auld:** The reason for the larger amount, Mr. Chairman, is that this year the maintenance item includes administration—wait a minute!

**Mr. Sargent:** I think the Minister from Stormont has the answer.

**Hon. Mr. Auld:** It includes administration, historic sites and parks, which in 1966-67 totalled \$501,758. This year the request is for \$571,000, it is about a \$20,000 increase.

**Mr. Sargent:** Question: You say administration?

**Hon. Mr. Auld:** It includes administration, historic sites and parks.

**Mr. Sargent:** You are not paying 15 per cent of the gross expenditure, are you?

**Hon. Mr. Auld:** I am afraid the hon. member has lost me. I said that the amount payable to Dalton Camp and Associates for advertising is \$80,000—

**Mr. Sargent:** No, no!

I am going back, I want to know how he earned \$75,000 in the last estimates?

**Hon. Mr. Auld:** Mr. Chairman, the agency did not earn \$75,000. They were paid \$75,000. Out of that they paid the media for the space which they purchased on behalf of the commission and covered all the work they did. So the increase is \$5,000 to the agency.

**Mr. Sargent:** So the Minister tells the House then that he was paid no fee, no fixed fee. I understood the last time we talked about St. Lawrence park that he was paid a fixed fee and this was not commission.

All right. Then, we get down to the point. You say he was paid no fixed fee?

**Hon. Mr. Auld:** There was no fixed fee in last year's estimates.

**Mr. Sargent:** His only revenue was 15 and two, the standard commission.

**Hon. Mr. Auld:** That is correct.

**Mr. Sargent:** Then I must apologize. I was told somewhere along the line he was paid a fixed fee in this particular job.

**Mr. E. A. Winkler (Grey South):** That is Liberal propaganda!

**Mr. Sargent:** All right; I am at fault then.

So we have it now, he is being paid \$75,000 to pay all the media.

**Hon. Mr. Auld:** That is correct.

**Mr. Sargent:** And so your expenditure on maintenance this year was \$571,000. How much of that is advertising?

**Hon. Mr. Auld:** I think in total the commission expends about another \$10,000 for projects that they undertake themselves. Total advertising would be \$90,000 in the year to which the hon. member is referring.

**Mr. Sargent:** So the gross budget for St. Lawrence parks is \$90,000, on which Dalton Camp has the placing of the business and the—

**Hon. Mr. Auld:** No, the agency has the amount I mentioned. The commission expends the remainder of this itself, not through the agency. The agency gets no commission on the other \$10,000.

**Mr. Sargent:** Then is the Minister directing as to what media to use?

**Hon. Mr. Auld:** Mr. Chairman, the agency produces a programme each year which the commission accepts or alters. The media is decided, I would presume, jointly. It is approved by the commission on the recommendation of the agency.

**Mr. Sargent:** Why have you always stuck with Mr. Camp?

**Hon. Mr. Auld:** Again because he has done an excellent job. The Camp agency was the first, when the commission was set up and I was then a member of it. In 1959 we invited submissions from I think four or five agencies on a promotional programme for the commission. The commission at that time accepted the Camp agency and they have had, apparently, no reason to recommend any change.

**Mr. Sargent:** Do you not think it is significant that Dalton Camp is almost unknown in the advertising business, about the only thing he handles is political stuff?

**Hon. Mr. Auld:** Mr. Chairman, I would say that the Camp agency is well known in the travel advertising business and has represented not only provinces with Conservative governments but the Atlantic provinces, which are not all Conservative. As I recall—and I have been away from this for some time—he represented Clairtone, one of the banks and several other large accounts. So I would say to the hon. member he is known outside the travel field and certainly outside the political field.

**Hon. F. Guindon (Minister without Portfolio):** Mr. Chairman, the hon. member for Grey-Bruce was so quick on his feet that I did not have a chance to make a few remarks



with reference to the St. Lawrence park commission.

**Mr. Sargent:** I must apologize; I did not know he was going to, I am sorry.

**Hon. Mr. Guindon:** Mr. Chairman, Canada's centennial year was one of unqualified success for the St. Lawrence parks commission in the operation of its system of parks and historic sites. The proximity of Expo 67 was, of course, the decisive factor in permitting the commission to attain an all-time record attendance figure of nearly four million visitors.

In the parks division, total attendance in 1967 was 4,182,000, an increase of nearly 500,000 over 1966. Camper groups totalled almost 110,000, an increase of more than 27,000 over 1966. The addition of 800 camp sites prior to the opening of the 1967 season made it possible for commission staff to accommodate their record number of visitors without major inconvenience. However, there were occasionally busy weekends when particular parks were incapable of accommodating all those who wished to use the facilities. We plan, of course, to remedy this situation in the long run by providing additional camping and day use facilities adjacent to the most heavily used locations.

In the historic sites division, Upper Canada village rolled up a season's total of more than 350,000 visitors, 125,000 more than those recorded in 1966. The greatest single day's attendance at the village since the 1961 opening was recorded on August 6 when slightly more than 6,000 visitors passed through the turnstiles. The previous single day's record was established on September 1, 1963, when 4,857 people visited the village. A substantial addition to the entrance store at Upper Canada village enabled the staff to provide more efficient service to their customers and to provide much improved merchandise displays. The increased emphasis on traditional agricultural displays was the source of much favourable comment. It is of interest too to note the increased number of school groups who visited the village in 1967, many of them from western and northern Ontario.

Old Fort Henry, located at Kingston and made famous by the Fort Henry guard, recorded a total attendance in 1967 of almost 235,000, an increase of more than 20,000 over 1966. In addition, the Fort Henry guard had one of its busiest seasons in many years. Beyond their daily routines and performances at Fort Henry, they made weekly appearances at Expo 67. They also carried

out a full performance for the girl guides at their heritage camp on Nain Island and provided a guard of honour for the Lieutenant-Governor of Ontario at the opening of a museum in Merrickville, Ontario. Once again, the regular Wednesday night retreat ceremonies during July and August drew capacity crowds. I believe the St. Lawrence parks commission can be properly viewed as an integral and major component of the tourist industry in eastern Ontario.

It is sobering perhaps to realize that despite a record year, overall commission revenues did not balance operating expenditures. On the other hand, it is entirely clear that the indirect effect of tourist spending in both the public and private sectors on the economy of eastern Ontario far outweighs the impact of a relatively small operating loss. It is important, too, I think, to emphasize the importance of the commission's annual expenditure of \$2.5 million for the purchase of goods and services in eastern Ontario. This year, the commission is asking the Legislature to vote \$2,510,000 for parks operation and development, a decrease of \$150,000 from the amount spent last year. This reduction is due to the fact that no major new construction projects are planned for 1968-69. A number of works are proposed, however, for the more westerly portion of the commission area. Also, the commission now has in hand a five-year development plan which projects some rather significant expenditures over the next few years.

I believe the outlook for 1968 to be encouraging. This is due in part to the intention of many of our visitors to return to the area for a more leisurely holiday. It is also supported substantially by the very large number of written enquiries presently being handled by the commission staff. I look forward, Mr. Chairman, with confidence to another successful year for the St. Lawrence parks commission and for all of eastern Ontario.

**Mr. S. Apps (Kingston and the Islands):** Mr. Chairman, I would like to concur with the remarks of the chairman of the St. Lawrence parks commission as to the value of the commission's work that is done down in eastern Ontario, with particular reference to the riding of Kingston and Old Fort Henry and the Fort Henry guard, which I think is without doubt the finest tourist attraction in the whole of eastern Ontario and, for that matter, probably in the whole of the province of Ontario.

I think that over the years the St. Lawrence parks commission has done a tremendous job for eastern Ontario, particularly from Kingston east to the Quebec border. I feel that this now has been pretty well consolidated and I think that from now on the direction of their effort should be made between Kingston and Adolphustown. In this connection, The Department of Lands and Forests purchased a park on Wolfe Island last year which I understand has now been turned over to the St. Lawrence parks commission and I would like to ask the chairman as to what plans are being developed for taking over this park and what they are planning to do towards development and when they expect to get this development underway? This park, I think, has one of the finest potentials of any area throughout eastern Ontario and I know it is of great interest to the citizens of Kingston and the surrounding districts to have this park developed as soon as possible.

I was a little bit disappointed in finding out there has been a reduction of \$150,000 in the budget of the commission and I would hope that this would not delay the development of the park on Wolfe Island. I wonder if the chairman of the commission might indicate to me this evening, just what is planned for that park and if anything is going to be done this year in connection with developing it.

**Hon. Mr. Guindon:** I am very glad that you asked that question. Mr. Chairman, in reply to the hon. member for Kingston and the Islands I would like to say that of course one of the big problems so far as Wolfe Island is concerned is access, this being an island. But we are presently carrying out some surveys and planning this year. We also have been contacted by the FON, the federation of Ontario naturalists. They are much interested in this area, and I can assure the hon. member, Mr. Chairman, their views will be given very careful consideration. For the time being it is quite possible that in the fairly near future—perhaps not this year, but I would say within the year or so—some facilities can be developed, mostly for boaters or overnight campers who would like to go to the island by boat. But until such a time as a bridge is built to the island, I do not see what much more can be done.

**Mr. Apps:** Mr. Chairman, I realize that access to the island hinders the development of the park, but I think that there are certain things that could be done pending the build-

ing of a bridge between Kingston, Wolfe Island, and Cape Vincent, to start the development of this park, particularly, as you say, for boaters. Secondly I think that you should start negotiations with The Department of Highways to develop access from the highway network on Wolfe Island into the park, so that if this would be done, you would be accomplishing something for the speedy development of the park once that access is acquired.

Also, I am wondering if the St. Lawrence parks commission has done anything in its discussions with The Department of Highways to have turned over to it that area of land between Highway 33 and Lake Ontario. There is a considerable parcel of land that The Department of Highways owns along Highway 33, and I think that it would be very desirable to start negotiations with the department to turn over this land to the St. Lawrence parks commission; whether they develop now or not is not of too much concern. But I think that, as the population of our area increases, and from estimates that we have, it is going to increase considerably over the next 20 years.

This area that The Department of Highways now owns I feel should become part of the St. Lawrence parks commission, and I hope that the parks commission would enter into negotiations with The Department of Highways and make certain that this land is turned over to them rather than held by The Department of Highways or given over to private developers. Perhaps the chairman might indicate to me whether anything has been done in that connection?

**Hon. Mr. Guindon:** Well, Mr. Chairman, the land is still owned by The Department of Highways, but has not been reverted to our commission yet. We know about it, and we have already informed The Department of Highways that as a commission we are interested in a future date—and fairly soon—for implementing the programmes we have for Highway 33.

**Mr. Chairman:** Vote 2108, item 1. The member for High Park.

**Mr. Shulman:** Mr. Chairman, just a query, to satisfy my curiosity. Why is the St. Lawrence parks commission considered under this particular department and not the Niagara parks commission? I cannot find anything on the Niagara parks commission anywhere.

**Hon. Mr. Auld:** Mr. Chairman, the Niagara parks commission is a self-supporting com-



mission, and it has its own sources of revenue set up by this Legislature many years ago. The Niagara parks commission reports to this Legislature, and is called before the public accounts committee from time to time but is not responsible to a specific Minister of the government. The St. Lawrence parks commission was set up as a result of an agreement between the government of Canada and the government of Ontario in connection with the St. Lawrence seaway and the Hydro projects, and one of the provisions or requirements of the agreement which was made between Ontario and Canada on the one hand, Canada and the United States on the other, and United States and New York state on the other was that a commission would be set up to provide park land along the area which was going to be flooded.

The estimates of the commission are in this department because: (a) it must be placed somewhere; and (b) the commission has a rather important historical aspect—the operation of Upper Canada village and Old Fort Henry; and the operation of Adolphustown park, which includes that Loyalist cemetery, and the museum there.

**Mr. Shulman:** Thank you, Mr. Chairman. Under what department would the Niagara parks commission be discussed?

**Mr. Chairman:** I think that the Minister stated that there is a different operation entirely. It reports to the commission, or the standing committee on government commissions, but there is nothing in the estimates for the Niagara parks commission.

**Mr. Shulman:** It is strange that they do not report through any department.

**Hon. Mr. Auld:** No.

Items 1 to 3, inclusive, agreed to.

On item 4:

**Mr. Pilkey:** Mr. Chairman, I would like to ask the Minister what types of services are provided in the parks. I just want to give you an illustration. There has been a tremendous hue and cry, in this province, in relationship to the increase in costs of permits, and I am sure that the government has had a number of those. Today, I was talking to a couple of people who approached me and pointed out that there is a need for a greater service in the parks and when I say services, I mean food and those things that can be purchased in the park area. Now, they claim that in some of these parks, and

in the St. Lawrence area covered by the St. Lawrence parks commission, they have to go three and four miles to get this service. If one of the fellows leaves his family for the weekend, and he returns to his employment, obviously he takes the automobile with him. This means that his family has to walk this distance to get those provisions, and I was just wondering what is provided so that these provisions are made available reasonably close to the park area?

**Hon. Mr. Guindon:** Mr. Chairman, in reply to the hon. member for Oshawa, we think that we supply more services than you would expect in any park, whether it comes under our commission or other commissions or The Department of Lands and Forests. I think that he is referring in particular to food services. We ask for tenders every year, for instance for ice supplies. We have the same thing for bread and milk. But outside of that, we do not want to have too many trucks going into our campsites and disturbing some of these campers. In fact we have made a survey, and they do not seem to want any more. Now, most of our parks along Highway 2 are fairly close to hamlets, towns, or cities, where people can very easily buy what they would need for a weekend or week. I do not see too much of a problem there; not in the parks under our jurisdiction.

**Mr. Pilkey:** Well, I might say that the chap that approached me this morning indicated that he has to walk about three miles to a small store, where the question was raised as to whether these types of delivery should be made. He stated that, in his opinion, it probably was a Tory supporter. I said that no, I would think that the government—if it was going to provide a service would provide it.

**Hon. Mr. Guindon:** Mr. Chairman, there is no such thing as preference for a Tory supporter. We ask for tenders, and anyone can tender. We always give it to the best deal the commission can get out of it, and this is as it should be.

Items 3 to 7, inclusive, agreed to.

Vote 2108 agreed to.

On vote 2109:

**Mr. Chairman:** On vote 2109: I think perhaps we could take this vote in its entirety without going to the items. Anything under vote 2109?



**Mr. Nixon:** Mr. Chairman, a brief comment. It appears that the policy with regard to Huronia is to develop a good number of tourist attractions in that particular area so that the people who take the time and effort to travel there, particularly to Fort Ste. Marie, are going to have some other things of interest and this surely is a reasonable way to develop it. I would suggest that having done something similar in the Cornwall area with the St. Lawrence parks, the Huronia development is well on its way.

I would say to the Minister that, referring to my previous comments about the Grand River, there is a nucleus there for a similar type of development comparable to what has been brought about in the Huronia area; that the Iroquois, like the Hurons, have a very important part in our history. Not only that there are a great many of them still living in the reserve there. They saved our nation in 1812. They have the Grand River flowing through the large reserves that I have already mentioned, and I would urge the Minister to transfer some of the thought and planning that has gone into the Huronia development to that particular part of the province which would form, I believe, a nucleus for a similar tourist attraction associated with the Grand River, associated with the Iroquois and the Six Nations Indian development.

This is something, I think, that should be on the highest priority as far as the department is concerned. You have undertaken considerable expenditure in order to research the possibilities of the river; the difficulties there are obvious, I believe they can be cleared away, but you could begin work immediately on the development in conjunction with the local Six Nations Indian council, which is a very good council as the Minister no doubt knows, and has undertaken a good many projects itself. This could become an important tourist centre for that part of the province. I mention it under this vote simply because it is so comparable in many respects to the undertakings that this year are going to require \$870,000 in the Huronia area.

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Very parochial comment.

**Mr. Nixon:** An important one nonetheless.

**Hon. Mr. McKeough:** Mr. Chairman, it does not become the leader of the Opposition.

**Mr. Nixon:** Nonsense, nonsense. Who is looking after Chatham since you left? Did you get your roads into Chatham finally?

**Mr. Chairman:** Order, please!

**Mr. G. E. Smith** (Simcoe East): Mr. Chairman, I am sure the hon. members are familiar with the development of Ste. Marie as one of the leading tourist attractions of our province and I personally would like to commend the Minister and his staff for their foresight and for the development of it. However, I would like to ask the Minister a question through you, Mr. Chairman.

I note that during the coming year we have budgeted, or are proposing to budget, \$368,000 on construction and development at Ste. Marie. I was wondering if the Minister might comment as to whether the construction is on the development of new features or perhaps the expansion and the development of the existing ones.

**Hon. Mr. Auld:** Mr. Chairman, the amount budgeted here is for the completion of existing plans, which will be primarily the orientation centre.

Vote 2109 agreed to.

On vote 2110.

**Mr. Nixon:** Mr. Chairman, on April 8, I put on the order paper a question directed to the Premier asking him to table the correspondence dealing with the resignation of the senior officials of the centennial centre and asked that the minutes of the meetings of the board up until that time be made available for public perusal. The reason I put this on the order paper was that there has been a considerable change in the attitudes of the staff directing the development of the educational inclusions in the centennial centre itself.

The building, and the difficulties associated with its completion, come under the estimates of The Department of Public Works and I do not intend to refer to them under this vote. But since the inception of the original idea we are very well aware of the serious differences of opinion that led to the departure of some of the senior officials—the very top officials. Whether they were dismissed or whether, as the newspaper reports associated with this claimed, they could not fit in with the changing direction coming from the board, and particularly at the Ministerial level, it was difficult to tell.

That is why I felt that the aura of mystery associated with these changes could be cleared up if the correspondence associated with the departure of the senior officials was tabled so that we could see what it was all

about, and if the minutes of the board meetings could be read in public, so that the changes in policy that have affected the centennial centre over the last year or two years could be made much clearer.

There has been some recent publicity, I think good publicity, about the development of the actual exhibits in the centennial centre itself. It looks as if it is going to be a very interesting place as well it might be, if we are going to house what is obviously costing enough to make it the finest museum in the world. Anything less than that will be a serious disappointment to all of us in this House, the Minister included.

I would like the Minister then to tell me why the papers I have called for have not been made available. It must be a matter of policy that they be kept secret because there would be no great problem to rounding them up and placing them on the table of the Legislature—and beyond that, revealing the changes in policy in the last few months that might indicate some of the difficulties that the construction firms might have had in meeting the requirements—problems—that Mr. Pigott had to refer to publicly—I guess three months ago.

**Hon. Mr. Auld:** Mr. Chairman, as far as the questions on the order paper are concerned, as the hon. leader of the Opposition realizes, these are dealt with by the Prime Minister and no doubt he will deal with them in due course.

As the leader of the Opposition has pointed out, the question of construction and any disputes there may be between the contractor and The Department of Public Works—I am not competent to deal with, and I cannot. I can only say that the construction work, the design and the construction of exhibits, and the work of the centre staff itself is proceeding along very well.

As the hon. leader of the Opposition knows there is a tremendous amount of work to be done in the field, work which is complex and of a nature that has not been done before. I think it is fair to say that the centre is breaking new ground and is going to be something of which all of us will be very proud. I am afraid that I cannot really satisfy his question at the moment but I am quite sure that in due course he will have the answers that he has requested.

**Mr. Nixon:** Frankly, Mr. Chairman, I doubt it. As I pointed out to the hon. Minister there would be no difficulty at all in collecting these

papers and making them available if the Premier would undertake to do so. But I would like to make it very clear to the Minister, Mr. Chairman, that it would be changes brought about by the board, and by those who are preparing the exhibits, that would have required the changes in the plans that gave Mr. Pigott so much difficulty in construction. For there is going to be a transference of responsibility here and I can see, some days or weeks from now when the Minister of Public Works (Mr. Connell), is questioned along the same lines, he will say "I have no responsibility for the changes in the floor plan and various areas required for exhibits; these are the responsibility of my colleague, the Minister of Tourism and Information." So it is very difficult to let this vote go by in such an unsatisfactory way.

The problem that Mr. Pigott described was associated at least in part, with the improper direction, or poor direction, that came from the board which is responsible to this Minister, in deciding what they wanted. In a \$30 million construction project they were changing their mind, changing their staff, from month to month. We assume that this is set now; there have certainly been no press reports of recent difficulties with the project experienced in its earlier months. But it is these changes that resulted in the different construction requirements that made Mr. Pigott come on the scene, publicly criticizing the government's lack of control of the situation and lack of guidance.

**Hon. Mr. Auld:** Mr. Chairman, as I say I would not want to take sides—in this House in my capacity—on any dispute between contractor and The Department of Public Works. I infer, from what the leader of the Opposition says, that and perhaps I am wrong; that he feels that in any claim made by a contractor against the owner, the contractor's claim is automatically valid. I do not know that that is the case.

**Mr. Nixon:** Not at all!

**Hon. Mr. Auld:** As I recall, in the case of the Fathers of Confederation building in Charlottetown, which was I think, a \$12 million project, the contractor there had a \$1 million claim. I do not know what he settled for. I do not know enough about the contracting business to know how many claims are legitimate and what percentage of an individual claim may be inflated one way or another.

But I know enough about construction to know that in a major project, and particularly a new type of project—a complex thing such as a hospital or laboratory, that there are very often claims; that there are very often changes asked for by the owner during the course of construction and if these are extras, the costs are negotiated between the contractor and the owner.

I am informed by my staff that no important structural changes have been required by any change of the exhibit plan, change of emphasis to the current and future from the past, or any change in exhibit technique. But I would be very much surprised if there had not been changes, perhaps suggested by the centennial centres staff or suggested by Public Works in the course of construction of the 461,000-square-foot, \$21 million—

**Mr. Nixon:** Call it \$30 million.

**Hon. Mr. Auld:** —\$21.7 million contract.

**Mr. Nixon:** Now, Mr. Chairman—

**Mr. Chairman:** Is the member saying anything about the building?

**Mr. Nixon:** No, I would not want to say anything about the building other than really to comment on what the Minister has said. I really do not see what the building in Charlottetown has to do with this. But I do think it is important that we realize that in this particular case it was not just any contractor, it was Pigott Construction who said the provincial guidance in this was, to use his words, “a provincial bloody disgrace.”

It appears to me that the changes in the requirements for this museum must have been brought about in the first instance by the board and the advisors to the board and not by the Minister of Public Works. He has been harried about this long enough. That poor Minister simply has to fit in with what the Minister of Tourism and Information works out with the Minister of Education. If there are bad boys in the particular scheme, I would think it is the Minister of Education and the Minister of Tourism and Information who have been unable to provide the direction through the board that was needed in order to make this \$21 million contract a set piece that one of the biggest construction firms in Canada could proceed with, without getting into the difficulties and involvement that it becomes so obvious.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Is the Minister going to answer my leader?

**Mr. Chairman:** The leader of the Opposition made certain statements and comments. He did not direct any specific question to the Minister.

The member for Grey-Bruce.

**Mr. Sargent:** Well—

**Mr. Chairman:** Order. There will be no debate, no discussion regarding the building or any comments of the contractor or on item 2110 on the notice paper. The items in 2110 are clear-cut.

**Mr. Sargent:** Mr. Chairman, this centennial centre of science and technology is the vote we are on.

**Mr. Chairman:** Right.

**Mr. Sargent:** At the inception the price was to have been \$5 million and it is moved from \$5 million to \$21 million.

**Mr. Chairman:** Order. This is not debatable under this estimate.

**Mr. Sargent:** I am saying to you, sir, that I would like to ask the Minister how much has been spent to date?

**Mr. Chairman:** Order. This is The Department of Public Works.

**Mr. Sargent:** All right. Let us get on to consultant fees then.

**Mr. Chairman:** Item 6, consultants' fees.

**Mr. Sargent:** It seems to me, Mr. Chairman, that you should consider the fact that the responsibility is the Minister's responsibility. Someone had to pull the trigger to say it is not going to be \$5 million, it is going to be \$30 million. Somebody is responsible—

**Mr. Chairman:** I would say to the member that the Minister has replied that he is not even competent, in his own words, to discuss this.

**Mr. Sargent:** He is not competent.

**Mr. Chairman:** To discuss that particular—

**Mr. Sargent:** Someone sure as blazes is not competent.

**Mr. Chairman:** Order, please.

**Mr. Sargent:** When you get a thing like—



**Hon. Mr. Auld:** Mr. Chairman, there are some figures I can give the hon. member which are in the estimates of the centennial centre.

I would refer him first of all to *Hansard* of April 17, 1967, page 2245, when in answer to a question from the hon. member for Yorkview (Mr. Young), I said:

Again, I guess at this point for 1968-69, the figure of \$2.25 million which would give us up to the full opening of the first three phases of the structure by my department, a total of \$6,294,250.

Including the estimates which are before the House, at the moment, the total to the end of 1968-69 will be \$6,943,250.

**Mr. Sargent:** Now this amount of money then, Mr. Chairman, can the Minister advise, is exclusive of capital costs entirely?

**Hon. Mr. Auld:** That is exclusive of building costs. That is including all the capital costs of the things which are being exhibited—the exhibits, in fact, of the building plus the administrative costs—

**Mr. Sargent:** The terms of reference that you have set down for this building will determine the end cost of the project. Who sets the terms of reference or the specifications?

**Hon. Mr. Auld:** I am afraid I am not sure that I understand the hon. member.

**Mr. Sargent:** Who makes the specifications for the whole project? Your department or who?

**Hon. Mr. Auld:** The staff of the centre, in the original instance, gave the specifications for the number of square feet of space for display purposes, office space, and so on in consultation with The Department of Public Works who, as leader of the Opposition says, build for the operating department. They worked out the total space, I guess the design of the building, and so on, with the architect.

**Mr. Sargent:** So somewhere then we are 400 per cent wrong some place. Where did we start wrong?

**Hon. Mr. Auld:** Mr. Chairman, we have gone through this for three years about this statement of "400 per cent wrong" and I said again, earlier tonight, the first estimate that was ever mentioned of the cost of the structure was \$14 million. The hon. member is confusing the maximum grant of the federal government to each of the eight provinces for a Confederation memorial, a centennial memorial project. The federal government said, "We will pay 50 per cent up to a

maximum of \$2.5 million to each provincial project." I think Manitoba's total is something around \$20 million, but the federal government still only paid \$2.5 million.

The first estimate we gave was \$14 million for the structure and then, after consultation and further study, it was decided to add certain features. I cannot be sure of the figures and the Minister of Public Works is not here, but I think at the time that we arrived at the general design, which is now almost complete, Public Works estimate based on construction costs at that time would probably be around \$18 million. In fact, I think two weeks before the tenders closed—and the tender closing, as I recall, had to be extended because there was so much construction going on that the contractors wanted to get in as many bids as possible and the contractors were too busy or something—they estimated, that the then construction costs which were escalating very rapidly in the metropolitan area and elsewhere, something like more than \$20 million. In fact, when the bids were opened, and I think there were three of them, the lowest bid was that of Pigott Construction, which was \$21.7 million.

**Mr. Sargent:** Mr. Chairman, I did not know that the capital cost projected was \$14 million. It is pretty well generally accepted in the press that \$5 million of it was the initial cost of the project. So we have a stepped-up price now of \$7 million more than it should have been. We are 50 per cent wrong then at this point. Who made the decision of this extra amount of money—the Minister's department?

**Hon. Mr. Auld:** I would say, Mr. Chairman, my department, on the advice that we receive from others, and the change in some of the operating aspects of the centre is to look after a large number of students separately—in treating them as students rather than visitors.

**Mr. Sargent:** The hon. Minister of Education, I understand, was the first chairman of this project, was he not?

**Hon. Mr. Auld:** No, the Minister of Education was vice-chairman of the board of trustees.

**Mr. Sargent:** And he resigned out of the act. So we have an increasing cost of \$7 million. How many resignations have we had from the board over the years?

**Hon. Mr. Auld:** We have had four since the board was first set up.

**Mr. Sargent:** Were they the reason for these increases, as the hon. leader has said, that the contractor called a "bloody disgrace"? Were they the reason for all this mix-up? Where is the problem?

**Mr. Chairman:** Might I ask the Minister what item in the votes this would come under?

**Hon. Mr. Auld:** Well, I suppose it would have to come under the first one because the members of the board are not paid, so there are no funds in here to pay them.

I perhaps have the names of those who resigned. The one that first comes to mind is Dr. Solandt, who left because he had been appointed chairman of the national research council and who said that he was unable to give the time here. And there was another, a Mrs. Lane from Timmins, who resigned due to ill health. I have forgotten whether it was her own or her husband's. There was Mr. Earl Brownridge, who resigned when he became chairman or president of American Motors and felt that he could not spend the time. That was generally the reason.

**Mr. Nixon:** A very busy fellow.

**Hon. Mr. Auld:** He is even busier now.

**Mr. Sargent:** So in effect, Mr. Chairman, we have \$7 million that has gone up the flue because of complete incompetence of this department. How do you measure a thing like this in the area of public business? If this goes on quietly with no furor, what is going on in the rest of the department? We have a thing that we can measure—\$7 million. According to Parkinson's law we can measure \$7 million, and this is going on. But we have a figure of \$15,000 here for consultants' fees; what is that in this vote for?

**Mr. Chairman:** Professional service branch, page 132, \$15,000.

**Hon. Mr. Auld:** Mr. Chairman, professional fees would be fees for services which the centre requires that the centre staff itself cannot provide—consulting services, design services, research services, although I think most of those are already completed. We are paying \$1 million for salaries on research.

**Mr. Sargeant:** You are paying \$1 million out for salaries. With this high-price help, what do you pay your top man there, the one who is head of this project? What is his salary?

**Hon. Mr. Auld:** \$22,000.

**Mr. Sargent:** So you are paying a man \$22,000, three times what a member of Parliament gets, and he has to go out and hire consultants to do his job for him. Is this true?

**Hon. Mr. Auld:** Yes, Mr. Chairman. There are certain areas of specialization in science and technology which are such that our staff scientists cannot be expected to be knowledgeable at the level required for exhibit planning and production in all scientific fields. A major contribution is required from specialized authorities in specific areas.

**Mr. Sargent:** What is the item, exhibits, \$1 million? What is this for?

**Hon. Mr. Auld:** Mr. Chairman, that is for the production of those exhibits which are being made by the centre's staff or being purchased by the centre rather than being donated; the things which actually will be the heart of the centre, the exhibits and displays which the public can see.

**Mr. Sargent:** Are any national firms involved in this—are they being featured in the exhibits; any national Canadian firms?

**Hon. Mr. Auld:** There are national Canadian, and international firms being involved in the exhibits, but I would not want to say they were being featured because I do not know exactly what the hon. member means by—

**Mr. Sargent:** My point is that it would seem to be to their advantage to donate their exhibits free of charge to a thing like this.

**Hon. Mr. Auld:** Yes, Mr. Chairman, we are presently working with some 200 firms in this connection and at the moment, in sort of round figures, it would appear there is presently a little under \$1 million in industrial participation. We expect that this will be more than doubled by the time it is completed.

I cannot give the hon. member a total figure because some of these things—well, we are doing it in two ways: In some cases the firms are contributing and our staff is making part or all of the exhibit or exhibits. In other cases they are working with us to agree on a design and they will produce the exhibit and give it to us. So we will have no problem.

**Mr. Sargent:** One final point, Mr. Chairman, in this regard. Of the increased amount

of \$7 million, from \$14 million to \$21 million, are there any federal grants towards that \$7 million or is that complete load on the province of Ontario?

**Hon. Mr. Auld:** No, Mr. Chairman, I said the maximum federal grant was on a total cost of \$5 million. In other words, they pay 50 per cent on a project up to \$5 million. After \$5 million it stayed at \$2.5, although, of course, there is a federal sales tax rebate which I think the Minister of Public Works said last year came to some \$800,000 or \$900,000. There is no other grant. We are working with the atomic energy of Canada, which is a Crown corporation, and certain others, but there is no grant as such.

**Mr. Nixon:** Mr. Chairman, I think it was last year that the Minister of Public Works said that the architect had received a fee of about \$1.5 million, but he was continuing in a consultant's capacity for planning the future of the museum. I presume that his continuing fee would be paid out of this vote, or would he still be paid out of the—

**Hon. Mr. Auld:** No, we have no payment in connection with the structure itself until such time as it has been accepted by Public Works, turned over to us, and then if we are doing structural alterations and so on it would be a charge to the centennial centre rather than Public Works.

**Mr. Nixon:** I understood, however, that the architect, having become an expert in the field of this sort of museum, was going to be in an advisory capacity for the future development of the museum. I would think this would be more than just the structure, but the whole approach of the museum. The Minister tells me, however, that there is no consultant's fee for Mr. Moriyama?

**Hon. Mr. Auld:** There is no consultant's fee for architects in—

**Mr. Stokes:** I have one final question, Mr. Chairman. According to the *Toronto Telegram* of January 30, 1968, it makes reference to the problem at the centennial centre, and says: "The company has filed nearly \$1 million in damage claims with the Ontario Department of Works." Now, when this is turned over presumably there might be some litigation.

**Mr. Chairman:** May I say to the member again that this comes under the structure of the building, The Department of Public Works.

**Mr. Stokes:** Yes, but he has been talking about the capital costs and everything for the last half hour, and I am sure I am not out of order now.

**Mr. Chairman:** No, not of this nature, just generalities. This is something that comes under The Department of Public Works.

**Mr. Stokes:** Well, this is what we have been talking about for the last half hour.

**Mr. Chairman:** No, no we have not, not under this particular vote.

**Mr. Stokes:** Something that falls under the purview of The Department of Public Works.

Vote 2110 agreed to.

**Mr. Chairman:** This completes the estimates for The Department of Tourism and Information.

**Mr. Sargent:** A \$7 million fiasco.

#### ESTIMATES, DEPARTMENT OF AGRICULTURE AND FOOD (Concluded)

**Mr. Chairman:** We will return now to The Department of Agriculture and Food. And when we were last in committee on this particular estimate, we were dealing with vote 104, which is on page 12. We had covered the farm products inspection branch, the milk commission, the farm products marketing board, and we had been talking on the Ontario food council. Item 1 is the only item in the vote that has been carried. I believe that there were further discussions on the Ontario food council? The member for Brantford.

On vote 104:

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, regarding the Ontario food council, we looked at the structure of the thing, and there seems to be rather many people on it who are not too well qualified, with too limited facilities, and really no possibility to do any extensive research into the production, and particularly the selling of food in the province. Is the Minister in any way going to beef up this particular department to make it an effective organization in terms of providing protection for the consumer, or does he have any plans?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** I believe Mr. Chairman, that



it could be said that the Ontario food council has done quite an admirable job already in protecting the consumer. As a matter of fact, court cases that are on right now would indicate that a very effective piece of work has been done through the active participation of the food council.

**Mr. Makarchuk:** Mr. Chairman, on the same item, what I am concerned about is the fact that food costs have not been kept down. We have many instances where the food price has continued to rise and when there is an investigation, as was demonstrated in Saskatchewan with the Batten report, when people have investigated the production of food—who controls that food industry, and so on—the food prices did drop. Now is the food council going to do something of this nature; and not just carry out the odd solitary court case or make the odd little appeal to the public to buy this or do not buy that? This is what I am concerned about.

**Hon. Mr. Stewart:** I would say this, Mr. Chairman, that I think it is extremely difficult to justify the statements of the hon. member. The consumers' food dollar in Ontario, that is the earned dollar of the wage earner will buy more food in Ontario than in any other jurisdiction that I know of anywhere in the world, right today! I think that we should recognize these basic factors.

**Mr. Sargent:** Because you are not paying the farmers, that is why.

**Hon. Mr. Stewart:** Well this may be one of the reasons. I would be the first to agree that the farmer is certainly not getting as much as he should for the food that he grows right today.

**Mr. Sargent:** A Liberal government would change that!

**Hon. Mr. Stewart:** Well now, a Liberal government has been there for a good many years and they have not done much about it, let me say that.

While we are in this particular aspect of it, I would like to point out too, Mr. Chairman, that there is a very important booklet out, publication No. 53, "Your Food Costs". Does my hon. friend from Brantford have a copy of this book?

**Mr. Makarchuk:** Mr. Chairman, I have a copy of that book and I looked at it very seriously.

An hon. member: Have you read it?

**Mr. Makarchuk:** Yes, I have read it. And it is useless, like the department.

**Mr. W. Hodgson (York North):** Read it again and you might understand it.

**Hon. Mr. Stewart:** Well, that is most interesting, Mr. Chairman. I wonder if my hon. friend and his party represent the thinking of the hundreds of thousands of consumers in this province who have received this booklet and think it is one of the most valuable pieces of information they have ever had on food costs in this province?

Interjections by hon. members.

**Mr. Chairman:** The Ontario food council; anything further on the Ontario food council?

**Hon. Mr. Stewart:** Mr. Chairman, if I may, under item 4, and this is where the food council comes, there is an addition to be put in. It is a typographical error in our estimates book. Item 4, grants for expenses re trade fairs, exhibits, missions, promotions, studies and projects. There should be added, investigations and sales assistance programmes. This is an amendment that should go in here. It was left out at the time the estimates were being printed. It is all covered in the budget allocation.

**Mr. Chairman:** This is all on the \$40,000 amount?

**Hon. Mr. Stewart:** Yes, that is right. I just wanted that to be added in. Thank you.

**Mr. Spence:** Mr. Chairman, is this still on the food council?

**Mr. Chairman:** Yes, we are still on the Ontario food council.

**Mr. Spence:** May I ask the Minister if the food council makes a study of the fish industry? We have a surplus of perch fish in this province. Does the food council deal with that under your department?

**Hon. Mr. Stewart:** No, not as yet, Mr. Chairman.

**Mr. Spence:** Have you given any consideration to it Mr. Chairman?

**Hon. Mr. Stewart:** Well we could, if there is anything that could be done in this particular regard. Sometimes we find there is a shortage and sometimes there is a plentiful supply.

**Mr. Spence:** True, true!

**Mr. Chairman:** Ontario food council, Ontario telephones?

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, there is just one item here I want to raise with the Minister. Perhaps it overlaps over into another vote, the farm products marketing board, but it does concern the food council as well.

I understand that the Ontario grape growers' marketing board undertook to ship and export quite a large quantity of grapes to the United States. Apparently they did not check with United States customs prior to doing this, and now they find themselves in the position where these grapes have not been paid for, and will not be paid for, until a decision is reached by the United States on whether a levy will be implemented on these grapes or not.

This has placed the growers in a very difficult position. I am wondering if the food council has entered into negotiations with both the Ontario grape growers' marketing board and the United States customs officials in this regard?

**Hon. Mr. Stewart:** Mr. Chairman, this is purely a farm products marketing board matter with the grape growers' marketing board; the food council has nothing to do with this particular aspect.

**Mr. Chairman:** Ontario telephone service commission.

The member for Waterloo North.

**Mr. E. R. Good (Waterloo North):** Under the Ontario telephone services commission I have a few questions to ask the Minister. In 1966 there were 18 private telephone companies that either gave up or were sold. Does the Minister have the figures as to how many private municipal phone systems in Ontario gave up business or were sold in 1967?

**Hon. Mr. Stewart:** There were 94 existing as of January 1, 1968, in comparison with 108 as of January 1, 1967.

**Mr. Good:** So there were 14, thank you.

When a system gives up business I assume that this is a different procedure from that when the system is sold and the lines are taken over by someone else. Why do they differentiate between giving up and selling? Are there assets not paid for by someone else, or what happens?

**Hon. Mr. Stewart:** Apparently the assets are not of sufficient value to be worth selling, this is the point.

**Mr. Good:** And in each case I notice that where the phone systems gave up, Bell Telephone was the system which moved in. Is this correct?

**Hon. Mr. Stewart:** No, not always.

**Mr. Good:** Well according to your 1966 report it was.

**Hon. Mr. Stewart:** It might have been so in 1966, but that does not mean to say that it is always so nor is it necessarily the case.

**Mr. Good:** What I am wondering, Mr. Chairman, is why, when these systems give up and another system takes over, there should not be some payment for the subscribers. I understand that the reason they give up business is that they cannot bring their equipment up to date, they cannot service their subscribers as they should be served, and they give up business. Should someone not have to pay for the privilege of taking on these additional subscribers?

**Hon. Mr. Stewart:** You referred to 1966, I am told that this—

**Mr. Good:** This is the last report available.

**Hon. Mr. Stewart:** That is right, but they were not all taken over by the Bell. There were three systems that were not taken over by the Bell in that report, or so I am advised.

I just simply say that there are some systems that are so small that really the capital assets are not of sufficient value that they are worth bidding on. When the company— whoever it may be—takes them over, whether they are co-ordinated with another company or whether they are bought out by one of the larger ones, they have to rebuild the entire system. They have to put in new lines, new cables, in many cases new switchboards for the dial system. I think this is one of the reasons they are of practically no value to be put on the market for sale.

**Mr. Good:** Thank you, Mr. Chairman.

My understanding is that the OTSC provides technical advice and facilities of that nature to private companies to upgrade their systems. Now does this vote of \$99,000 include the payment of technical advisors in the employ of OTSC, or are these additional technicians hired by the OTSC and paid—

**Hon. Mr. Stewart:** No Mr. Chairman, the vote covers the technicians.

**Mr. Good:** Fine.

Along these lines, if a company is having trouble, if the subscribers are complaining to OTSC that they are not getting the proper service, can the Ontario telephone service commission bring pressure to bear on a municipal or private company to sell out, or make them upgrade their services?

**Hon. Mr. Stewart:** Yes, they can do both, Mr. Chairman.

**Mr. Good:** And if a company cannot afford to upgrade their services then this is a situation in which they are forced to go out of business or bring their services up. Is that how it works?

**Hon. Mr. Stewart:** Well, Mr. Chairman, I think the hon. member should be aware that the basic purpose of the OTSC is to provide service to the people who want telephone service in this province. If the management of the local independent telephone system or a larger system—and this can apply in larger systems as well—is not providing that service, then it is their responsibility under the legislation to see that that service is provided insofar as is humanly possible to do so. Sometimes this means negotiations with the local telephone company to help them refinance and to carry out their project of modernization and provide the service that people are entitled to have in this day and age.

If the local companies find themselves in a position that they just cannot finance this—they feel it is beyond them—and it would be to their advantage to sell it, then the telephone services commission helps them in this regard as well. But if they refuse to do anything, then the telephone services commission can step in and say, "Well now, you have to provide this service. You either provide it or somebody else can." We try to negotiate as far as we possibly can, but some place there has to be a line drawn as to where the action has to take place.

**Mr. Good:** Mr. Chairman, I have one more question. I would like to enquire what role the OTSC has taken, or will be taking, in the complaints regarding subscribers of the Medonte municipal telephone system.

**Hon. Mr. Stewart:** There will be a hearing held on May 29.

**Mr. Chairman:** Anything further on Ontario telephone services commission?

**Mr. I. Deans (Wentworth):** Just one question, Mr. Chairman. I am sure it must

have been asked before. Why is the Ontario telephone services commission in The Department of Agriculture and Food? I just do not see the relationship between the two, I am afraid.

**Hon. Mr. Stewart:** Yes, that question has been asked many times before and I suppose it goes back to the fact that when The Telephone Services Act was first drawn up it really affected rural people. It was designed to help people who were in rural Ontario to a much greater degree than anywhere else—therefore it was put in The Department of Agriculture and Food for administration. I think it has done a very admirable job, quite frankly.

**Mr. Ruston:** Mr. Chairman, I just want to ask one or two questions in regard to this. When the Moore telephone system changed hands I would presume the sale of it came under the jurisdiction of the Ontario telephone services commission?

**Hon. Mr. Stewart:** What company was this?

**Mr. Ruston:** Moore municipal telephone system.

**Hon. Mr. Stewart:** Yes.

**Mr. Ruston:** And it did not go into a stock company and then in turn it was sold. In the second transaction would it come under the jurisdiction of the Ontario telephone services commission or not?

**Hon. Mr. Stewart:** As long as it was provincially chartered it would—that is, if the company that bought it was provincially chartered, it would come under the telephone services commission.

Telephone services commission agreed to.

On veterinary services branch:

**Mr. S. Farquhar (Algoma-Manitoulin):** Mr. Chairman, a question with respect to the importance of veterinary service and specifically in northern Ontario. We have had many scares before about the fact that our veterinaries are in danger of leaving the north because certain legislation has or has not been in existence. I have two or three letters here, and one I think that I can quote is a copy of a letter that has recently gone to the Minister, something to the effect that the government will no longer pay for the inoculation of Bang's disease for cattle. "It might result in our veterinary leaving the area and he is a very necessary person on Manitoulin Island." And there are more along the same line. Is



there any thing that the Minister has to say with respect to relieving the anxiety of farmers on the Manitoulin, because they fear now that with the matter of the lack of payment for veterinarians for this particular purpose, the danger is arising again that these veterinarians will not be able to exist in the area.

**Hon. Mr. Stewart:** Mr. Chairman, the Ontario Department of Agriculture and Food opened up a whole new northern veterinary policy a year ago whereby we pay the veterinarian a subsidy of \$5,000 plus mileage. The local designated area raises \$1,000 of that \$5,000, but the department pays the other \$4,000, and this is a direct contribution over and above what he charges for his regular service. This was designed to help provide veterinarians in the north.

There are, I believe, 14 designated areas with practising veterinarians at the present time. There is only one area that does not have a veterinarian in the north and that is the Kenora area. We just have not been able to get anyone in there at the moment; we are still working on it, and we hope we will get someone soon. I do not share the concern of the farm people of Manitoulin that the veterinarian may leave because the brucellosis control project was changed. They can still go ahead and vaccinate if they wish to. The federal government provides the serum and we provide the ear tags and the certificates. They would only have to go ahead and pay the veterinarian for the actual vaccination if they want to do this. Frankly I do not think there is any real problem there.

**Mr. Farquhar:** I think the Minister's approach is quite reasonable but I would like to ask whether this recent change in policy has an effect on the veterinarian's income.

**Hon. Mr. Stewart:** This is only at the discretion of the farmer himself, because we removed the compulsory aspect a year ago. When it was a compulsory project it certainly did mean something to the veterinarian, because all female calves had to be vaccinated. Since we removed the compulsory aspect two years ago—in 1965, I believe it was—it has been voluntary. While the government paid for the vaccination, the farmer did not have to do it, and I do not think that the argument is very logical, really, that this will have any marked effect on veterinarians' income.

**Mr. Farquhar:** This is the only area of change that has taken place recently in the veterinarian's income?

**Hon. Mr. Stewart:** Oh yes, and to offset the loss that might occur we upped the designated subsidy from \$1,800 to \$5,000 plus five cents a mile. That is a substantial increase I would think. I think the proof of the success of the programme is in the fact that we have 14 areas now covered in the province with a full-time veterinarian, and one area alone is left.

**Mr. Chairman:** Ontario veterinary services? I recognized the member for Brantford first.

**Mr. Makarchuk:** Mr. Chairman, this is not under veterinary services; this is regarding protection of animals. I understand the Ontario government has received a brief from the Ontario humane association regarding the pregnant mare farms or PMU farms. In the Ontario humane society's magazine they say that out of about 100 colts that are shipped off these farms to places in the United States, only about three survive. Is the department planning any protection or inspection of these farms and the transportation of these colts—

**Hon. Mr. Stewart:** Mr. Chairman, I have read the statements that have appeared in the *Animal's Voice*, the publication of the Ontario humane society, which is written, edited and published by Mr. Hughes. I must confess that when I read those articles I was greatly alarmed, myself being one who has a great appreciation for livestock and animal health and comfort.

We instituted a study by the veterinarians across the province, through the veterinary service branch of our department, and we visited at least 10 per cent of the farms where urine was collected from pregnant mares for various purposes. Those veterinarians dropped in on these farms quite unannounced—dropped in to see them and inspected them—there was not one instance where they could find any degree of inhumane treatment of the animals involved. This, to me, was quite significant. This does not say that there might not be some instances where there was inhumane treatment but the veterinarians did not find it.

From our own farm, pregnant mares have been sent to one of these farms where they were kept over the winter months. This was long before I was ever involved in government or Minister of Agriculture or anything else, and the only complaint I had was that the mares were too well looked after. They came back, to me, over fleshed in the spring. They were too fat as far as I was concerned to put to work. But not in one illustration

did we ever find there was the slightest difficulty in the mare having the foal or anything wrong with the foal or any difficulty in the mare raising the foal.

Our experience was quite the opposite to what has been expressed in the magazine articles. I have visited some of these farms myself and we have not found one single problem that we could describe as inhumane treatment. I said to you that on the first inspection we had we covered 10 per cent of the farms. We did a second survey again in another year and we covered 20 per cent of the farms. We still found the same thing.

I think this should relieve some of the concern that has been expressed by many people. However, this whole matter of the care of animals is certainly under active consideration by the department. I would point out to my hon. friend that if the humane society finds that there is inhumane treatment at any time, they have the right under the criminal code to lay charges and they may do so. I am sure they would not hesitate to do so.

**Mr. Chairman:** The member for Waterloo North.

**Mr. Good:** Mr. Chairman, I would like to enquire of the standards of inspection with the provincial stockyards and community sales barns around the province. My understanding is that the provincial stockyard veterinary inspections are carried out by the federal department and the inspection of the community sales barns is a provincial matter, and I understand there are double standards of inspection in the two places.

The community sales barns throughout the province are required to clean out their entire stabling after each sale. It has been a number of years since I have been to the provincial stockyards, but I am quite certain that this does not exist there. I am wondering why this higher standard is required of one group when it is not required of the provincial stockyards here in Toronto.

**Hon. Mr. Stewart:** One of the requirements is under the federal Act and the other is under the provincial Act and you are wondering why there should be a difference in the standards required. I would say this: The stockyards normally handle mature animals, that is, animals from veal calves on up. But normally, finished animals or feeder cattle or something like this. The community sales barns handle young stock—baby calves a few days old, young hogs, young

feeder pigs, weaner pigs, five or six weeks old, eight weeks old.

There is a greater prevalence of disease in these younger animals, I should say, than there could be in older animals. I think that there is necessity to maintain as high a standard of sanitation in the community sales yards of our province as is reasonably possible.

I believe that the acceptance of community sales in this province—I believe we have 67—is an indication that farm people have confidence in our community sales. Last year there were sold in the community auction sales of this province 2,136,000 head of livestock. That is quite a number of cattle and hogs, sheep, horses and what have you. This indicates to me that standards are not a bit too high or they would not be used as effectively and as well as they are.

**Mr. Chairman:** Veterinary services.

**Mr. Good:** Mr. Chairman, could I proceed a little further? This points out the importance of my point. By requiring the high standard of sanitation that the entire operation has to be cleaned out after each sale, this precludes the community sales barns from carrying on the number of days that they would like to carry on.

If they could have two days' sales before they had to clean out their stabling, rather than one day, or if they could clean out their stabling fast enough they would be able to have more than one day's sale a week. In other words, do you not feel your restrictions are prohibiting them from operating to their fullest extent and forcing a bigger operation at your provincial stockyards?

**Mr. Chairman:** Veterinary services.

**Mr. Spence:** Mr. Chairman, under this vote could we discuss meat inspection? Could the Minister inform us if meat inspection is carried out all the way across the province of Ontario now or are there not enough veterinarians to carry out meat inspection?

**Hon. Mr. Stewart:** Meat inspection is carried out in 167 plants and 27 counties of Ontario from Hastings county and Victoria county westerly. The inspectors to cover the rest of the province are in training now and within a few months will be in operation throughout the rest of the province of Ontario, particularly eastern Ontario. But the great bulk of the province is covered now with meat inspection.

**Mr. Chairman:** Is there anything further on this branch?



**Mr. Spence:** Mr. Chairman, do these small abattoirs meet the requirements of your meat inspection regulations?

**Hon. Mr. Stewart:** Yes, most of them did. There were some who chose not to come up to the standards and decided to go out of business, but most of them came up to the standard. I feel that the programme has been implemented with a minimum of discomfiture to the people who own the plants and that they accepted the regulations and their implementation extremely well.

**Mr. Spence:** Very satisfactory.

**Hon. Mr. Stewart:** Meat inspection has done a great job in providing the markets for cattle we did not have before.

**Mr. Chairman:** We have been discussing these various branches which are included in votes—or items 2, 3, 4, 5 and 6 of vote 104. The last two items of the vote are specific items. Is there anything further on 2, 3, 4, 5 or 6?

**Mr. Gaunt:** Mr. Chairman, if we are going to take those items all together now I just want to ask my friend if in fact the Ontario farm products marketing board has had any negotiation with the United States customs officials insofar as the problem, which I raised earlier, is concerned?

I understand the grape growers have not been paid for their 1967 crop as yet and there is the possibility that the United States government may deem these grapes to have been dumped into the United States. I am sure this has caused the marketing board, the growers and perhaps the farm products marketing board a great deal of concern and I am just wondering exactly how it stands at the moment. If in fact negotiations are going on, what results have come from them?

**Mr. Deans:** Mr. Chairman, on this very point that the hon. member has raised, I started the other day to discuss the same thing and at that time was ruled out of order. I would like to follow up on what he said by asking the Minister if he has yet answered the letter that he received on May 1 from Mr. Boettger in Winona, who requested that he take some action on behalf of the grape growers of the Saltfleet and Winona area who are directly associated with the grape growers' marketing board.

The fruit growers, for the information of the member, have received the sum of \$25 in advance payment up to this time and the

remainder has been held back in case the anti-dumping action is found in favour of the government of the United States, and the additional \$25 or more that they should be receiving, or somewhat in excess of that, is needed for the purpose of litigation of direct payment to the American government.

These people in their letter to you suggested that some action had to be taken now to preserve the food growers of Ontario, and I subscribe to this. I think that some action has to be taken. I do not think that we can allow the situation to perpetuate that has been continuing over the last few years. We have seen the soft fruit growers of Ontario forced off the market by the importing of fruit from Mexico, New Zealand, and the United States. I think that if we do not take action now, we are going to see the soft fruit growers of this province going out of business, and we can ill afford this.

The thing that keeps the price within reach is the fact that we are able to grow the product within the confines of this province. And if we do not take the necessary action to ensure that these people will receive a reasonable price for their product, they are going to be forced out of business. Then we will be at the mercy of the growers outside of this country.

I would ask the Minister if he has made representation to the federal government to do one of any number of things. One that comes to mind would be to insist on some form of tariff to ensure that the price of imported soft fruit is at least raised to the point where the people of the home front can compete. Or has some action perhaps been taken to make sure that they are not allowed to dump their products into the market in Ontario, at a time when the prices are at their highest?

You are probably more aware than I, since I am not a farmer, that it is necessary to get the benefit of the three or four prices that prevail during the growing season. The early season prices are much higher than the late season, and if the imported products are getting the benefit of the early season prices while the home growers are getting the thin edge of the stick, or the dirty end of the stick if you like, and only receiving middle of the season and end of the season prices, they find themselves in the position of not being able to continue.

Now I would hope that this government has taken action to assist the grape growers. I have inquired on their behalf a number of times. I would hope the government would



now see fit to take action, since the growers themselves are asking for it. I would also hope that they have taken action to ensure that the growers of other products, the cherry farmers that I mentioned earlier in the year and the peach farmers of southern Ontario, that they too are protected.

**Hon. Mr. Stewart:** Mr. Chairman, this was all very thoroughly discussed last Thursday night. I might refer my hon. friend from Wentworth to *Hansard* of last Thursday night. He will find the answers in regard to a question from the hon. member for Huron-Bruce. We understand that an interim payment of \$25 per ton has been made to the grape growers on those grapes that were sold in the United States before the United States government took very effective action to stop these grapes coming in at what they claim were prices below those being charged for the grapes in the province of Ontario. This is the basis of the action, and this is now before the courts in Washington, where the legal technicalities are being straightened out.

**Mr. Deans:** Could they be informed of what action the growers, who are very unhappy with the action of the marketing board, might take in order to relieve themselves of the obligation of belonging to this board?

**Hon. Mr. Stewart:** I would say this, Mr. Chairman, that the grape growers that are raising the fuss now had perhaps the heaviest crop of grapes that they have ever grown. They filled the contracts that had been taken out and these grapes were surplus what could be absorbed by the local market. They were being sold in the U.S. because there was no market for them here.

Now I give them all kinds of credit for exploring all possibilities for selling these grapes somewhere else when they did not have a market for them here in Ontario. But the simple fact of the matter is that the American government stepped in and put an embargo against those grapes. I wish the Canadian government would step in as we think they should do, and as we have suggested many times they should do, quickly, to stop produce coming into this country when it comes in, as I said last Thursday night, at a time when it was most seriously disrupting the marketing of our own Ontario produced crops.

**Mr. Makarchuk:** In view of the fact that the Minister said that the American government was able to take very effective action to stop dumping of the grapes, it seems if

they wish to they always take action, would the Minister contact the federal Minister of Agriculture, seeing as it is not within your jurisdiction—and seeing as he has not got the guts right now to run in a rural area, he is running in an urban area, but he is not very far away—and get after him to take effective action, the same as the Americans are now doing, when the Americans start dumping lettuce, perhaps it will be in a few months, on the Canadian market?

**Hon. Mr. Stewart:** Mr. Chairman, if the hon. member knew anything about the representations this government has made to Ottawa on innumerable occasions on this very matter, he would not make a statement of this kind and not take up the time of the House. It is on the record, time, after time, after time. If you had listened to me last Thursday night you would have heard me say this.

**Mr. Chairman:** Items 2 to 8, inclusive, agreed to.

Vote 104 agreed to.

On vote 105:

Items 1 to 4, inclusive, agreed to.

On item 5:

**Mr. Makarchuk:** Mr. Chairman, regarding the pesticide residue testing laboratory, could the Minister indicate what testing is done on vegetables brought in from either over the border markets or over the border areas, particularly on vegetables coming into Canada from Mexico, and the United States?

**Hon. Mr. Stewart:** Mr. Chairman, the answer to this question is that food and drug in Ottawa, because of the constitution, are responsible for all imported products coming into this country, as well as our exports. So that any food products that are brought in must conform with the standards set by food and drug, and pesticides would be in those standards.

**Mr. Makarchuk:** Can the Minister indicate what procedures his department is taking in testing local grown root vegetables which may be growing in soil where there is a considerable accumulation of pesticides?

**Hon. Mr. Stewart:** There are routine tests made on all types of food products in Ontario, and the fruit and vegetables are among those tested. We have detected certain things. We work closely with food and drug and whenever a problem develops we simply take that particular food product off the market until it is straightened away. I can assure the consuming public of Ontario that as far as our

food products are concerned they are perfectly safe and free from pesticides dangers.

I think we have to recognize that many pesticides and herbicides are necessary for the production of food products in this country. We have to learn to live with them and we have to learn not to become over-exposed to them. At the same time we have to be able to assure the public that everything is in order; and this we can do through the facilities that we now have in this pesticides laboratory.

Mr. Chairman: Item 5 agreed to.

Mr. Spence: Under this vote I would just like to congratulate the Minister of Agriculture and Food on the new dormitory that has been constructed at Ridgetown college of agricultural technology. It is a credit to the college. You will be opening it this week or next week, I think, and we certainly appreciate that these new dormitories have been built there.

Mr. Chairman: Item 6 agreed to.

Mr. T. Reid: Could the Minister give us some idea about the criteria on which the bursaries to students are based? I am particularly interested, Mr. Chairman, whether or not they correspond with the criteria used by The Department of University Affairs in its student aid.

Hon. Mr. Stewart: I have something here on bursaries, Mr. Chairman, if I can just put my hand on it. Perhaps he would like to ask another question, Mr. Chairman, while I am trying to find this.

Mr. Chairman: It is the last item in the vote; I do not think there are any other questions to ask.

Hon. Mr. Grossman: If he cannot think of another question, think of another answer.

Hon. Mr. Stewart: The member asked what was our system of bursaries? There is a bursary available to students in agriculture, in veterinary medicine and in home economics amounting to \$62.50 per semester, for a maximum of eight semesters. During the current year, there were 1,200 students who received this bursary, composed of 860 agricultural

students, 200 veterinary students and 140 home economics students.

Mr. T. Reid: Mr. Chairman, a few other questions. I take it then that there are no loans granted by the department to students?

Hon. Mr. Stewart: No. These students are degree students and they are all eligible to qualify for loans under the student loan programme.

Mr. T. Reid: So I would be correct in stating then, Mr. Chairman, that students receive bursaries, and if they apply for student loans to The Department of Education, this is taken into account?

Hon. Mr. Stewart: That is right.

Mr. T. Reid: Does The Department of Agriculture and Food make bursaries available to students who come to study at these colleges from provinces other than Ontario?

Hon. Mr. Stewart: No.

Item 6 agreed to.

Vote 106 agreed to.

Mr. Chairman: This completes the estimates of The Department of Agriculture and Food.

Hon. M. B. Dymond (Minister of Health) moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: The committee of supply begs to report it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. Mr. Dymond: Mr. Speaker, tomorrow we will go to the order paper and try to complete the business there.

Hon. Mr. Dymond moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11.05 of the clock, p.m.







# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Wednesday, May 15, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 15, 1968

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are always pleased to have visitors to the Legislature, and today we welcome as guests, students from the following schools: in the east gallery, from H. L. McConaghy public school, Richmond Hill; and in the west gallery, from Heather Heights public school, Scarborough, and Lady Churchill public school, St. Catharines. And at 3:30 this afternoon in the east gallery, Walkerville collegiate institute, Windsor, and Bishop J. C. Cody school, Windsor; and in the west gallery, 4H club award winners from Hastings and Prince Edward counties.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Speaker, I have a few questions for the Premier.

Has the Premier received a communication from the government of Canada with regard to establishing a continuing federal-provincial committee on constitutional affairs agreed upon at the Ottawa conference in February? If so, can he inform the House who our delegates will be on this committee?

**Hon. J. P. Robarts (Prime Minister):** Yes, I have received such a communication from the Prime Minister of Canada which I have answered. He marked his correspondence to me "confidentially". I did not so mark mine to him, but in any event I can assure the hon. member we are proceeding to establish the machinery that was decided upon at the constitutional conference held in February, and this will be done without regard to the present events in the federal political field.

The government of Canada has been informed that for these preliminary discussions which will be among officials, Mr. Ian MacDonald would represent our province.

**Mr. Nixon:** Might I ask the Premier, will there be two representatives or just one heading a delegation?

**Hon. Mr. Robarts:** Mr. Speaker, these are preliminary discussions and for the purposes of this first meeting, I think one will be sufficient.

**Mr. Nixon:** I have another question, Mr. Speaker.

In view of the interest shown by the government of the province of Ontario in the question of constitutional reform and the federal state, would the Prime Minister advise what is the position of the government of the province of Ontario in connection with international meetings, conventions or treaties relative to subject matter within the constitutional purview and entitlement of the province of Ontario? For the sake of clarity, what is the position of the government of Ontario with respect to international meetings involving sovereign states relative to matters in the field of education?

**Hon. Mr. Robarts:** This is quite an involved question. I think perhaps I would first refer the hon. member to a question he put to me in the last session on May 11, 1967, when he asked: "In view of recent statements by the Prime Minister of Quebec with respect to international agreements," and so on. The reason I mention that question is, I gave a very full answer to the hon. member dealing with various types of agreements that Ontario has made at one time or another. I can only say for a description of what has happened and what the position of the government is, I would refer him to the answer I gave on June 15, 1967, and which runs for several pages in *Hansard*. It was quite an exhaustive answer. So may I first refer him to that answer because it is as valid today as it was at the time I gave it in the House.

I would say, in a general way, that we have participated in many meetings which might be termed "international" in some sense of the word. We have convened such meetings here as a province, to which we have invited states of the United States, and we have co-operated in a whole variety of ways with



other jurisdictions which I set out in this previous answer. It is therefore very difficult to say that we have any one specific method of dealing with it.

For instance, I was documenting the various agreements under which we operate international bridges. We, as members know, have some eight states bordering this province. All the boundaries are water boundaries, so we are brought into a certain situation as far as international bridges are concerned which probably does not exist in all the other provinces. We have just about every form of arrangement known to man or which the ingenuity of man could devise. Over the years these have been developed on what in law would be termed an *ad hoc* basis; in other words, they have been developed to meet the circumstances of the particular situations and there is no common method of procedure that brought these about.

I would say that we have always taken the position as a government, that of course the federal government in its own position must be paramount, and we have never made any effort to avoid, to circumvent or in any way to detract from the power of the federal government in international agreements. This is not our policy. It is not our ambition. It is not our course of action. On the other hand, in our constitutional arrangements the federal government has certain powers and so does the province. We have in exercise of our own constitutional powers, as I say, entered into agreements with various states without any sanction from the federal government, but this has not been done deliberately, it has been done simply in order to achieve what we wanted to accomplish.

**Mr. D. C. MacDonald (York South):** I take it you agree with Stanfield.

**Hon. Mr. Robarts:** I refuse to permit this question, which I recognize as probably having come from Ottawa, to interject the federal election campaign into this House.

**Mr. MacDonald:** The members are so pure over there.

**An hon. member:** You are not really as smart as you think you are.

**Hon. Mr. Robarts:** I have not yet finished—

**Mr. Nixon:** On a point of order—

**Mr. Speaker:** On a point of order, the leader of the Opposition has the floor to state his point of order.

**Mr. Nixon:** It is very good of the leader of the government, since he has implied my questions came from Ottawa by some underhanded way. I would say to you, sir, he is completely in error, and that we are concerned with the approach that this government takes to these very important matters which have been relatively obscured in recent days. Continuing on this point of order, Mr. Speaker, he said a moment ago that the correspondence he received from the Prime Minister was labelled "confidential." I thought at the moment when he said that, that there might have been some overtones that I was let in on something that was confidential between these two people and this, of course, is not the case at all, and I want to take this opportunity to deny what is really a rather peculiar allegation.

**Hon. Mr. Robarts:** Mr. Speaker, I accept, of course, completely the hon. member's statement of his position. He used the word "underhand." I was not indicating, and did not wish to indicate any such thing. I thought my statement was fairly forthright, not underhanded.

**Mr. MacDonald:** The Prime Minister thought it was completely above board?

**Hon. Mr. Robarts:** However, I was just thinking, for instance, of the situation at Quetico Park, where we have a park, part of which is in one of the American states and part of which is in Ontario, and this functions very well. I believe originally it was set up by an exchange of letters between the governments involved. I give you these illustrations simply to point out that this is not a matter that has caused the government of Ontario any great form of concern over the years, and which may put us in a somewhat different position than the province of Quebec in our approach to the problem because we have found no difficulty in determining ways and means of carrying out whatever projects we might have in conjunction with our neighbouring states.

In the last portion of the question:

For the sake of clarity, what is the position of the government of Ontario with respect to international meetings involving sovereign states relative to matters in the field of education?

This is a very direct reference, I would suggest, to the situation in which the province of Quebec finds itself. I would have to say first of all that in my experience in any event, we have never been invited to such a

meeting so the question is purely hypothetical. However, the chances are that if it did come to us in form, we would refer to Ottawa and we would consult Ottawa about it. But I would, however, say this, in this regard I do not think the legal position in these matters is exactly clear. I think we can fall into a very real trap if we try to say there is a black and white position in these matters.

I would refer the members to volume 1 of the background papers and studies of our advisory committee on Confederation. It contains an article by Mr. Justice Laskin, which deals with the province and international agreements. When you work your way through his magnificent legal logic, you will come to the conclusion that perhaps it is not a black and white matter. There is another article in these papers entitled, "Treaty Making Power in Canada," by Mr. DeLisle. That was done by a man from the federal-provincial affairs secretariat of this government, which will set out for you, some of the situations in which Ontario finds itself.

Then, as recently as yesterday's paper, there was a letter to the editor—I do not vouch for the opinion expressed here, but I simply point out to you that these opinions are being expressed—written by J. M. Wilson of the University of Waterloo to the *Toronto Daily Star*. As I say, the fact that I refer to this does not mean I necessarily agree with it, because it would take some research to reach a conclusion that you agreed or disagreed.

**Mr. MacDonald:** Mr. Wilson always does careful research.

**Hon. Mr. Robarts:** It is headed: "Ottawa cannot speak for Canada in all treaty matters."

Now here is a student, I gather an academic in this field, who is giving his opinion to the public of Canada—I will not read it, but it is very interesting. It deals with the legal constitution situation in our country. I mention this only to illustrate that there is a good deal of contrary thinking in all matters of this type. Oversimplification can be very dangerous. One can get oneself into a position from which one might find it difficult to retreat at some other time, simply because of the complexity of the questions involved.

**Mr. MacDonald:** Mr. Speaker, I would say that was the most effective non-political speech that the Prime Minister will make in the federal election campaign. My question is—

**Hon. Mr. Robarts:** No, that is another.

**Mr. MacDonald:** My question is now to the Prime Minister. In view of the fact that the Ontario resources commission has concluded an \$88 million agreement to provide unlimited services to municipalities west of the Toronto international airport and investment dealers are stressing the inevitable spiralling of land costs in the area as a result, what step does the government intend to take to ensure that a portion of these inflated values accruing from public investment will be returned to the public treasury?

**Hon. Mr. Robarts:** Mr. Speaker, I believe his question leads right into the whole of the problem of capital gains, particularly as they might be related to the development of public services by a government.

We examined the whole area of capital gains during those rather difficult days when we were preparing the budget which was presented by the Provincial Treasurer (Mr. MacNaughton). We came to the conclusion, at least for the moment, that it would be very difficult indeed to impose any overall capital gains on a provincial basis. In fact, if it is to be effective it should really be imposed on a national basis in order not to have an adverse effect on one province as opposed to another.

Now whether we can, at any time, establish some means of taxing out of the inflated value of a piece of land, or the amount by which the value of the piece of land increases because of the development services, is a very fine question indeed.

You refer to one particular instance which happens to be a water and sewage undertaking, but there are members here who will know what happened, for instance, when we extended Highway 401 into the Guelph-Kitchener-Waterloo area. There was an immediate increase in land values on both sides of that highway, which is perhaps inevitable.

The tax problems involved in trying to decide what portion of that increase in value should be taxed in return, because it could be attributed to the building of a major four-lane highway, are very difficult.

**Mr. E. W. Sopha (Sudbury):** I have no difficulty with it at all.

**Hon. Mr. Robarts:** You will not have any difficulty because you will never be in a position to do it!

Interjections by hon. members.

**Hon. Mr. Roberts:** Well, if we are going to be facetious, let us all be facetious.

What I am pointing out is, that this is a very difficult tax matter. In specific answer to the question, we are examining at all times sources of revenue for this province and we are at all times assessing the total effect of any move we might make in any area of taxation. This is one of the areas that does interest us, but I really cannot tell you more at this time.

**Mr. Sopha:** The rich get richer and the poor get poorer.

**Mr. MacDonald:** My second question, Mr. Speaker, is to the hon. Minister of Energy and Resources Management. Is Ontario Hydro planning to erect a power line across territory belonging to the Six Nations' Indian confederacy? Has Hydro discussed with the confederacy their strong feeling that this is an unwarranted encroachment on their lands; and if so what are the results of these negotiations?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, I have been out of the office since 9:30 o'clock this morning and did not know of the hon. member's question, so I will take it as notice and give him an answer tomorrow.

**Mr. Speaker:** The member for York Centre.

**Mr. D. M. Deacon** (York Centre): Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

Has approval just been granted for a new sewage plant in the township of Vaughan? Will this new plant serve all the southeastern section of Vaughan township located in the Don River watershed? Will the town of Richmond Hill have access to this new plant to alleviate its present overloaded sewage facilities? Did the Ontario water resources commission recommend this new plant?

**Hon. Mr. Simonett:** Mr. Speaker, the same answer applies; I will take it as notice and give him an answer tomorrow.

**Mr. Speaker:** The member for Essex South.

**Mr. D. A. Paterson** (Essex South): Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs.

What is the current view of the Ontario municipal board in relation to financing of self-liquidating municipal debts such as water treatment plants and the normal borrowing limits of a municipality? Are discussions being

held by the Minister's officials to re-evaluate this type of municipal financing to allow or encourage the development of this type of facility through the municipality's own financing rather than that of a public agency such as the Ontario water resources commission?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, I would say, through you to the member for Essex South, that that question has a great deal of weight. One would hardly go so far as to say that it is loaded, but I think it might be better dealt with if it were transferred to the order paper.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, I have a question for the Minister of Reform Institutions.

What treatment will be provided for the deaf mute girl recently sentenced to three months in reformatory despite a probation officer's report that the girl needs a normal family relationship in a sponsored home?

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, in answer to the hon. member's question this girl is presently being assessed by the treatment personnel at the Mercer reformatory in order to plan the best form of treatment and training to meet her special needs.

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier** (Cochrane South): Mr. Speaker, I have a question for the Minister of Energy and Resources Management.

Is the Ontario water resources commission making a survey of northern Ontario water resources? If so, when will this survey be completed? Will the results of such a survey be made public so that the information is available to prospective industries requiring large amounts of water which wish to locate in northern Ontario? Has the Minister's department submitted any plans regarding northern Ontario water resources?

**Hon. Mr. Simonett:** Mr. Speaker, I will take that as notice and give the hon. member an answer later in the week.

**Mr. Speaker:** The member for Scarborough Centre.

**Mrs. M. Renwick** (Scarborough Centre): Mr. Speaker, my question is for the Minister of Trade and Development (Mr. Randall).



**Mr. Speaker:** Your Minister is out at the moment—

**Some hon. members:** Hear, hear!

**Mr. Speaker:** I say that advisedly!

**Some hon. members:** Hear, hear!

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I have a question for the Minister of Lands and Forests.

Is the reforestation programme in the Gogama area to be cut in half; and, if so, why?

**Hon. R. Brunelle (Minister of Lands and Forests):** Mr. Speaker, in reply to the hon. member for Sudbury East, the reason for the cutback on nursery stock planting this year is that the Marne Lake fire area is almost completely restocked.

**Mr. Speaker:** The member for High Park.

**Mr. M. Shulman (High Park):** Mr. Speaker, I have five questions for the Minister of Reform Institutions:

1. How many prisoners have been transferred from Guelph reformatory to county jails this year?

2. Is the transfer to a county jail considered to be a form of punishment?

3. What is the calorie count of the special restricted diet given to prisoners in isolation and detention cells?

4. Was a Mr. Ronald T. discharged from Guelph reformatory hospital on April 26 against his will; and was he shortly thereafter readmitted to the hospital with an injured back?

5. If the answer to the above question No. 4, is yes, how did the inmate suffer these injuries?

**Mr. Sopha:** If the answer is yes he thinks you should resign.

**Hon. Mr. Grossman:** Mr. Speaker, I am glad that you did not refer to me as the hon. member's Minister.

As all of these questions require a great deal of notice, I will have to take them as notice.

Perhaps, sir, at this time, I might answer question No. 371 asked by the hon. member for High Park on April 23, if I may?

On April 23, I took as notice question No. 371 by the hon. member for High Park which reads as follows:

In the light of the incarceration of a mental incompetent on November 4, 1967, one Mario A., after being certified as mentally well by the Don jail physician, does the Minister intend to change the present system of mental examination?

**Mr. Speaker,** I took this question as notice in order to ensure that I got full and accurate information. The question itself had assumptions and implications that were heightened by a press release which had been issued by the hon. member on the previous day. The implication in the question is that a person who should have been certified as mentally ill to a mental institution was improperly incarcerated in the penal institution.

I have read the medical reports and the transcripts of the evidence as presented in court when this man was tried, and I have satisfied myself that the psychiatrist from the Clarke institute, who gave evidence on that occasion on behalf of the defendant, agreed essentially with the findings of the doctors at the Toronto jail; that this man was "mentally defective", but "not mentally insane", and that he would be better placed in a sheltered workshop or a progress training centre.

In fact, the psychiatrist regarded this man as a person suitable to be given work training in a centre specializing in training the retarded person. He said, and I quote:

I think that he could be helped to become a reasonable member of the community.

Obviously the magistrate took this into consideration when he said in passing sentence, and I quote again:

The sentence that I propose to mete out to the accused will, I hope, result in his being sent to the Burch training centre, where he will get precisely the kind of training—even an education—that the doctor has told us about.

That is the end of the court's statement.

**Mr. Shulman:** He was sent to the wrong place.

**Hon. Mr. Grossman:** This young man was sent to the Burch training centre, and has progressed, has been granted parole, and has already had arrangements made for him to proceed from the Burch training centre to the rehabilitation branch of The Department of Social and Family Services—

**Mr. Shulman:** Six months later!

**Hon. Mr. Grossman:**—for testing and placement in an appropriate programme.

I feel, sir, that this is a fine example of the interests the court takes in dealing with offenders, and the way in which our department co-operates with the courts. Certainly the training centre programme, and the after-care arrangements for this young man, were in accordance with the recommendations of the psychiatrist and—

**Mr. Shulman:** That is untrue.

**Hon. Mr. Grossman:**—the magistrate. The evidence is clear, Mr. Speaker, that the diagnosis arrived at by the two physicians at the jail was appropriate, and in accordance with the diagnosis arrived at by the psychiatrist.

In reply to the hon. member's question regarding contemplated changes, I can only repeat what I have said on many previous occasions—that is, with the taking over of all the old county jails in this province, obviously there will be many changes made in keeping with the modern correctional philosophy of this department.

**Mr. Shulman:** Yes, let us hope that this will be one of them, Mr. Speaker. Will the Minister allow a supplementary question?

**Hon. Mr. Grossman:** No, Mr. Speaker.

**Mr. Shulman:** Thank you, Mr. Speaker.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 1st order, third readings.

### THIRD READINGS

The following bills were given third reading upon motion:

Bill 45, An Act to amend The Age Discrimination Act, 1966.

Bill 57, An Act to amend The Blind Workmen's Compensation Act.

Bill 61, An Act to amend The Charitable Institutions Act, 1962-1963.

Bill 62, An Act to amend The Homes for Retarded Persons Act, 1966.

Bill 85, An Act to amend The Homes for the Aged and Rest Homes Act.

Bill 92, An Act to amend The Public Hospitals Act.

Bill 95, An Act to provide for the control of forest tree pests.

Bill 96, An Act respecting the northerly boundary of lot 19, concession 14, in the township of Tay.

Bill 97, An Act respecting forest fires prevention.

### REGIONAL MUNICIPALITY OF OTTAWA-CARLETON

**Hon. W. D. McKeough** (Minister of Municipal Affairs) moves second reading of Bill 112, An Act to establish the regional municipality of Ottawa-Carleton.

**Mr. D. M. Deacon** (York Centre): Mr. Speaker, this bill seems to me to be an example of the government stepping into organized areas, where reorganization of existing municipalities is required. One of the factors that interested me was the appointment of the chairman of the municipality, and the fact that he is not necessarily appointed from among the elected members of the council. Is it not a wise provision, in the interest of a democratic process, to have someone who has power to vote, an elected member of the council?

**Mr. Speaker:** Is there any other member who wishes to speak to this matter before the Minister closes the debate on second reading? The Minister has the floor.

**Hon. Mr. McKeough:** Mr. Speaker, I appreciate the confidence of the House in dispatching this bill so quickly. Perhaps as it goes through committee of the whole there may well be other points which could be dealt with there, but in answering the one question which my friend from York Centre has raised, this is of course what was done when Metro was first established; the province appointed the first chairman. We followed that thought here. The bill, of course, states that after the first full term, which will work out to a term of four and a half years, the chairman will be elected by the regional council.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 12th order, committee of the whole House; Mr. A. E. Reuter in the chair.

### THE CONSERVATION AUTHORITIES ACT, 1968

House in committee on Bill 36, The Conservation Authorities Act, 1968.

On section 1:

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, on the administrative costs, (a) part of section 1, there were some considerable changes recommended by the select committee. Perhaps the Minister can tell us how the department received those recommendations and whether in fact the subsection now will meet the requirements of the conservation authorities which felt that they were not reimbursed for administrative cost to the extent that they should be.

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Chairman, I might say that the recommendation was received favourably by our department. I think on second reading I mentioned the fact that we were hoping to advance through government a sliding scale of grants to conservation authorities.

Sections 1 to 3, inclusive, agreed to.

On section 4:

**Mr. Nixon:** Mr. Chairman, I wonder if the Minister would explain the significance of the change that has been introduced in this new copy of the bill which we are now considering and which has been reprinted for the consideration of the committee. I see that there has been quite a list of municipalities and I wonder if he could tell us what the significance of that is. Is it extending the area of jurisdiction?

**Hon. Mr. Simonett:** No, I think perhaps in the first bill there were some omitted. I might say that there have been several amendments to some of the clauses in this that have come about after the first bill was printed and through communications with municipalities and some of the conservation authorities.

Section 4 agreed to.

On section 5:

**Mr. Nixon:** Mr. Chairman, on section 5, I select this one just because it is an example of where a certain area of the province has been set apart for special consideration. Does the Minister think it would be possible in the case, for example, of the Moira conservation authority—and there are other examples in the province—that special consideration would meet the feeling of the local citizens that they are not being fairly dealt with in apportioning the number of votes on the authority with the responsibility to meet the expense. The Minister is aware, I know, that there have

been three areas set apart—Hamilton and the Grand Valley area, and the metropolitan area—for special consideration. Would the Minister indicate whether he believes there are some other special circumstances that in future might form amendments to this bill?

**Hon. Mr. Simonett:** Mr. Chairman, I think in the three authorities the hon. member mentioned that he knows they have a population much larger than the Moira conservation authority. We would be very happy, and we will review any authority at any time with the view that if we can assist them and if their authorities need enlarging we would be very happy to co-operate with them.

**Mr. Nixon:** Mr. Chairman, I think the point is not just the absolute size of the authority, either in number of municipalities or assessment or people, but the imbalance between the rural and urban municipalities, which means that some municipalities with relatively very low population and very low assessment, have a disproportionately powerful voice on the decisions arrived at by the authority meeting as set out in the bill. But in my view there has to be a certain amount of flexibility. The Minister has recognized that in these three special sections, and I suppose that it is government policy that the special circumstances would not be extended beyond what we have here and that, of course, is for them to say. I think it should be recognized that there are cases still maintaining in Ontario where there is some imbalance in the representation associated with the assessment, which causes a little bit of grievance.

Section 5 agreed to.

On section 6:

**Mr. Nixon:** Mr. Chairman, what is the change in section 6 here? The Minister is referring to the terms of office for appointed members. I just have not had a chance to compare it with the old bill.

**Hon. Mr. Simonett:** Mr. Chairman, I would think frankly the only change there is that the members are appointed for a term.

**Mr. Nixon:** But this is an addition to the new bill that you just moved that we consider, rather than the old one.

**Hon. Mr. Simonett:** As far as I can see we are just providing for the appointment of members—



**Mr. Nixon:** Then that part that is underlined must be new.

**Mr. V. M. Singer (Downsview):** That is why they underlined it.

**Hon. Mr. Simonett:** Of course, this will be the first meeting of the Grand River conservation authority under this new bill, as you know, after the bill passes.

**Mr. Nixon:** I am not just sure why the bill that the Minister presented a few weeks ago had to be amended in this connection, but I would say, Mr. Chairman, that this might be as logical a point as any to say that I have my doubts as to the usefulness of government appointees on these authorities at all. While there have been many citizens of ability and repute given this responsibility there have been cases noted by our select committee where that was not the way it had worked out. The members appointed by the government in Toronto have been looked upon by some of their fellow members in the conservation authorities as having special responsibility to report to the Minister. This had been denied by members of the department.

Yet it is very difficult to justify why the representatives of the municipalities should have their responsibilities diluted, by forcing them to accept by legislation, certain representatives who have no defined responsibility at all and are there by virtue of the fact that the government at Queen's Park has rewarded some of its friends with this kind of an appointment. I cannot see any particular service that they would be able to render other than, perhaps, to be the channel through which information might flow from the meetings of the authority to the Minister himself or those people in the department who are associating themselves with conservation matters. Really, I believe further, there are ample means of proper communication—wide-open communication—between the authorities and the administrative staff in the department that really make it unnecessary for the government to restrict to itself the right and power to appoint its own representatives to these authorities.

Sections 6 to 9, inclusive, agreed to.

On section 10:

**Mr. Nixon:** Mr. Chairman, in dealing with the constitution of authorities, these sections do not have any means whereby government policy can see that the southern part of the province is completely covered and serviced with conservation authorities. It is one thing

to leave the initiative up to the local municipalities—and I am not offended by that attitude at all; the Minister has indicated in his opening remarks on second reading that there were two new authorities established in eastern Ontario—but I know, Mr. Chairman, that you are aware of the fact that there are a number of areas which do not fit into any sort of municipal jurisdiction at all and there is a tendency for them to stay outside of the benefits and responsibilities of conservation authorities. They are close to the parks, and recreation areas that are provided by these authorities, but they do not have the tax revenues to pay for their share.

I believe, very definitely, that the government should take steps to see that the southern part of the province is blanketed by these authorities so that the areas which are now without these benefits will be served; and beyond that that all citizens will be able to accept their responsibilities and pay the costs for conservation work in the province.

**Mr. D. A. Paterson (Essex South):** Mr. Chairman, I would also like to speak on this point.

Having been a member of the select committee I note that that was the number one recommendation of our committee, that all of southern Ontario be included in conservation authorities. Coming from an area—Essex county—which has only a small portion of that county in the watershed of a conservation authority, I have been particularly interested in the past two or three years in trying to get such action taken by various councils in the area.

I think in our tours one of the more salient and important points was the fact that large communities often lay outside the boundaries of a conservation authority and their people are using the conservation parks and recreation areas, yet the burden of financing was on the other communities.

I feel this Minister should take another look at this number one recommendation of the select committee and possibly introduce a section which will blanket southern Ontario.

**Hon. Mr. Simonett:** Mr. Chairman, we do not believe that we should force the municipalities into conservation authorities, although we agree with the recommendation and would like to have all southern Ontario blanketed by conservation authorities.

I might say that during the past year we have created five new authorities and it seems that perhaps the municipalities are coming

along on their own without being forced by the government. We find five new authorities in the last two years and we are moving to get them organized and get enough staff to handle them. Our people are working with the municipalities all the time. The interest in conservation authorities is very great and I do not think we should have any problems at all along that line.

Sections 10 and 11 agreed to.

On section 12:

**Mr. Paterson:** Under section 12, Mr. Chairman, there are a couple of new sections in which I think the principle that is setting out, that authority members can only hold office for a period of three years, is a good move.

I think in our travels we found that a certain amount of deadwood crept into certain authorities; some members had never attended a meeting for several years. I think that this three-year clause will give an incentive to the members to really try and justify the position in order that they may be appointed again.

It also might help, given opportunity, in interesting citizens in the conservation authority; and it might also possibly alleviate some of the difficulties in transferring information and plans of authorities back to the various councils that participate.

The other section is in relation to the Lieutenant-Governor's appointment of three members. I would just question the Minister as to whether these people necessarily have to be residents of one of the participating municipalities. I realize that this is the case in the general authority memberships. But the point I raise is we still have areas of southern Ontario that lie outside these boundaries and possibly there are very good people who should be working in the conservation authority movement but who are barred from participating. Possibly through the Lieutenant-Governor's appointment these people could be drawn into the conservation authority and their talents utilized.

I wonder if the Minister would clarify that point.

**Hon. Mr. Simonett:** Mr. Chairman, I might say that all the government appointees are within the areas covered by the authority.

Now again, before any appointment is made we would like to know they are interested in conservation and that they have been active along those lines. Although there might be some thought that this is a political appointment, I do not think we even look at

the political end of it. We are concerned about getting someone interested in conservation, who will attend the meetings. They do not report back to us. They are there as our representatives working along with the appointed members from the municipalities.

**Mr. Paterson:** I do not believe the Minister has clarified to my satisfaction whether they have to be resident within the boundaries of the conservation unit. Could they in fact be from an area lying outside that area?

**Hon. Mr. Simonett:** I would think if we could not get a representative within a conservation area perhaps we would look at someone outside the area, but as far as I know, to the best of my knowledge, any member we appoint lives within the conservation area.

**Mr. Chairman:** On section 12.

The member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, I would ask the Minister to clarify his last statement. The select committee, in discussing the function of the government appointees to the authorities, and we raised it several times, went back to the question to try and find out the function of the government appointees.

The Minister has now made the statement they are the government's representatives but they do not report back to the government. Can we at least get from the Minister the function of his representatives on the authorities? It was the vaguest function we ever came across. Nobody on the authorities could tell us.

Sometimes they have never met them and when they did attend meetings they never knew what their functions were. The committee was requested by some of the conservation authority delegations to do away with these government representatives, but in the broad sense we had no reason to recommend that there be no government representatives.

We understood some of the people to say that they were people from the districts who had some interest in conservation and could contribute to the work of the authority. But we could not find out why they had to be government appointees. We feel that they should have some responsibility to the Minister if they are his representatives. Why does he say they do not report back to him? What is the function of the appointees of the government in these authorities?

**Hon. Mr. Simonett:** Mr. Chairman, I might say their function is the same function as the

appointee of the municipalities. They are there to work on the conservation authority in the interest of conservation. I have never had any reason to call any government appointee in and question him as to what goes on in this authority. I deal with the chairman and with the executive of that authority.

We have no problems along these lines. I think the hon. member realizes that we are a partner in the conservation authorities so surely we must have some opportunity to appoint representatives to that authority.

**Mr. Gisborn:** Mr. Chairman, this then confirms the minority feeling of some of the conservation people that it is a political plum, for some reason or other—

**Hon. Mr. Simonett:** What is a plum?

**Mr. Gisborn:** If they have no responsibility and we need the extra representation then add the representation from the municipalities which are involved in the work of the authority. It just does not seem to make sense as it now stands, and we got this feeling when we were sitting in the committee. So if they do not report back and have no other function, than just an interest of the government, let them be appointed from the municipalities, that is where we want the interest.

**Hon. Mr. Simonett:** Mr. Chairman, I might say the municipalities have their appointees, and we feel that we would like to appoint certain people. They are not political appointments, there is no thought given to that.

**Some hon. members:** Oh! Oh!

**Hon. Mr. Simonett:** Just look in your own authorities and see who is being appointed in recent years. Take a look at it. In fact, some of your sitting over there have had letters from me asking for recommendations for appointees. We are not thinking about the political angle here, we are thinking about people who are interested in conservation.

**Mr. D. C. MacDonald (York South):** The Minister almost persuaded me.

**Hon. Mr. Simonett:** I know. I do not like to say this about the municipalities, but I think we all know in some of the rural municipalities sometimes they appoint to these authorities an ex-reeve who has quit for some reason and they say, "Well, you look after it, Joe," and some of those people are not too interested. We do like to keep someone there if we can who has some interest in conservation, with which we are dealing. There might have been at one time some deadwood

in some of our appointees, but I would say this, that in the last 18 months we have watched this very carefully and where they had not been attending meetings, where they had not been taking an interest, we have asked some of them to resign. Some of them have resigned on their own, so we could put another appointee there, and there have been quite a few changes in many authorities just recently.

**Mr. D. M. Deacon (York Centre):** Mr. Chairman, I am going back to a point which my colleagues raised concerning subclause 3, the three-year term. I concur with these views and I would make here the suggestion that I made to the Minister of Trade and Development (Mr. Randall) in regard to the Ontario economic council—that is, that after a member has served the three years, there be a one-year gap before reappointment.

I say this because of the problem that I have seen arise in the conservation area in our district where appointees have not been reappointed, not necessarily because of lack of interest or lack of attention to the conservation authority's work, but because of some other circumstance that might be peculiar or happen at the time, and some very bad feelings have arisen over it quite unnecessarily. If a person automatically goes off and there is a gap of one year, then he can be brought back on again if he is outstanding, but it does ensure rotation. It is sometimes automatic that these reappointments are made, but in this way they would not be made automatically. There would be more care taken to be sure that each appointment was actually the best available.

**Mr. Nixon:** Just one further point on the government's appointments to the conservation authorities: The Minister makes the point that the municipalities nominate or appoint their own representatives, who then go to the conservation authority to deal with conservation, which is of course what we want them to do primarily. But they have another responsibility and that is on a regular basis they go back to their councils and report about the financial involvement of their own municipality in the authority. They are asked as to what the authority is going to do in that municipality and either why they do not do more or why they are doing so much, depending upon the attitudes there.

So they do have a double responsibility which does not carry over, according to the Minister, in the appointments that he makes. The people that he appoints, obviously we



want to be concerned with conservation, and I think the point made by the hon. member for Essex South is good, that perhaps they need not be resident in that area if they have some special expertise that they could contribute to the work of conservation. But if they are going to be compared with the appointments made by the municipalities, then they should have another responsibility to report to the Minister or to the department because they are appointed by him. If the Minister is justifying his appointments on that basis, then I believe it is only fair that he sets out their responsibilities much more clearly than he has done.

Section 12 agreed to.

**Mr. Chairman:** Before we proceed, I would like to take a moment to inform the committee that we have some special visitors with us today. Under the press gallery we have with us the hon. James Erwin, who is the Attorney General of the state of Maine. We also have Mr. Richard Cohen, who is the assistant Attorney General from the state of Maine. We have Col. Parker Hennessy, who is chief of the Maine State Police, and also Lieut. Millard Nickerson, who is chief of the bureau of criminal investigation of the state of Maine. I am sure we are pleased to have these visitors with us today.

**Mr. Nixon:** We are not being raided or anything like that?

**Mr. Chairman:** I think we are safe.

**Mr. Nixon:** Who is minding the store?

Sections 13 to 18, inclusive, agreed to.

On section 19:

**Mr. Deacon:** Mr. Chairman, with respect to section 19, under subclause (a), "to study and investigate the watershed and to determine a programme whereby the natural resources of the watershed may be conserved, restored, developed and managed." There has been a great difference of opinion as to the type of programme we have been adopting in the conservation authorities, that is through the combination of both building dams and reservoirs as well as buying up water flood plain properties. If one programme or the other were adopted, we would hope to alleviate any danger from tragedy such as hurricane Hazel, where we had homes built in the flood plains and we did not have the dams. The combination spelt tragedy.

It seems to me we should be carefully giving direction to our conservation authorities

in regard to the type of programme they are undertaking. The safest way to be sure that no human life is lost is to prevent and expropriate and clear land in the flood plain. But the construction of dams for flood control is a very expensive and not particularly purposeful way of spending our public funds just for recreational purposes. If we look at it from the point of view of recreational purposes it is often much cheaper to acquire natural water bodies than it is to construct these very expensive dams. I think that we should insist in this legislation, or certainly in the regulations, on some sort of cost-benefit analysis that will ensure that we are not doing a double function, that of building reservoirs as well as removing land from the flood plains that are now used for residential purposes.

I feel in the directions in this clause we should give definite guidance to the authorities as to the preservation of these lands, and under clause (k), "to control the flow of surface waters in order to prevent floods or pollution or to reduce the adverse effects thereof." But we should definitely restrict the programme to one or the other—certainly not going into the extravagant programmes we had during the past several years, both expropriating homes and building large reservoirs.

Sections 19 and 20 agreed to.

On section 21:

**Mr. Paterson:** Mr. Chairman, on section 21, I would like to direct a few remarks to the Minister. Basically this section gives the hon. Minister emergency powers over all water control structures as he sees fit. During our tours of the province we ran into situations where there were private dams which had been built a number of years ago and which had possibly fallen into disrepair. Although the present owners were unwilling to spend the money to repair them, they still were of some benefit to the municipalities or the areas but not the maximum benefit that should accrue with the dams.

I wonder if the Minister, through this new clause, is putting himself in a position whereby he can, for example, at the time of flooding, step in and order these dams blown up and done away with, or order repairs and assess the owners the cost to put these dams in a safe position to protect the residents downstream. Also I totally concur that some one authority must have control over all the dams during the spring runoff. Certainly

when floods are coming, they must all work in a continuous manner for the safety of the residents of the valleys.

I think the Minister will recall the question I put to him concerning the Fanshawe dam, and the controversy as to whether it had been properly drawn down in the fall and possibly may have contributed to the flooding on the Thames River this spring.

Another matter concerning me is the question of riparian rights to residents downstream. On one occasion they drew to our attention where a golf course, I believe, had run a temporary earthen structure across the stream; damming up the water for irrigation purposes to keep their golf course nice and green.

I believe, in another case, a greenhouse operator had done the same thing and this affected the grazing of cattle below this point in the river or stream and affected the flow of water which assisted in handling the refuse from the municipalities below that site.

I wonder who has the final authority in this matter? Is it the conservation authority as such? Is it the Ontario water resources commission in a problem like this? I realize, of course, that the Minister is responsible for both of these, but just who has the right to take the initial action to see that these difficulties are corrected at the local level?

**Mr. G. A. Kerr** (Halton West): Mr. Chairman, just on that one point, to mention first of all that the golf course the hon. member for Essex South was talking about is in my riding, and this was a problem that was submitted before the select committee by the Halton regional conservation authority when they appeared before it.

I think that this is a general problem faced by many authorities in the province, in that private agreements are made with private land holders regarding the taking or the use of water from streams within the authority, sometimes without notice to the local authorities.

Under our present legislation this can be done. It is usually done with OWRC, I believe, in that an arrangement can be made for the use of water; and this sometimes is against the wishes of the local authority, particularly during certain times of the year when the streams are at a very low level and thereby detrimentally affecting the overall flow of water and conservation of water in the reservoirs.

I would suggest to the hon. Minister that possibly, either by formal edict or otherwise,

an arrangement and understanding be made between OWRC and the authorities that any use of the water by private source will be considered by all parties—including the authorities—and that any permission or permits be issued only after consultation with the authorities.

**Hon. Mr. Simonett:** Mr. Chairman, first I want to say in reply to the hon. member for Essex South that the only dams we control are dams within an authority. I think that the hon. member for Halton West answered his second question, that OWRC would have control of water taken for irrigation or for whatever other purpose it is to be used. I might say that the conservation authority and the OWRC work very closely together on a watershed and the use of water within a conservation authority.

**Mr. Gisborn:** That is not what the committee found out—

**Hon. Mr. Simonett:** This is the way I find it, and I find that they work very closely together and we are not having any problems.

**Mr. Gisborn:** You should have read the committee report.

Sections 21 to 30, inclusive, agreed to.

On section 31:

**Mr. Paterson:** Mr. Chairman, I would like to pass a few remarks concerning section 31. I personally feel that this is a very vital and necessary step of the department in that it would allow the re-assessment of authority lands up to the present level. I feel that this is a very encouraging principle and possibly it should be adopted by The Department of Lands and Forests and other public bodies who own properties throughout our province.

As I recall, there is a fundamental change in that the assessment of these properties was paid at the price when the property was acquired. This has proven to be a severe burden on many rural municipalities who have been faced with the problems of maintaining roads and, up to this year, maintaining policing and order in those various areas because the conservation authority recreation areas do attract people into their areas.

I would wholeheartedly agree with this section and trust that the other Ministers of the Crown will take note of the actions of this particular Minister.

Sections 31 to 42, inclusive, agreed to.

Bill 36 reported.

**Mr. Chairman:** Again, before we proceed with the next bill, I would like to take another moment. We have with us in the Speaker's gallery the ambassador and the trade counsellor of Bulgaria. We welcome these distinguished visitors here today.

## ONTARIO ECONOMIC COUNCIL

House in committee on Bill 51, An Act to establish the Ontario economic council.

Sections 1 and 2 agreed to.

On section 3:

**Mr. Deacon:** I spoke before, Mr. Chairman, concerning this item of appointment of these voluntary bodies on a rotating basis and the advisability of having a one-year gap between reappointments, and I would appreciate hearing the Minister's views on this suggestion.

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Chairman, I do not think that we would be appointing anybody immediately. As you see here, we say one third should serve for at least a year and one third for three years. When we are through with the council, most of these people go to other responsibilities, but very few of them are reappointed. I think under the new system we can take care of the concern you may have about reappointing them immediately.

Sections 3 to 5, inclusive, agreed to.

On section 6:

**Mr. Chairman:** There is an amendment to section 6.

**Hon. Mr. Randall:** Yes, Mr. Chairman, I have an amendment to section 6, subsection 5. I move that subsection 5 of section 6 of the bill be deleted and the following substituted therefor:

(5) such officers and employees as are necessary for the proper conduct of the work of the council may be appointed under The Public Service Act, 1961-1962.

**Mr. Nixon:** Mr. Chairman, I presume the purpose of the amendment is to move from the control of the Minister the salaries that would be paid the staff of the council; is that right?

**Hon. Mr. Randall:** No. I think if you will read that first portion of section 5 it is different to The Public Service Act. When it was caught, after the Act was rewritten, we

thought it should go back to be written exactly as most of the Acts with regard to employing of civil servants so that we would not have anything different in the economic council.

**Mr. Nixon:** It is interesting that when we get around to talking about salaries in these various departments the Ministers usually say, I have nothing to do with this, talk to the Provincial Treasurer (Mr. MacNaughton). I presume this would put you in the position to make that standard answer, that the Minister really has no jurisdiction over the salaries paid in his own department.

**Hon. Mr. Randall:** I hold myself responsible for any moneys that are spent by economic councils.

We are not building up a big staff in the economic councils. I think we have five clerks and five economists there now, and as we have already pointed out here we do most of our consulting work—we get outside consultants or we get it done by The Department of Trade and Development. But if we are going to have any civil servants in there we think they should be covered by The Public Service Act that is now in existence so that they have the same protection. At the same time, I think anything that comes before the economic council will be discussed with the chairman and myself before we hire these people to see whether they are going to be casual or permanent employees.

**Mr. Nixon:** You were chairman of the council at one time, were you not?

**Hon. Mr. Randall:** Pardon?

**Mr. Nixon:** You were chairman of this council, or at least its authority—

**Hon. Mr. Randall:** Yes, I originated it.

**Mr. Nixon:** Yes.

May I ask the Minister, in connection with this section which has to do with salaries and staff, the council would be intended, I presume, to fulfil the requirements set out in a previous section. It would expand somewhat, but has the cost of operating the council changed considerably since the Minister's time?

**Hon. Mr. Randall:** It has not. In fact, the council has yet to spend its budgeted amount. I have the figures here.

**Mr. Nixon:** We can deal with that later.



**Hon. Mr. Randall:** Yes, but I was just suggesting we have had a budget of about \$211,000, or \$225,000 last year, and the expenditures last year were \$165,000; and in the previous year \$166,000 on a budget of \$192,000. The council has been able to pick up some of the expenditures from the federal government in the form of joint programmes, so that it is earning its keep.

**Mr. C. G. Pilkey (Oshawa):** I wanted to say to the Minister that if he was going to make a change why did he not put these employees under The Labour Relations Act?

**Hon. Mr. Randall:** That is a good question; I do not think I have the answer.

I suggest if they are under civil service you could argue that with the Minister of Labour (Mr. Bales)—but I would think the way we are operating at the present time is the way we will have to operate unless The Department of Labour suggests otherwise.

**Mr. Pilkey:** Is the Minister putting the onus on The Department of Labour?

**Hon. Mr. Randall:** No, I am just suggesting we are following the procedures of the past which have worked very satisfactorily.

Section 6, as amended, agreed to.

On section 7:

**Mr. E. W. Sopha (Sudbury):** What is the magic in five times a year?

**Hon. Mr. Randall:** There is no magic—

**Mr. Sopha:** I should have said the mystique, perhaps!

**Hon. Mr. Randall:** These are men from industry who offer their services; I think they have had an average of 10 or 11 meetings a year. We set this minimum of five meetings a year so that at least they are active. We do not want to form a committee and then not have them operate.

I checked back on the last three or four years and our average has been about ten meetings a year. We just put a minimum of five so the council remains active, otherwise I would think some of these people would back off and would not want to serve on the committee if we did not have some meetings.

**Mr. Sopha:** I am wondering; I notice the development in the fine art of comitology, which reaches its apex in Canada.

This is a development whereby when you form a committee now you have an executive

core of the elite within it and the executive core is called, I believe, the management committee. They really are the opinion makers, the dominant majority; and the rest are so much prestige and meet much less frequently. It is sort of the washed and the unwashed.

I notice they recently set up the new radio broadcasting outfit on that line. Is that the intention here, that you have an inner core, sort of like the inner Cabinet that we have been talking about in the parliamentary development of comitology?

**Hon. Mr. Randall:** No, I would think if you are going to get any action out of the committee using busy businessmen you have to have a core to work with these people to get the best out of them. These men who have been serving the economic council all have subcommittees. We have about seven or eight or nine subcommittees headed by some of the directors who serve on the economic council, so they are pretty active. I would say that the elite, or the inner core the member is talking about, are the ones who do the leg work in the council in order to feed the subcommittees and the main committee. I do not think there is any one particular person who serves on this council who does any more work than anybody else.

**Mr. Sopha:** Is the chairman fulltime?

**Hon. Mr. Randall:** Yes.

**Mr. Sopha:** And the vice-chairman? Who is fulltime on it?

**Hon. Mr. Randall:** The fulltime man is the chairman of the council. At this time we are asking for the appointment of a deputy chairman because the chairman is away right now, he is sick for a month. I think if we had a deputy chairman there we would get more work out of the council and probably guide it better.

**Mr. Sopha:** Who is the chairman?

**Hon. Mr. Randall:** Mr. Cranston. Bill Cranston. He has been the chairman since I left in 1963 and went into politics.

**Mr. Sopha:** And who is this council going to advise?

**Hon. Mr. Randall:** This council will advise all departments of government which ask for the services of a council. They work with The Department of Labour, The Department of Education, The Department of Lands and Forests, The Department of the Treasury,

The Department of Agriculture and Food. They are bodies somewhat like the economic council of Canada without being a body of civil servants. They co-ordinate with other councils across Canada, find out what they are doing, share the same opinions perhaps, and bring them to the various departments where they can help guide departments with reference to things on which other departments want some guidance. It consists of a body of independent businessmen and people from the academic life, from labour, from our universities and from our financial institutions, who are prepared to give of their time to assist the province in dealing with some of the general economic factors.

**Mr. Sopha:** Is there anybody representative of that great land mass that forms the east-west link between west and east in this country?

**Hon. Mr. Randall:** Oh, yes.

**Mr. Sopha:** Who is he?

**Hon. Mr. Randall:** Just a minute, we will give you a list of them. We have Mr. Roy Thomson from Kirkland Lake, we have—

**Mr. Sopha:** Can you spare him from the ONR?

**Hon. Mr. Randall:** Oh, I think we can spare a little, a very talented fellow.

**An hon. member:** Very kind of you, very kind.

**Hon. Mr. Randall:** And we have had a sub-committee up in Fort William headed up by chairman Bob Pretty; also Mr. R. J. Flatt; Mr. Knowles of Kapuskasing; Mr. Rogers of Pembroke; Mr. Spicer of Fort William, Mr. Fleming of Port Arthur; Ralph Connor of Sudbury—

**Mr. Sopha:** Ouch.

**Hon. Mr. Randall:** Good fellow, thinks very highly of you.

**Mr. Sopha:** All I can say is it all seems redundant to me, because I read that revealing article by Mr. Lavoie of the *Toronto Daily Star*, who informed us that all economic decisions are a result of the advice to the Premier, whispered in his ear, by Ian Macdonald, so that if Ian Macdonald ever developed laryngitis we could look forward to economic collapse.

Sections 7 to 10, inclusive, agreed to.

Bill 51, as amended, reported.

## THE MOTOR VEHICLE ACCIDENT CLAIMS ACT, 1961-1962

House in committee on Bill 67, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Sections 1 to 3, inclusive, agreed to.

Bill 67 reported.

## MOTORIZED SNOW VEHICLES

House in committee on Bill 88, An Act respecting motorized snow vehicles.

Section 1 agreed to.

On section 2:

**Mr. T. P. Reid (Rainy River):** I would just like to ask the Minister what the fee is going to be for the registration of such motorized vehicles. Does every snowmobile have to have one of these regardless of where it is used—in the forest or by trappers, for instance? Will people who do not drive these on public lands but on private lands such as farms and so on be required to have a licence?

**Hon. I. Haskett (Minister of Transport):** Mr. Chairman, section 2 points out clearly that the owner of every motorized snow vehicle shall register it, because the purpose of the Act is to keep a registry of all the vehicles. Section 10(c) provides for the setting of the fee by order in council or regulation but the fee has not yet been determined.

Section 2 agreed to.

On section 3:

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, in section 3, may I ask the Minister if he is being confronted with problems concerning change of address? In this section, the request is that within six days, by registered mail, the individual must send to the department a change of address. We know that this does not happen in many cases and as a result an individual, through lack of thought, finds himself three or six months later with a driver's licence and in a new domicile. How do you overcome that problem?

**Hon. Mr. Haskett:** We are not concerned with the driver's licence *per se*. What we are concerned with, is the registration of the vehicle.

**Mr. B. Newman:** The same principle applies whether it is the registration of the vehicle or a driver's licence.

**Hon. Mr. Haskett:** This is why we used this language, to keep it in conformity with The Highway Traffic Act.

Sections 3 to 13, inclusive, agreed to.

Bill 88 reported.

### THE PROVINCIAL PARKS ACT

House in committee on Bill 98, An Act to amend The Provincial Parks Act.

Sections 1 to 5, inclusive, agreed to.

Bill 98 reported.

### ONTARIO GEOGRAPHIC NAMES BOARD

House in committee on Bill 99, An Act to provide for the establishment and functions of the Ontario geographic names board.

Sections 1 and 2 agreed to.

On section 3:

**Mr. T. P. Reid:** Mr. Chairman, I would just like to reiterate a question asked on Friday of the Minister.

Is there any proposed tourist exploitation of these boards and the information that the committee will come up with? Are you working in conjunction with The Department of Tourism and Information on this?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Chairman, I would say that we work very closely with The Department of Tourism and Information, especially on the making of the historic places and lakes and so forth.

Sections 3 to 7, inclusive, agreed to.

Bill 99 reported.

### THE CROWN TIMBER ACT

House in committee on Bill 100, An Act to amend The Crown Timber Act.

Section 1 agreed to.

On section 2:

**Mr. T. P. Reid:** Mr. Chairman, I would like to direct a number of questions to the Minister concerning section 2 of this bill and the difference in the wording of section 14 of The Crown Timber Act. This revised statute is going to change things very slightly. Perhaps the Minister could explain what this change means in effect.

I would also like to make a couple of comments concerning the ramifications of this section. Under The Crown Timber Act, the Minister or the Lieutenant-Governor in council has the authority to allow timber and timber products to be exported to the United States. It is my feeling or impression that this bill or this legislation was passed previously so that Crown lumber—timber raw material—would not be exported to the United States and be manufactured into finished products there, and that these be natural resources of our woods and forests, especially of north-western Ontario, had to be manufactured either into pulp or timber products in Canada.

Can the Minister explain to me what types of woods will be contemplated for export under this Act; whether all species of wood are allowed to be exported to the United States, obviously for finishing or manufacturing in the United States, and then have these products sent back to us? I understood that the purport of the original bill was that these products must be manufactured in Canada so as to encourage Canadian manufacturing of our products in our own country.

Obviously the Minister or the Lieutenant-Governor in council has had this authority in the past, but I would suggest to the Minister that if we allow this to continue, this authority, it seems to me, is rather a dangerous thing in that it is going to lead to the encouragement of export of our natural resources in a natural state and the encouragement of industry and manufacturing on the United States side of the border. I would like to have the Minister's remarks. I will reiterate my questions:

What is the purport of this new amendment? There are only two or three words in section 2 that have been changed, or section 14 of The Crown Timber Act. Secondly, what types of woods, or will all wood species be allowed to be exported under this authority, if such authority is given? Three, does the Minister not feel that this allows or gives rise to the possibility that Canadian wood products may be exported to the United States and manufactured into finished goods there, and this will encourage United States rather than Canadian manufacturing of our natural resources?

**Hon. Mr. Brunelle:** Mr. Chairman, I can say to the hon. member that I am in agreement with his principle that wood products should be manufactured in Canada, and especially in Ontario. We export approximately 150,000 cords a year and out of that amount, I believe about 100,000 is poplar and



the other 50,000 are other species. In all of Ontario we only utilize about 5 per cent of our poplar and it is therefore economical to export the surplus that is not utilized here.

Also, the hon. member may be aware that in his own area—I believe there is a pulp and paper mill at Fort Frances—there is an exchange of wood in order to keep that mill going. There is a strong possibility that a mill will go in that area, and I am sure the member will agree that we should do everything possible to find the raw material. If it is more economic to get the raw material from just across the border, I believe we should do this. We are doing everything we can to make it as attractive as possible to have that pulp and paper mill established in that area.

Mr. T. P. Reid: I agree with the Minister's remarks in that respect, Mr. Chairman, but I am looking for a guarantee that these mills will be built on the Canadian side, and not on the United States side.

Now the Minister suggests that our export has been mostly poplar. Can he possibly explain for clarification and edification of the House why it is necessary? Why do we not manufacture goods out of poplar? I have a fairly good idea myself, but I thought that some of the other members might be interested.

Hon. Mr. Brunelle: I can assure the hon. gentleman that we are doing everything possible to encourage the additional manufacture of poplar. But poplar is a hardwood, and the pulp and paper industry and in craft, they utilize a very small percentage. However, today, due to technology, we are helping them—and also the Ontario research foundation—to utilize poplar more than ever; and we are making substantial gains in this matter.

However, as I mentioned previously, if you can visualize this table as being timber limits, it is economic and also good forest management to cut the entire area on an allowable cut; not just to cut certain species, but to cut it entirely and to regenerate it. This is according to good forest management.

Again, I would like to assure the hon. member that we are doing everything possible to encourage the manufacture of our own products in Ontario.

Sections 2 to 8, inclusive, agreed to.

Bill 100 reported.

## THE RAILWAY FIRE CHARGE ACT

House in committee on Bill 101, An Act to amend The Railway Fire Charge Act.

Sections 1 to 3, inclusive, agreed to.

Bill 101 reported.

**Clerk of the House:** The Honourable, the Lieutenant-Governor recommends the following:

RESOLVED *that*,

Payments of loss under subsection 2a of section 5b of The Department of Agriculture and Food Act, as enacted by subsection 5 of section 1 of The Department of Agriculture and Food Amendment Act, 1968, during the fiscal year ending on the 31st day of March, 1969, shall be paid out of the Consolidated Revenue Fund,

as provided in Bill 102, An Act to amend The Department of Agriculture and Food Act.

Resolution concurred in.

## THE DEPARTMENT OF AGRICULTURE AND FOOD ACT

House in committee on Bill 102, An Act to amend The Department of Agriculture and Food Act.

Sections 1 to 4, inclusive, agreed to.

Bill 102 reported.

## THE INDUSTRIAL SAFETY ACT, 1964

House in committee on Bill 104, An Act to amend The Industrial Safety Act, 1964.

Sections 1 to 7, inclusive, agreed to.

Bill 104 reported.

## THE SURVEYS ACT

House in committee on Bill 114, An Act to amend The Surveys Act.

Sections 1 to 7, inclusive, agreed to.

Bill 114 reported.

## THE PUBLIC LANDS ACT

House in committee on Bill 115, An Act to amend The Public Lands Act.

Sections 1 to 6, inclusive, agreed to.

Bill 115 reported.

### THE LINE FENCES ACT

House in committee on Bill 106, An Act to amend The Line Fences Act.

Sections 1 to 4, inclusive, agreed to.

Bill 106 reported.

### THE DOG TAX AND LIVESTOCK AND POULTRY PROTECTION ACT

House in committee on Bill 116, An Act to amend The Dog Tax and Livestock and Poultry Protection Act.

Sections 1 to 5, inclusive, agreed to.

Bill 116 reported.

Hon. Mr. Robarts moves that the committee of the whole House rise and report a certain bill with amendments and certain bills without amendment, and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: The committee of the whole House begs to report one resolution, one bill with certain amendments and certain bills without amendment and asks for leave to sit again.

Report agreed to.

Clerk of the House: The 23rd order, House in committee of supply; Mr. R. J. Boyer in the chair.

### ESTIMATES, THE DEPARTMENT OF LABOUR

Hon. D. A. Bales (Minister of Labour): Mr. Chairman, I am pleased to present the estimates of The Department of Labour for another year, and I intend to be brief and general in these introductory comments. I have already distributed to the hon. members a summary of the objectives, functions, organization, staffing arrangements and major operating statistics of the various branches of my department.

This information and that contained in the department's latest annual report will establish an adequate background for a useful discussion on policies and programmes.

A capsule definition of the department's role in the government of this province is the development and protection of Ontario's

human resources in the context of employment.

We have responsibilities to the public, but primarily we protect people at their jobs in a variety of ways.

The department is in the forefront of government agencies seeking to help our society and economy attain such objectives as full employment; adequate levels of income; greater productivity; a higher rate of growth, and equality of opportunity.

In a complex, modern department like Labour, there are scores of functions that must be performed. Many are routine in nature but they are important. It is difficult, for example, to say something dramatic about safety inspections. Yet without them, employees and the general public would face far more hazards.

It is roughly the same with labour standards. Our field force visits establishments in all parts of the province. In the majority of cases, these visits reveal no irregularities. But we find enough cases where people received less than their due, to make it obvious that this economic safeguard is necessary.

These are only two examples of routine work, but these and the department's other operations are more than simply routine policing functions. They are creative and vital parts of a total programme that is actively seeking to make this a better province.

There are many opportunities for creativity. The apprenticeship counsellor does not merely register apprentices and oversee their training. He helps people to embark on a more rewarding life.

The industrial safety officer does not simply enforce a statute and issue directives. He has the opportunities to make positive contributions to the success of some companies by pointing out, from his own experience, how operations can be improved.

Mr. Chairman, we in this House must be realistic and realize that a law is only the bare outline of a public policy. What goes into its operation and administration is the thing that brings it into life.

The Labour Relations Act, for example, is an outline of the rules governing the operation of the system of collective bargaining in this province. What it does not say is that the system will work only if the parties to it approach each other realistically, knowing that compromise is essential. The department's task is more than simply performing the functions indicated by the wording of the statute. Its officers also must help the parties

to realize and accept what is required to make the system work, both for their short-range advantage in settling a specific dispute and in the interests of their long-term good relations.

And, Mr. Chairman, I am pleased that our work is done in this way because I want The Department of Labour to do more than merely carry out routine assignments measured by drab statistics. Fortunately, the department is in a position to be both effective and creative. It has developed a corps of knowledgeable administrators. Its internal research and supporting services can deal with complex situations. It also has built up close and strong links with the people it serves through a series of labour-management organizations. And the same can be said of relations with experts in the universities and elsewhere in the industrial relations and allied fields.

I should like to highlight for a few minutes some of the significant developments in the department.

The main office vote for example, covers the principal administrative and supporting services of the department, as well as certain smaller, specialized branches. One of these is the women's bureau. Mr. Chairman, although women constitute a large proportion of Ontario's labour force, their potential contribution to the economic life of this province is not recognized to the extent that it should be. Moreover, I suggest that the barriers against women in many fields of employment are not only personally frustrating and unfair, they are also wasteful for our economy.

No doubt many solutions to this problem come quickly to mind. Indeed, in the publicity being given to the hearings of the federal Royal commission on the status of women, various suggestions have appeared and many more will probably come forth. I feel, however, that the answer or answers must be feasible and must be fully in tune with administrative realities.

The women's bureau was set up some four years ago to tackle these very problems. It was created largely as an experiment, but its work has fully justified the move. I have given the bureau specific terms of reference to look into the desirability and practicability of taking further concrete measures to cope with the problems of discrimination in employment based on sex.

Meanwhile, the bureau has had very good success with its experimental counselling service for mature, educated women desiring

to return to the labour force after years of activity in the role of housewife and mother. In a year's operation, almost 1,000 women received vocational advice from trained counsellors. A follow-up, conducted three months after their interview, revealed that 63 per cent had either gone back to work or were training for work. A by-product of this service has been the production, for the first time, of solid data on the problems that women anticipate or encounter as they seek employment. This will provide essential information for further studies.

Turning now to industrial training, since the mid-1960's, we have sought to supplement and reform the department's traditional apprenticeship system into a modern industrial training programme that would meet the needs of individuals, employers and the economy itself. With leadership and financial and technical assistance from government, industry has been persuaded to accept a larger share of the responsibility for the training and up-grading of the province's work force.

We estimate, for example, that in the last fiscal year, Ontario employers invested more than \$25 million in training programmes that were carried out in co-operation with The Department of Labour. This was in addition to the \$8.5 million committed by the federal and provincial governments.

During the last fiscal year, the department sponsored in-plant and related training for more than 24,000 apprentices and short-term trainees.

The total number of apprentices registered in Ontario is now approximately 17,000. This represents a very substantial increase in the past five years. It can be traced not only to the increased emphasis being given to industrial training by the government, but also to reforms and improvements in the apprenticeship system.

Apprenticeship periods have been shortened. More classroom training has been introduced with the establishment of the colleges of applied arts and technology. Financial and technical assistance from government has been increased. More extensive guidance counselling and testing facilities have been made available. Trade standards, curriculum and examinations are being brought up to date. Compulsory certification is now in operation for nine trades. New trade regulations are being developed in co-operation with a growing network of local and provincial advisory committees.



Finally, a close working relationship has been established with The Department of Education and the federal Department of Manpower and Immigration to co-ordinate activities.

In 1965, the department began to sponsor short-term, on-the-job training projects in addition to the apprenticeship system. These were designed to help employees develop or up-grade their skills. Since 1965 some 300 companies in Ontario have either trained or up-graded a total of 12,000 individuals, many of whom were either unemployed or under-employed before entering the programme.

We expect that in this fiscal year the total number trained under the short-term programme will reach 17,000. Cost benefit studies show that public investment in industrial training pays off in terms of increased productivity and opportunity. Moreover, it keeps more people gainfully employed.

While apprenticeship continues to play a useful role in our economy, it has some inherent drawbacks and limitations. Our experience with short-term training has convinced us that people can be taught a series of highly complex and related skills in a short period of time, on-the-job, using formal training schedules and advanced instructional techniques.

In many primary and manufacturing industries the need is for people who possess a combination of skills and knowledge drawn from the many traditional trades—some in depth and others in a more general way. The somewhat rigid apprenticeship system does not produce the type of broadly skilled worker that these industries require.

We recognize that it is neither practical nor economically feasible for the province's schools and college training facilities to provide specific job training in the face of our rapidly changing technology.

On the other hand, we know that most employers are prepared, with some assistance, to adapt the broadly trained graduates of our schools and colleges to the individual job requirements of their companies.

We do need, however, to decide on the most appropriate and effective roles for both government and private industry to play in industrial training.

To help us deal with this and related questions, a general advisory committee on industrial training under the chairmanship of Dr. C. Ross Ford was established in 1966. The committee was composed of senior representatives of labour and management, all

experienced in the field of occupational training.

They were asked to investigate new methods of occupational training that would meet the diverse skill requirements of employers and workers in general industry, as distinct from the construction and service industries. In its report, the committee recognized the need for additional forms of industrial training to supplement the traditional apprenticeship programme.

They suggested that industrial occupations could be grouped into families, and through analysis, common blocks of basic training and of specialization could be identified. The individual could then acquire these blocks of common knowledge and skill, plus added blocks of specialization, through an orderly combination of school and in-plant training that suited his particular requirements and those of his employer.

The committee recommended that we investigate and experiment with this block system to test its feasibility in this province. The industrial training branch has already begun to study several proposals for pilot projects that could be used to develop the concept and this will constitute one of the major new activities in the branch during this year.

These pilot projects will be carried out in co-operation with The Department of Education, the federal government and at the local level with community colleges in those regions where the industries involved are located.

Mr. Chairman, one of the most difficult aspects of the work in the department is that of labour-management relations. It is a controversial area and, quite frankly, is frequently misunderstood. I am satisfied, however, that reality in this regard is quite different from the picture painted by those who misunderstand or misrepresent.

It is obvious, for example, that labour and management and the collective bargaining process are essential in our free economy and society. Collective bargaining is the system by which we can divide up the rewards of production on a more or less equitable basis without impairment of freedom.

The system as we know it today does not always operate well, nor do labour and management always act rationally or in a spirit of good faith, nor can we be unconcerned about the wastage of resources and of productivity and the threat to the public good that may be involved in some strikes or lock-outs. Nor, Mr. Chairman, does it suggest that

one can always be satisfied with the effects of some collective agreements on the economy.

These are serious problems. Workable solutions which do not disturb our basic concept of free collective bargaining are not readily apparent. But we are doing our best to find solutions. The hon. Ivan Rand is carrying out a Royal commission study on the broad aspects of industrial relations. The Ontario union-management council has been established and we are placing great stress on research and special studies in the industrial relations field in my own department.

These undertakings, coupled with other work being done at the federal level and by such organizations as the Canadian construction association and the construction unions, offer hope that progress will be made.

Meanwhile, a major dilemma of industrial relations, not only in Ontario but throughout the country, is how to reconcile the interests of the public and the freedom of the parties at the bargaining table. What the parties do at the bargaining table does not always seem consistent with the interests of the public.

The department represents the public interest at the bargaining table in the sense that its mediation of a dispute is intended to minimize conflict and resulting dislocation.

But the department cannot represent the public interest in the sense of making effective decisions that a certain settlement will or will not have an adverse effect on the economy.

I am sure the House will appreciate that it is very difficult, if not impossible, to play the contradictory roles of mediator and arbitrator at the same time.

In tight bargaining situations, we are often pressed by both management and labour to take a part in the actual making of the decisions—to take sides and to take them publicly.

But this the mediator cannot do. If he supports one side or the other his effectiveness as the confidant of both is impaired and his ability to help them to change their positions and compromise disappears. On the other hand, one of the mediator's tasks is to help the parties see and accept economic realities. But this should be done with them privately and not in the spotlight of publicity.

Mr. Chairman, I expect this will be a heavy year for my department in collective bargaining. There will be some 3,000 collective bargaining agreements opened for negotiations.

We also expect that this year more than the normal number will come to us for concilia-

tion and mediation assistance. We are estimating that the 1968 work load for our conciliation staff will be roughly half of the collective bargaining situations this year.

Out of the total 3,000 bargaining situations, I believe it is safe to estimate that no more than 200 will become work stoppages of major proportions. And even in these cases, the department will be deeply involved in trying to help the parties find a mutually satisfactory settlement formula. Viewed in this way, one can say that collective bargaining in this province is doing the job expected of it.

In order to create opportunities for labour and management to work out their broader difficulties themselves, away from the crisis atmosphere of the bargaining table, I set up the Ontario union-management council under the chairmanship of Dr. John Crispo, with five members from each of labour and management. This group held its first meeting early last autumn and priority was given to the question of supplying and training qualified arbitrators because the availability of county judges to serve in this capacity had been effectively removed by the federal government. The council has presented a unanimous report on this matter and its recommendations will soon be the subject of legislation.

Mr. Chairman, another important area is safety services.

At the moment, I must say that we know far too little about the real causes of accidents. This deficiency is underlined today by the fact that we are employing all of the orthodox approaches to accident prevention, but we have yet to see a significant decrease in total accident frequencies.

More, and more firms, of course, are recognizing safety, on humanitarian and economic grounds, as being one of management's prime responsibilities. They are applying close supervision to their safety programmes and they are achieving major improvements. But too many are still unaware of the rewarding possibilities in this regard.

I believe that the time has come to devote more effort to the search for the real causes of accidents in order to determine whether there are more effective preventative measures than those commonly accepted. Thus, acting on the recommendation of the labour safety council, I propose to give safety research a new, enlarged emphasis. For this purpose, additional staff is being provided to the labour safety council. The estimates also

provide for a strengthening of the enforcement and administrative staff of the safety branches.

Mr. Chairman, I turn now to the field of human rights.

As you know, the United Nations has dedicated 1968 as international human rights year to mark the 20th anniversary of the proclamation of the universal declaration of human rights.

In Ontario, the human rights commission has played a significant role in building a better community through the reduction of discrimination on the basis of race, colour and creed. The importance of its function can be deduced from the fact that in each year the number of complaints processed is roughly double that of the preceding year.

But much more important than the number of registered complaints is the educational role of the human rights commission. It would be impossible to give adequate recognition to the multitude of resources employed by the commission in its educational programmes to counteract tensions and conflicts. But I would like to mention two or three of its significant activities.

A special committee has been formed in Windsor to foster employment opportunities for minority groups. The commission has participated in numerous conferences in other centres to discuss and help find solutions to local problems of discrimination as they affect many different groups. Considerable work with Indian communities has been done in the northern areas of the province and I am pleased to report that worthwhile progress has been made.

Mr. Chairman, the estimates provide for a second human rights officer to be recruited to work in northern Ontario and a bilingual officer will be engaged to help solve problems arising in the Ottawa area. In addition, the head office staff in Toronto will be enlarged.

Mr. Chairman, one of the new services of the department is the research branch.

Its responsibility is to provide research services to the department, other government agencies and the public and I am pleased to report that it is functioning with increasing effectiveness as its experience increases.

The branch has been organized to provide in-depth, long-range studies as well as to deal with short-term problems. Divided basically into work groups associated with labour relations, safety, labour standards, and training, the branch is sufficiently flexible to permit regrouping at any time to carry out particular projects. This flexibility was illus-

trated most clearly during a recent survey of wages, hours of work and overtime practices in the province.

In addition to projects conducted by the staff of the branch, research for the department also has been carried out by the University of Toronto and Queen's University.

Mr. Chairman, in closing I want to stress that I place great value on creativity—on service to the public that goes beyond the mere administration of law and regulations. It is my policy that The Department of Labour should initiate rather than merely respond. It should create rather than merely regulate. Above all, it should always seek to have the benefit of both the experience and the involvement of those it serves.

Only in this spirit, I believe, can the department achieve genuine progress toward its objectives. Thank you, Mr. Chairman.

**Mr. R. Gisborn (Hamilton East):** The Minister mentioned the labour-management committee. Have we a report yet? Has this committee brought down a report?

**Mr. E. W. Sopha (Sudbury):** This is unnecessary rudeness.

**Mr. Chairman:** I think that the member for Sudbury is the lead-off speaker for the Liberal Party and he should be permitted to proceed, and the member can ask his question at a later point.

**Mr. Gisborn:** Well, I just want to inquire about the report that was mentioned by the Minister and if it is going to be available for the members during the term of his estimate.

**Mr. Chairman:** I think that before we proceed with the votes, the member may direct the question to the Minister. The member for Sudbury.

**Mr. Sopha:** The Minister, Mr. Chairman, referred to the occasion marked by the United Nations this year in recognizing the international human rights year, and that of course marks an anniversary of the promulgation by that organization of a very important document in the history of mankind. So far as we are concerned, in a very minor and parochial part of the world—not to minimize the importance of this province's place, I was somewhat saddened by the failure of the Premier of Ontario (Mr. Robarts), to mark in some way—and I would think that the most appropriate way that he could mark it—the celebration of the year by the family of nations at New York. Perhaps it could have



been placing of some form of resolution on the order paper that would have provided the vehicle for discussion of human rights, and their development in the world since perhaps the end of World War II. Or, as a minimum gesture, he might have at least put the McRuer report on the order paper and the discussion of civil rights and civil liberties in Ontario, insofar as they were examined by Mr. McRuer—a very leading jurist in the life of his nation. It would have provided an opportunity for the members of this House at least to take stock of their development in Ontario.

In actual fact, all we have had, is various oblique references somewhat tangential to the matters that are being discussed, which of course bring in the McRuer report, and attempt by weight of argument and the rhetoric of debate to show that government policy is somewhat in error in the matter at hand, because it has not taken account of the observations that Mr. McRuer has made. I am not one of those, as I said before, who think that all that he said in his three volumes has equal force as if it was received on Mount Sinai yesterday. But certainly there are many areas where he exposes grave deficiencies in the legal system under which we operate.

The Premier is not here, and I hope that someone may tell him because he still has time, of course, to remedy his deficiencies. I do wish that he would spend more time here rather than in the company of those whiskey salesmen downtown who cannot remember his name. At least up here, we have a greater affection for him. Perhaps the fault is that the Provincial Secretary is not buying that fellow's brand of whiskey.

To get back to the seriousness of the matter, I hope the Minister of Labour will consider that, and I will be the first to say to the Minister of Labour that the human rights branch of his department indeed does very useful work in the life of Ontario and with those who will be oppressed if the pressures to oppress them are not inhibited in very early stages. There is always that tendency for the weak to be hurt, and mainly because they are largely defenseless to protect themselves against the possible hurt.

As a critic of the department, and I have not much experience in this formal method, I think, though, that I am admittedly partisan, I admit to being partisan. After all, I am a member of Her Majesty's loyal Opposition. But notwithstanding that, and keeping it with-

in reasonable bounds, we over here still can take a more objective view of the operation of the department than the Minister perhaps can, because he is too much part of the process and his time is far too occupied in the details of administration of the department and dealing with the many human problems of an intramural nature that must confront him.

So, the view we should take over here and the one I will attempt to take, is that of trying to see the total picture with particular reference to the ends to be achieved by the operation of the department. Why was it created? Why does it exist? What is it trying to do?

I am, of course, somewhat disillusioned to want to value this department in money terms. I am quite discouraged that it only spends something in the neighbourhood of \$15 million for its total operation—and here we have a department that deals in one aspect or another with what most of the adult population does for a third of its life. A third of its time spent, comes in one way or other under the purview of this department—those the hours from eight to five. Perhaps a little more than a third of their lives. In the light of the revelation, for example, by analogy last night, when one sees what one conceives to be a very modest amount for the operation of this important department, and one sees the large amounts spent elsewhere, I am one of those who conclude that this government is a very badly run business operation.

As we saw last night, and I make a comparative reference, Mr. Chairman, the Minister of Tourism and Information (Mr. Auld) has a \$75,000 hospitality fund and he has an extra \$25,000 to spend for a special study. That is a neat hundred grand that he can dispose of at the flick of his wrist, and it would lead one to conclude that the shortage of money around here in the operation of the public business of Ontario is no inhibition to efficiency. There appears to be plenty of money, and I simply do not believe, speaking very generally, that \$15 million is an adequate amount to set aside for the carrying out of the important functions that this department is charged with.

Those are very general comments. I want now to turn to a subject which I intended to put at the end of my remarks but I am going to place it at the first, developing a bit of flexibility, and that is the subject of minimum wage. I want to say, as a matter of principle, that I firmly believe, having reflected upon the matter a good deal, that

\$1.25 an hour, which is the minimum under our regulations, is simply a disgraceful level. If you multiply that by 40 for the average work week, or even 48 hours, that in no way reflects the reality of the cost of providing the necessities of life in this province at this moment. It simply cannot be done.

As a matter of principle, quite apart from the technical details and all the objections that could be marshalled against them, I say that I like to think—maybe it is imagination but I can recall lots of evidence in support—that the end of human activity, which was heretofore thought to be acquisitiveness, the acquisition of material possessions, is changing and substituted for it is the belief that the true end of human activity is a creative one. Creative activity is now becoming the motivating force which has gathered an image and prestige to itself in society.

The Minister himself, in the first piece of evidence that I call forth in support, says in his remarks, "I wish to tell you, Mr. Chairman—" he told you but the rest of us heard, "—that I place great value on creativity." In the same sense, John Kennedy, when he spoke of opportunity for excellence, was talking about the same thing. So therefore, it must follow that in the search for the maximization of utility in the use of another person's labour, the guiding concept must be one of fairness and this competitive business of getting one person to work for another for the cheapest price possible has got to go. It has got to go. It is not worthy of us as a civilized society.

A good many practical arguments can be marshalled but I try to put one on a matter of principle. What is wrong with all of us, as a government, all of us joined together in the governing process, at the earliest possible opportunity saying conjointly that we believe, as a matter of principle, that the minimum wage paid for any form of labour in this province must be that amount that allows the worker to live decently. Well how much? We will hire some—

**Mr. J. H. White (London South):** That is a good idea, but it would put a lot of people out of work.

**Mr. Sopha:** We will hire some economists and skilled people and people in the welfare field that are versed in this and we will have them tell us how much it is, and if it is \$1.75 or if it is \$2 then that is the amount we will adopt. We can hire experts at any time, but I simply end this part by saying that it is no credit to this government that

in fact it becomes a conspirator with people on the outside who would grow rich on the sweat of other people's brows. It as a matter of morals; that is unacceptable too and unworthy of us.

Mr. Chairman, it is not appropriate at this time to engage in a far-reaching disquisition upon the role of this department in carrying out its responsibilities in this sector of life in Ontario, in view of the imminence of the Royal commission report on labour relations commissioned by this government. Of course, in addition to that report, which the Premier tells us he has been promised for this fall, there is the rather gigantic study now under way commissioned by the federal government, where \$1.25 million is being spent in a complete examination of industrial relations in this country. So we are going to be the beneficiaries of two penetrating studies which are soon going to be at hand.

As to the Ontario report, I must say and I say frankly, not wishing to wound the feelings of a distinguished Canadian jurist, I have had my reservations as to whether the legal mind is the appropriate mental outlook to deal with this area of human behaviour. I, like a good many other people in Ontario, have been rendered somewhat apprehensive by some of the comments that Mr. Rand has made along the way, which seem to anticipate the flavour of his ultimate recommendations.

One of them that made me especially nervous, was that one which he made after his return from down under. He went down under to have a look at the working of compulsory arbitration in that part of the world, and he seemed to come away, according to his published statements, somewhat imbued with the efficiency with which the system is working in Australia. I myself hope that that will not be a major recommendation in his report, because I am a long way from substituting the more or less free system of collective bargaining that we now enjoy by the imposition—I can interrupt the sentence right here—let me say I would prefer as a matter of policy that this business of compulsory arbitration be dealt with on an *ad hoc* basis; that is to say, be dealt with when the matter arises, and that is precisely the way this Legislature has heretofore dealt with it.

It has laid down no general policy or principle, but when confronted with the crisis, the Legislature has taken the matter in hand and has decided in the way it always decides, by majority vote, just what the mechanism will be to resolve what seems to be an emer-



gency situation that could inflict very gross damage upon the public if it were allowed to continue in its normal course. I am content at least that that has the advantage—I say I am content to deal with it on that *ad hoc* basis—that on each occasion we have an opportunity for full debate here in this place, before the ultimate decision is made. And it also has the additional advantage of infusing something of a stimulating effect on the parties who are beyond this chamber and are engaged in the conflict and antagonism generated as a result of the breakdown in their normal negotiations.

Another reason that I have some misgivings about the legal mind in dealing with this important subject, is because that I believe, and I say to my friend from Oshawa, that presently in the world of labour relations there are too many lawyers involved. I would like to see far less of them on the labour landscape, because lawyers look for finality.

**Mr. C. G. Pilkey (Oshawa):** That is for sure.

**Mr. Sopha:** The Minister, being a very able lawyer, knows it.

The lawyer seeks the final solution. He wants to put the case and the file away for all time. The moment the court pronounces its judgment, that is the end of the matter. You can put a string around the file and put it in the dead file section. You may run into the people involved some future time, but to all intents and purposes it is gone and done.

Labour relations can never be that, never be that. There can be no finality, because labour relations operate within the environment and the context of the times, and the times are ever changing.

Labour's desires and management's prerogatives and interest in the operation of the company are continually changing within the environment as it is encountered at the moment. And you can never, in dealing with human beings in this area, you can never look for any degree of finality.

Labour relations in that sense then, are a function of the whole complex of our economic system, which is an ever-changing panorama. Any solution may fit the needs of today's problems but be utterly unsuitable as a satisfactory determination of tomorrow's.

Now I have said ever since I came into the House, I say to my friend from Oshawa through you, Mr. Chairman, I have held that in our labour relations in the province there is far too much legalistic lore. The whole basis of the approach to the achievement of

harmony between labour and management is the adversary system of the lawyers.

The Labour Relations Act in its entirety if it conveys a theme at all, conveys the theme that labour and management are ranged against each other as adversaries. They are contestants; struggling continually one against the other, pitting their skills and talents in the bargaining devices they have to hand against each other in a never ending struggle to obtain as much as possible on the one hand or to give as little as possible on the other. That is the theme of the whole Act from beginning to end.

And I ask: Need this be so in an enlightened community?

The Ontario labour relations board sits as a court, but I think, truthfully—supposing I was speaking as a theatrical critic here and not intending to get personal—I think the reason the labour relations board became to all intents and purposes a court was the personality of Jacob Finkelman. That is the way he wanted it. He was a skilled lawyer, a teacher of law, and he saw his function as chairman of that board to operate it as a court.

The way it is set up, the physical way that it is set up, as a court, provides a natural arena for the lawyer adversaries. The board itself is perched up, elevated above the people below, those who are arguing a particular case.

The longer I practice law the more I believe that the approach to justice is more speedily engendered if you get the judge down to eye-level with the contestants. Just de-elevate them so that everybody in the place is looking straight into each other's eyes.

It is not a natural stance for a man, I do not think, whether he be lawyer or witness, to be looking up, to stretch his neck. I think that looking up is an undignified human stance. A good place to start with the eye-level approach to jurisprudence would be down at the labour relations board.

I go further and say they do not need the courtroom atmosphere at all. It is totally unnecessary and it adds nothing to the resolution of difficulties between labour and management.

Why not a round table where everybody could take their coat off and loosen their tie and sit around the table and see if they cannot, by the injection of common sense and willingness to compromise, resolve the difficulties?



Then again, the board has built up a whole body of legalistic writ, form, precedent and jargon. I am told that—perhaps it does not obtain now—but I am told that there was a time down there that if a loose-shirted union steward came in making an application and his forms were not filled out correctly and he had not used the proper precedent the first thing he got was a blast from the bench.

Now I am told that actually obtained. I hope Mr. Reid—is that not his name, Mr. Reid?—I hope that he has changed that devotion to the legalistic mystique in the practice before that board.

But they are very much impressed with precedent, and precedent is a legal concept. They want to set up a body of jurisprudence to be used, of course, I suppose, in the principle of *stare decisis*, to be used in coming to a solution of particular difficulties.

Some of the precedents are not very good. I want to cite one that fits that category; one that is unworthy of lawyers even.

I think it is the Kam Kotia case. I have no reason to remember its name and it does not matter if that is the name or not, but I think that it is the Kam Kotia, that is a mine up near Timmins, where they had a representation vote and the losing side applied to the board to—what do you call it, to strike out the vote?—to declare the vote void. Lo and behold, on the basis of evidence that we were given that during the taking of the vote one of the union officers wore a sign on his hat, "Vote mine mill"—or "Vote steelworkers"—and was in the neighbourhood of the polling place that invalidated the vote.

Now one may ask, how ridiculous can you get? The people who decided that case have never seen a general election where signs asking for devotion to a number of political candidates are all over the landscape on election day. Really, it is to recede into a world of unreality to look upon that as a determinant or in any way infringing on the democratic process.

Well I hope they will weed out some of the precedents and keep only those that are practical and meaningful and really assist in the achievement of the ultimate end.

But I have said that it is no place—the board—it is no place for the blue-shirted union steward. He can be as genuine and sincere as his intellect allows and he will be buried by the weight of legal argument; he will be bested by the lawyers, skilled in the legalism that the board seems to enjoy and actively cultivates. In addition The Labour Relations Act itself, in its two-inch sub-

sections—you have to measure them, it would be too tiresome to count the number of words in them, you really have to measure them—it absolutely defies comprehension by anyone but the lawyer.

I looked at that Act and I complained to the committee when sections have been adopted, and have asked aloud and pleaded that perhaps the same things could be said in much simpler language.

One day down below—I do believe that perhaps the member for Downsview will remember—we counted the number of words without a variant and I think it was something like 300 words in one of the subsections. The writer—I suspect that was Mr. Finkelman—does not stop for breath from the beginning of the sentence to the end.

**Mr. V. M. Singer (Downsview):** He used to lecture that way, too.

**Mr. Sopha:** I have conveyed my opinion, Mr. Chairman, that this is wrong—it is terribly wrong. I would like to see a substitute, a forum where the opposing sides could sit down in the most ideal atmosphere possible for humans, to attempt to achieve a solution which constitutes the most acceptable to all parties. And that means two questions:

What is the most ideal atmosphere? That is the one where well-intentioned people, motivated by the desire to nurture the public good, adopt the attitude of an open mind and make a willing attempt to understand the other point of view, and through a motivating spirit of reasonableness and compromise come to the best solution possible in the circumstances.

What do I mean by all parties? The present system dwells most emphatically upon the respective rights and economic and sociological interests of the two contending parties—labour and management—and almost totally excludes the other great interest to be forwarded, and that is the public interest, to which the Minister has addressed some comments today.

Mr. Chairman, it is a slow process. One can almost stand back and watch the evolution going on before our eyes as we see it emerging in the panorama of labour relations. It is almost discernible, the greater comprehension of the vital interest of the third group—the public; those who are not actively present at the bargaining table and are not directly related to what is going on in that industry. But more and more it is coming to be realized that the interest of that third and large group is almost, if not equal, to the interests of the two contending parties.

And, of course, that third group is the Minister. As he picks up his briefcase, summons his aides, calls a taxi and heads for the Royal York hotel, then the public is on the scene. Why do I select the Royal York? Because it has a meaning to me. When the contract at INCO is being negotiated every third year, that is the forum—the Royal York.

There you will find Mr. Eberlee and Mr. Warren and Mr. Dickie and the rest of those very talented officials in The Department of Labour, perhaps sitting around the lobby cogitating the next move while the Minister is upstairs engrossed with the contending parties and trying to bring them together in some acceptable solution.

So in a real sense the public have commanded the presence of the Minister. He is there by an unarticulated, but nonetheless real imperative and received public command because, of course, his failure to be there implies a failure to agree—and this could be harmful, inconvenient and every other adjective you can summon. I am merely making the submission that this has to be approached in a more rational way and this dialectical struggle that is going on has got to be replaced by some more rational and meaningful and efficacious process.

How do we do it? No one has come up with a solution. The member for Oshawa is not going to have a solution any more than I, but it is interesting to note that such a person as George Meany allows for the public print, that the present system is not to be replaced so far as the system impinges upon those industries that provide necessary services to the public.

I can only hope that as a result of that task force study at Ottawa—and I do not really care how long they take—that they can come up with a solution that will mean a totally new approach to the problem. They may suggest drastic alteration of the collective bargaining process. Because I can say to the member for Oshawa, who follows me, that I am far from satisfied as a disinterested but not uninterested spectator, that some of the methods employed by the united auto workers or the united steelworkers in coming to the collective bargaining process and while engaged in it are far from satisfactory.

For one thing, we on this side have pleaded over the years that the whole process should start much earlier than it does under the present legislation. Too often great harm is done because simply not enough time is set

aside, and that points to another deficiency of that statute. The statute drawn in general terms is supposed to fit the industry that employs 25 workers and it is supposed to fit the one that employs 25,000 workers, and it just cannot do it.

Differences in the size of the bargaining unit must be taken into account. I say to the Minister that when an industry such as International Nickel employs 20,000 workers, then perhaps eight or nine months before contracts end might be the appropriate time in which to begin the collective bargaining process, instead of the three months now provided by law.

When two giants like the local 6500 of the steelworkers in International Nickel begin to bargain, those three months go by as fast almost as you could snap your fingers, Mr. Chairman, and you are on the threshold of strike action before the Minister of Labour arrives on the scene—as I said somewhat jocularly, though I hope not facetiously, a while ago, before he arrives to represent the public interest.

The damage to the economy of Sudbury, as well as to the rest of the province, to which it would find its way as the river does down the channel, is just too much to accept without intervention. Unless someone can advance very penetrating argument, I see no reason why the Minister during this session, as we approach the bargaining process in Sudbury that comes up next year again, should not require the parties to commence the bargaining perhaps sometime this fall.

What I have been saying is that if society is to do things collectively, then the respective roles of worker and management have to be seen in the relation to the total picture of society and the total impact upon society. I hope, I stress the hope, that we are not moving toward compulsory arbitration in all areas of activity within the economy. But I strongly suspect that more and more services will start to be called essential services, that the category will get longer before it gets shorter, and the demand will increase on the part of the public that there be active and positive state intervention to prevent the harm that might occur.

And if that happens, in many ways and for many reasons labour and management have to a large extent no one to blame but themselves. To say that is to merely refer to the experience of labour relations as they have occurred in this province.

In the attitude in what occurs in that milieu I can only say, as a legislator representing the community of the nature that I do, that I would hope and pray for an end to the attitude on the part of management that labour is to be looked upon as an enemy and fervently express the wish that this method of approach should give way.

To depart from the general and get down to specifics, I say to the member for Halton West, who attends me, that in the operation of that gigantic nickel mining industry at Sudbury in the handling of grievances—the number of grievances per year that are processed would astonish him—the approach seems to be that the union must be thwarted every step of the way. They have to be resisted and ever so many of them reach the arbitration stage; and I think that numbers in several hundred a year.

I have often stood back and said: "Would it not be more intelligent on the part of that company, instead of spending the couple of million dollars, as they do now, in hiring lawyers"—and they hire Toronto lawyers; my friend, the member for Halton West knows the kind of bills they send in—"instead of doing it that way, could they not take the same amount of money and create an enlightened public relations department?"

**Mr. G. A. Kerr (Halton West):** Or hire local ones.

**Mr. Sopha:** Or hire good ones. And the enlightened public relations expert might look at this whole process and say: "Listen, from now on, we pick out the ones that should be resisted and if we should give in on some areas, then let us do it magnanimously; if we fail to pay the fellow the differential while he was operating a crane, that 40 or 50 cents an hour that he should have got, let us give him the differential and forget about the grievance."

Well, looking upon the worker as an enemy only perpetuates the total war, and I have to admit the place I come from qualifies me well to report how far it can go. I have been told on many occasions by people who have come to live in Sudbury that the most pervading characteristic of the place, as they become acclimatized, is the pall that hangs over it of the bitterness and enmity between union and company.

It affects the whole atmosphere of the place. They have spoken of the company's recalcitrance to give a little in the daily contact with the workers. On the other hand the united steelworkers' organ, every time they

win an arbitration case, well, that is banner headlines in the front of the *Searcher* to tell the faithful—the union membership—that once again Goliath has been successfully smitten.

And I can only plead and perhaps do whatever I can to vacate that climate, to see that atmosphere I hope some day will appear, and labour relations will be conducted in the more ideal atmosphere that both together are partners in the process of production. Mr. Chairman, I see no reason, I say this to the Minister through you, why the Minister of Labour should not say to these companies that in the matter of safety experience, in the matter of safety and the precautions and the methodology and the technical paraphernalia that is applicable to safe working, you must recognize that the workers have a very vital interest in that.

Management should not hesitate to not only enlist the co-operation of the work force but, beyond that, make use of the very intimate knowledge and the keen desire that inheres in many workers to not only work safely personally but to promote an attitude of safety among fellow workers. And safety must surely be a total and co-operative effort. The might be a matter the research branch of The Department of Labour could well explore from the point of view of legislation.

Maybe legislative enactment is necessary in order to create that kind of climate. It is far better, I say, Mr. Chairman, to approach it that way than to get the impression around here—as we did early in the session—that the afternoon shift could not start to work at Froid Mine until the member for Sudbury East (Mr. Martel) asked his daily question of the Minister of Mines (Mr. A. F. Lawrence). We saw it right here, as we got a daily question about the safety of operations of International Nickel Company.

Well, I am one who wants to replace that. This is no forum here; this is no mechanism with which to create safe working conditions at the Levack mine. That must be done by the active co-operation of workers and management on the site. I must say in that regard, the attitude of International Nickel has been singularly unyielding. Then on the other hand, there is among the union officers a very genuine desire to play an effective and meaningful role in safe working conditions. And I say that without getting into the morass of dealing with the noxious fumes aspect of it.

Now, the only other matter I wish to touch upon, and I did not intend to but I must in my opening remarks because I anticipate that



there is going to be intensive and intimate discussion of the workmen's compensation board and around here you have got to get your licks in when you can.

I want to say four things about the board. I will enumerate them.

First, I want to say that I have had a great deal of contact with the workmen's compensation board, not only at the highest executive level, but down the hierarchy and indeed, on several occasions, I have appeared before the review committee and the appeal tribunal—the new network of quasi-judicial bodies within it. My own experience has been of encountering: (a) an unflinching courtesy on the part of the people; and (b) an unflinching desire on the part of the people charged with the responsibility of administration of the Act to do fairly and justly. That has been my experience.

Now in the light of that, the second point is that in this appeal procedure—this relatively new appeal procedure that has been set up—I think the time has come that people appearing before that body should be represented by a lawyer or at least should be represented by someone skilled at least in the terminology that is to be encountered. I will retract that; it ought to be a lawyer. I would be perfectly satisfied if they are represented by that union officer designated to look after what is sometimes unhappily called the welfare branch of the union local. I am thinking of a very good one in Sudbury by the name of James Hickey, who very ably represents a good many people before the board. But I conclude that the ordinary appellant is singularly unqualified himself to grope with and to handle not only the terminology but the concepts that he encounters. Of course, whoever represents him would have little more knowledge of the medical lore that forms the very warp and woof of what goes on before that board.

But some provision could be made, and it may be that the legal aid system can fill the breach here. I do not really know if a person wanting a lawyer to appear for him before the appeal tribunal can go to the legal aid officer and have one appointed. But I do know, on the other hand, that the board has a long history of antipathy to lawyers and it is only recently I think that that attitude has been changing. Perhaps a decade or so ago, one got the impression that the board did not want to deal with lawyers at all.

The second thing I want to say is that I cannot comprehend the aspect of the operation of that statute where different scales of benefits are paid to different maimed people

on the basis of the history of when the accident occurred. To me, that approach is entirely oblivious of the philosophy underlying the whole thing. The philosophy surely must be that society collectively is coming to the rescue of the afflicted individual and is replacing, for him, income which by reason of physical health or injury he cannot earn himself. If that is the philosophy then it has nothing to do with whether the hand was lost in 1952 or whether it was lost last week.

Of course, it is merely a reflection of the method of collecting the premiums and the idea actively promoted by industry that the premiums, when collected and put into a fund, are some kind of a trust for industry and they are expended on behalf of industry. I am not at all sure, and I have not asked the leader of the Opposition, and not having asked him I am not at all sure that perhaps the time has not come, in the operation of that very important social mechanism, that we might think in terms of worker contributions, in order to give the worker a vested interest in the moneys collected. An argument related to that is raised so often by industry: "We pay the money and you have to protect us." When I say a worker contribution I am not thinking in terms of any great amount. But even a modest amount—supposing it were 50 cents a week that he paid—would do for the worker the same as it does for management. It would give the worker a vested interest, a proprietary interest in the operation of the fund.

The insurance principle upon which it is now based gives far too much influence to the management and industrial side, and so some form of contribution might be the answer, I say to the Minister of Labour. It might be the answer to that evening of the payments for comparable injuries so far as injuries can be comparable. But the very idea that the fellow who lost a hand in 1932 gets something like \$15 a month, and the one who lost the hand last week gets three-quarters of \$7,000, if that is his maximum and if he is at the maximum, is simply not in accord with fundamental precepts of fair play.

I say to those of my valued colleagues who came in here last year, the Legislature in embarrassment a few years ago had to take the necessary legislative action to do away with the inhuman treatment of widows. The treatment had become inhuman and the Minister of Labour of the day had become so terribly embarrassed at that, that we passed a bill in order to rectify what was a very grave social wrong.

I do not want to anticipate the white knight from High Park in this other matter, but I would say that all I want to advocate is I wish the board would take some notice or reveal in some way that there is a world of neurology and psychiatry. I think the time has come that this business of emotional reverie—I do not even know what that phrase means, except as I read it in letters from the board—is a valid sickness. It is an actual sickness and I have seen far too many of them now. I have seen far too many of these people. So many people that I have seen personally could not possibly fictionalize or act out the symptoms that are required.

The board, not only unrealistically but completely out of accord with modern medical practice, absolutely refuses to recognize that the individual suffering from neurological and functional disorders is just as incapable of performing his work as the fellow who has the fractured femur, and often more so.

Those are the four areas that I wanted to touch. It may well be that the reforms along the lines that I have indicated will have to be done by amendment of the legislation, and if the board is proscribed in any way from reform in those areas, then the responsibility impinges upon the Minister of Labour to do something about it.

I thought that the report of Mr. Justice McGillivray, with all due respect, went merely to housekeeping matters—for example, recommendation 21 authorizing the investment of a board reserve in trust funds under The Trustee Act, and many recommendations of a merely technical and operative nature. It never really got down to the fundamental human problems that we, the ombudsmen of Ontario, have to deal with and I suppose it is fair to say that the great majority of those who come to see us about problems of government—well, a fair proportion, let me leave it that way—have problems involving the workmen's compensation board. Really one would like to appear for every one before the appeal tribunal and prepare his case, but it is simply impossible to do so.

I have no complaint—maybe somebody else will have one, but I have no complaint—about the board's practices with regard to the preparation of the appeal. They always make available the information they have on hand and furnish one with copies of it. But I go back to my first submission and say that it is all very well—as a lawyer I know only too well—to set up an elaborate system of courts or quasi-courts, and to say that you

have these courts open to your appeal, but all the framework and all the superstructure in the world will be meaningless unless in the crucible of that forum the applicant has available to him the same skills to put forward his case as the other side has to resist it.

I am not sure that members of the Legislature—even my able friend the member for Huron-Bruce (Mr. Gaunt), who does a lot of this work—I am not sure that even members of the Legislature are the most skilled protagonists in that area to advance, in the most effective way, the rights of people.

I have gone on far too long and you will want to hear what my friend has to say. We could have said a good deal more and made a much more detailed analysis of this department, but the only excuse—and a very valid one it is—is that we are going to have available two important documents in the field of labour relations this year. Having studied what they have to say, written by experts, and after a great deal of thought and assembly of material, by this time next year, if the leader of the Opposition (Mr. Nixon), is kind enough to allow me to be the labour critic, after I have digested what those reports have to say, and if the same Minister occupies the portfolio, I will come back next year and make my views known in respect of what the reports have said.

**Some hon. members:** Hear, hear!

**Mr. Pilkey:** Mr. Chairman, I would like first of all to say that some of the items I am going to raise in relation to The Labour Relations Act I do with some authority in view of the fact that I was one year ago working in industry and spent 28 years at General Motors, in the auto industry, as a worker. So I speak with some authority because I experienced it at the plant level, on the production lines and in many other facets of the auto industry.

I want first of all to quote from the hon. Minister's statement of last year, but before I do that I would like to make one other comment.

I would like to thank the Deputy Minister of Labour, Mr. Eberlee, for his co-operation since I have become a member of this House. I want to say that any request I have made of Mr. Eberlee, which were very few, but to those he responded and I have received answers to the problem raised. So I want to thank him for that.

Second, I would like to ask the Minister under what section of the department's esti-

mates are we going to be able to discuss the workmen's compensation board, Ontario? I wonder if I could have a reply to that, Mr. Chairman.

**Hon. Mr. Bales:** Mr. Chairman, it was my practice last year, and I believe it was the custom under previous Ministers, that we normally deal with the workmen's compensation board at the end of the estimates of The Department of Labour. That is the arrangement that I will follow this year.

**Mr. Pilkey:** Thank you.

I would like to say that the Minister made a very fine speech and I think if it does go down in history, or perpetuity, it will be famous for its omissions. I do not think it really made any contribution to some of the problems that exist. I want to quote from a statement made last year by the hon. Minister when he said:

Every member of the House is aware of the fact that The Department of Labour has been greatly strengthened in its services. Programmes of legislation have been reviewed and brought up to date. The implementation of my predecessor's blueprint for the department has been completed. As a result, the department's reputation and its ability to act effectively within the broad field of its responsibilities have been greatly enhanced.

This is the point I want to make; it appears to me that the present Minister is riding on the fact that the previous Minister had some kind of blueprint and he is satisfied with maintaining the *status quo* in his department.

I think that is all wrong. I think the department should use some imagination and energy to project new ideas as far as The Labour Relations Act is concerned. I think there are a great number of problems that are crying for answers.

What has been accomplished to update labour legislation to meet the problems of technological change? The right to reopen a collective bargaining agreement is a must in the face of major technological change and other problems that we have. The contracting out of work is a problem with which this government has not come to grips.

On residual rights of management I want to suggest to the Minister that section 33 (1) of The Labour Relations Act should be changed and there should be an addition to that section which says that every collective bargaining agreement should provide that there will be no strikes or lockouts. I think there should also be a rider that would read: "except where the matter in dispute is not covered by the agreement." That should be the exception. I am going to point out before I am through that if we are going to get some

relief in the area of health and safety, as one point, then there are going to have to be some changes in regard to that section of The Labour Relations Act.

Injunctions in labour disputes have not been eliminated; this government has not come to grips with that. Certification procedures and other matters related to labour legislation must be faced up to by this government.

I think this government should initiate, through the department, legislative changes that will guarantee civil servants the right to collective bargaining through a union of their choice. I do not think that we should tolerate any longer that these people come under a separate Act and do not have the free choice of collective bargaining that is their rightful heritage. Labour legislation should be changed so that it is applicable to employees in Crown agencies. They should be covered by The Labour Relations Act, not The Crown Agencies Act, so that these people have a right, as I said, to free collective bargaining.

I want to spend just a moment on this question of compensation. The other day I made an investigation as to what really are the problems with compensation at the grass-roots level. I talked to some of the in-plant leaders of my union who handle these cases. I said: "Well where are the real problems that exist as far as compensation is concerned, that are creating a hardship on the employees?" I find that first of all this form 6—and I understand there are a number of forms; forms 6, 7 and 8—but form 6 is the employee's form and this is not being sent out to him in time so that he can get it back in and get his benefits. This is one of the problems, that this form is not getting into the hands of the claimant so that he can fill it out and return it to the workmen's compensation board.

I do not want to fault the workmen's compensation board in its entirety in this area because the management group in industry are to be faulted as well, they are not getting this form out. But I think it is the responsibility of the government to get to the management groups and make sure that form gets into the hands of the employee, the injured employee.

Reports from the doctors are slow. This is another thing that happens with this bureaucracy that is set up in terms of forms that have to come in and if the reports from the doctors are slow, this again is a delay in



benefits. And these things, Mr. Chairman, have to be changed.

There is also a delay in notifying the claimant of his benefit when it is reduced from 100 per cent to 50 per cent. He never finds this out. He has got to go to his union or he has got to make representation to the workmen's compensation board. It would appear to me that this should be part of the cheque, an explanation as to why the claimant's benefits have been reduced. And I say that this should be done at the time that they get the cheque.

When I talk about a question of delay, I refer to an actual case we took of an employee who was injured on May 9. We went through a couple of stages; we obviously could not go for the ultimate because the time has not arrived. But they tell me that it would be a minimum of three weeks before an injured employee receives a benefit. Three weeks! This is a very minimum. If everything works smoothly and everybody gets those forms into the workmen's compensation board, he could very well receive it within three weeks.

If there is any question by any one of the three people, the management, the workmen's compensation board, or if the form is not filled out correctly, then this delay could go on. An employee could be three weeks, four weeks, and up to eight, ten, 12 weeks, before he receives any benefits. And these are some of the real problems that exist for employees who require a benefit.

I want to say, too, in this regard, that in the lowering of the benefit level from 100 per cent to say 50 per cent, the doctor or someone deems that the employee is able to do light work. This question of saying that the employee is available for light work causes great distress, because invariably the management will not take this employee back to his place of employment; he wants a healthy body to go back. Therefore, this employee who has been on workmen's compensation for some time at a reduced income then finds himself further reduced at a 50 per cent or 25 per cent level of his benefit, and yet he cannot get back to the job.

I suggest to the Minister that there has to be an answer to that problem. There just has to be an answer. Employees cannot be left in a position of distress because they have no way to supplement their compensation payment. And I want to say that they are mounting in number every year—the injured workers who find it is almost impossible to obtain light work.

The pace of the industrial life, making demands for more and more production, has eliminated such suitable employment for those not yet restored to full health. The assistance given by the national employment service is inadequate. The number of placements made touch only a few of the hundreds seeking light work. The workman also faces a problem that where a rare opportunity of suitable light work appears, he fails to obtain the employment because the potential employer is not interested in a man who may leave him after a few days or weeks to return to his former employer, where he has seniority and better wages.

And I want to reiterate that, because I think that this is creating a tremendous hardship on many, many hundreds of workers across this province; they are denied a full benefit because of a partial disability. I want also to say in this regard that the level of benefits is totally inadequate. The maximum benefit now, as you know, Mr. Chairman, is \$86.54 and this is the maximum benefit that can be accrued for someone who is injured.

In many cases this is a long way from the earning power that the individual had prior to his injury. And yet in many cases, because that employee is in hospital or injured, the cost is greater to the family than during periods when he is working. And so I think that in this area of compensation we have to provide benefits with no limit. If we got a 75 per cent benefit then let us take that 75 per cent on the basis of his income, not on the basis of any maximum of \$6,000—I believe the McGillivray report used the figure of \$7,000. That would be the maximum, so that the maximum benefit would be \$100.94; something in that area.

I want to point out that these two figures are not conducive to maintaining a decent standard of living. And I want to talk about that a little later on when I talk about the question of minimum wages.

I would like also to make a comment on health and safety. In your speech, sir, during the 1967 estimates, you commented that one of the most vital concerns of The Department of Labour lies in the prevention of industrial accidents. The campaign to improve occupational safety must be multi-pronged, utilizing inspection, regulation, penalties, consultation, research, education, and employer-employee co-operation. And that is the case—employee-employer co-operation.

Let me say to you, sir, that unless you make this co-operation compulsory for indus-

try in this province, then you are not going to get to the crux of the problem of industrial accidents. I want to suggest to you that employers ought to bargain with their unions in this area of health and safety, and it ought to relate to collective bargaining matters. Because if there is any one area that the management groups in this province jealously guard, it is this area of health and safety.

There is a very, very obvious reason why they guard this jealously, because there are times when safety would interfere with the production of those industries. And if it interferes with production, then I guess we are going to have to work under unsafe conditions, because they are not going to tolerate any interruption in production on a question of health and safety. So this matter has to become one of collective bargaining and it has to be one of compulsion for the management, because they are going to resist it at every level.

And I do not care if it is the powerful auto workers' union, the powerful steelworkers' or any other union. They are going to resist this question of having a health and safety committee where there should be joint co-operation or a joint effort between the union and the management to investigate these health and safety conditions.

I suggest to you, sir, that there will have to be more than just trying to get them to co-operate on a voluntary basis, because it is not going to happen. Your accident situations in the province of Ontario are going to continue to increase as they are on the increase now.

On the question of compulsory arbitration, and my friend for Sudbury raised this point, and I want to say that if Mr. Rand comes down with recommendations on compulsory arbitration I want to suggest to this government that they will find the greatest resistance that has ever been organized in the province of Ontario, and make no mistake about that. I want to suggest that if compulsory arbitration is ever placed on the backs of a trade union movement, then this government is in jeopardy—make no mistake about that, this government is in jeopardy. They are in jeopardy anyway, but they will be in real jeopardy if compulsory arbitration is ever placed—

**Hon. A. Grossman** (Minister of Reform Institutions): What is the difference between real jeopardy and jeopardy?

**Mr. D. C. MacDonald** (York South): You will find out.

**Mr. Pilkey:** I want to say that compulsory arbitration is a form of wage control, without turning the coin over and getting price control along with it. This is what has happened with the hospital workers now. You have placed them in a position where they must go to arbitration to get a finalization of their collective agreements. Those workers are falling further behind the industrial workers in this province, as you put that burden on their backs—compulsory arbitration.

Through you, Mr. Chairman, the Minister may say to me that great bulk of the hospital negotiations do not get to the level of arbitration, and I think I could explain the reason that they do not get to arbitration. The reason that they do not get to arbitration is because they know that they cannot get any more anyway, and that they call it quits right about there. I want to suggest to you that you have done a disservice to the hospital workers and you did it in the guise of public interest, and I think you ought to do something more for those hospital workers to get their wages in relationship to the high cost of living and in relationship to the industrial workers of this province, if they are going to get their fair share of the good things that are produced in this country.

In this area of arbitration I want to say, sir, that I was rather relieved to hear in the Minister's statement that he is working on this question of setting up arbitrators who are outside of the judiciary. I understand at the moment that the federal government had the judges taken out of this arbitration procedure and now we find a number of magistrates doing that type of work. Frankly, the answer is really no different. I never could believe that the judiciary had any special qualifications as far as arbitrating grievances and industrial disputes; I do not think they really did. I think that it stands this department well that they are going to attempt to put people in the field who understand rules of procedure, cross-examination of witnesses and The Labour Relations Act and a method of interpreting agreements, but not from a legalistic point of view.

I think we will make more progress, and I think the management groups and the employee groups will get more equity out of that type of arbitration than they are at present. Obviously the cost is astronomical in terms of judges and magistrates, and many smaller unions are denied this area of arbitration because of the cost. Later on we are going to get into this one on the McRuer report on arbitration as well, because if it is



just denying workers the right to arbitrate because of cost, then if you implement the McRuer report in this area of arbitration the whole trade union movement is going to be in trouble. But we will talk about that a little later on because I do not really think it is applicable to the questions that are in front of us at the moment.

The question of a minimum wage as it is presently constituted in the province of Ontario is in my opinion a disgrace, an insult, and the result of irresponsible action by this government in maintaining that level. There are many provinces that have a greater minimum wage than this province has and some of them, as my colleague here points out, are much smaller provinces than the province of Ontario. Even the unemployment insurance level is now going to \$53 a week. This in itself would only be \$2,756 a year, if my mathematics are correct—a long way from providing a decent standard of living. The Minister, I recall—and I quoted these figures before, this is nothing new—pointed out himself that there are 23 per cent of the people in the province of Ontario earning \$3,000 or less and he did not really agree with that; that is the inference I took from his remarks. As a matter of fact, I am not too sure that he agreed that the other 47 per cent who earn less than \$6,000 a year was right either, to maintain a decent standard of living.

I want to point out that there are some 80,000 people in this province who are receiving the minimum wage, and this government is setting a stage for a poor people's march on this government. They are setting the stage when they maintain the present minimum wage here in the province of Ontario. I know that we have said \$2 an hour would probably produce a better living. I want to suggest to the Minister, through you, Mr. Chairman, that even \$2 an hour is not going to meet the requirements of these people.

The social planning council of Metro Toronto, if I analyzed it correctly, states here that to maintain a minimum standard of living a family with two children, or four in total, would need \$65 a week excluding lodging, so that if we just add \$25 or \$30 to that figure then we are up into approximately \$100 a week. I am suggesting that this would only give them a minimum standard of living, and yet we are asking people in this province to maintain some form of existence—because this is all it could be—on \$1 per hour. I do not think there is anyone in this House, whether he be on this side or that

side, who really agrees that that figure is correct and that there should not be a change.

One of my colleagues or friends over on the other side here—when the member for Sudbury was on his feet and was talking about the minimum wage and was asking that it be increased—said, "Well, all you are going to do is put these firms out of business." Let me say just a little about that. In the Minister's opening remarks, I think his few first words, he said something about full employment at the very beginning. The only way that we are going to create full employment in this province is to put a greater amount of purchasing power into the hands of the people of this province. As we create purchasing power for the people so they can buy the products they produce, then we create full employment.

Let me tell you something that is very, very interesting, particularly in the auto industry and the steel industry. You know when you go into negotiations with these people they really do not plead poverty. They say: "You know we just cannot pay that increase even if our profit level is high and we will not pay it. But we just happen to be able to take a little slice every once in a while off that golden goose." When they take a slice off it, do you know what happens when we go back three years later? Lo and behold, we witness the greatest economic phenomenon that ever happen in the history of mankind. The goose is fatter than it was before they took the slices off it.

This is what really happens, and yet everybody says, well you have got to watch it, you are going to put him out of business or something. Let them pay a decent wage and as they pay a decent wage they are going to create purchasing power and, thereby, full employment.

I think also, Mr. Chairman, that this province falls a little behind too in terms of statutory holidays. I have a little note here—a little press clipping—and it was a statement by N. E. Howard, director of the labour standards branch. I do not know Mr. Howard, but he said:

Legislation soon to be presented to the Ontario Legislature probably will bring complete review of the minimum wages, hours of work, overtime and statutory holidays.

Now that is the point I want to make. The question of statutory holidays; and this province is just a little behind in this regard. I notice that in British Columbia they have now



required that employers give their employees eight paid general holidays a year. I want to suggest that the province of Ontario take note.

You are not going to be creating any new leadership in this area, you are not going to be blazing any new trails; somebody has done it for you. I think that this government ought to take under consideration that when there is a statutory holiday an employee that gets paid by the hour is denied the paid statutory holiday. And I think we ought to take care of him. He is probably in a lower wage category anyway, and I think this government ought to legislate in that area for him.

We ought to find out how many are covered anyway. A great bulk of the employees are covered, not with eight statutory holidays but with 10 and 11 statutory holidays in their collective agreements. So as I said, this government will not be blazing any new trails in this area. British Columbia has already done it for them.

I want to conclude, Mr. Chairman, on what I consider a very important point and one very frankly, I must admit, on which I am not that knowledgeable. But I do think it has a sense of urgency. And this is protection for private pension plans. There has been a bill, I understand, in front of the Congress in the United States—placed there by Senator Hartke. What has bothered me in this area was that, in his presentation of that bill, he pointed out that only one out of every eight working today in the United States has a chance of receiving a cash benefit from a private pension plan. I think there are plants in Canada that we can take a look at to find out really what happens. Studebaker was one example that went out of business. Perfect Circle was another one that went out of business. I think there would be a great bulk of them. I do not know what happened to that plant up in Chatham that was manufacturing sugar—

**Mr. Sopha:** How about the one in Galt?

**Mr. Pilkey:** Was there one in Galt? There very well could be; I do not know. But what I want to say to the Minister is this, that the programme would protect the workers against loss of accrued pension rights due to the closing down of the plant in which they work.

Now there are thousands of workers, I am sure, in this province covered by private pension plans and there are millions of dollars in these funds. But, in the Studebaker situa-

tion I can only relate this to the United States. When that plant went out of business, the only people that received some cash benefits—even though the plan was funded—were those people in the area I think of about 60 years of age and maybe some in the 50's. The rest of them did not receive anything because there was no protection for those pension plans and, as I said at the outset, I am not that familiar with this proposal that is taking place in the United States. Therefore, Mr. Chairman, I would like to present it to the Minister so that some of his research people, some of his resources people at least, can take a look at this and see if it is applicable to Ontario and to what degree it is applicable to Ontario.

I have here the congressional record of the Senate and a statement by Mr. Hartke. I also have one by Mr. Howard Young, who is an actuary, I believe, with the united automobile workers' union. I would also like to present him with a statement or a paper presented to the fiscal and policy subcommittee of the joint economic committee of Congress last July by the president of the united automobile workers' union, Walter Reuther. I want to make these documents available because I think that there is a sense of urgency and a need to explore this area of protecting these private pension plans for those employees who have accrued some benefits if the plant closes down.

As I said, I do not know what the end result would be after the investigation, but I would urge upon the Minister and his department to make that kind of investigation, even though the documents I have are rather limited.

I conclude, Mr. Chairman, by saying that I think The Department of Labour, in my opinion, has greater influence and has a greater degree of bearing on the people of this province than probably any other department of government. Therefore they need to use their imagination and their energy and their resources to keep that department in time with the changes that are taking place in this province. I am sure that if they do that, if they exercise their full imagination and their full energy and their full resources, the people of this province will benefit by whatever they do. Thank you.

**Hon. Mr. Bales:** Mr. Chairman, the hon. member for Sudbury and the hon. member for Oshawa have both covered a number of items in reference to the department. They are items which will be dealt with during the

course of the estimates and I propose to deal with them at that time.

There has been one point raised by both speakers however, and that is in reference to changes in what we refer to as labour standards including the minimum wage and so on. I would say to them, and to the members of the House, that in the Speech from the Throne there was reference made to a change in the labour standards legislation in this province. That legislation has been completed—and it is going through the normal processes now—and after my estimates are complete, it will be brought into this House and will come forward in the normal way. It includes changes in a number of aspects of labour standards which have been touched on by the members today.

I would propose, Mr. Chairman, to proceed with the various votes, but since I see it is 6 o'clock, probably you would wish to do so tomorrow.

Hon. W. A. Stewart (Minister of Agriculture and Food) moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report progress and asks for leave to sit again.

Report agreed to.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, tomorrow we will resume these estimates.

Hon. Mr. Robarts moves the adjournment of the House.

Motion agreed to.

The House adjourned at 6 of the clock, p.m.









# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 16, 1968

Afternoon Session

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**Speaker: Honourable Fred McIntosh Cass, Q.C.**

**Clerk: Roderick Lewis, Q.C.**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 16, 1968

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today we again have visitors in our galleries: In the east gallery, from the Associated junior high school in Toronto; and in the west gallery, Streetsville secondary school, Streetsville, and Glen Rush public school, Toronto. Later this afternoon, we will be having students visit us from Waterloo collegiate institute in Waterloo, and from Ferguson public school and Central public school in Cochrane.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

**Hon. W. G. Davis** (Minister of Education and University Affairs) moves first reading of bill intitled, An Act to amend The Secondary Schools and Boards of Education Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Davis:** Mr. Speaker, I think this bill warrants some short explanation. In March 1967, the report of the Ontario Legislature select committee on youth was submitted. Contained in this report, was a section on education and I quote one of the statements:

That all children, regardless of their handicaps must be given equal opportunities to learn and enjoy an education consistent with their capacity and desire.

Among their recommendations following this comment, was number 57, which read as follows:

The select committee recommends the schools for retarded children be incorporated into local boards of education.

Mr. Speaker, it is my privilege today to present to the House the legislation that will carry out this particular recommendation.

With the reorganization of the school units to be effective on January 1, 1969, Mr. Speaker, it would seem to be an appropriate time to take the next major step in the development of programmes for trainable retarded children. Consistent with the philosophy that the divisional boards will become responsible for all educational programmes, both elementary and secondary, it is the intent of this legislation to make the operation of programmes for trainable retarded children the responsibility of the new divisional boards.

It is not many years, Mr. Speaker, since the group of children referred to as "trainable retarded" was shunned by educators generally, who held the view that children of this intellectual level cannot profit from a school programme. But through the efforts of dedicated parents who refused to accept the denial of education for their children, the first class for trainable retarded youngsters was started in Kirkland Lake some 21 years ago in 1947.

Parents throughout the province formed local associations for retarded children and in 1953, the Ontario association for retarded children was formed, which later became known as the Ontario association for the mentally retarded. I think it must be said, Mr. Speaker, that the work of the associations has changed public attitude towards retarded children and brought about one of the most dramatic developments in our educational philosophy over the past 20 years.

With increasing assistance from the government through grants and consultative help, school programmes were established and developed to the point where, at the 27th Legislature in 1964, Bill 131 was introduced amending The Schools Administration Act and creating retarded children's education authorities to assume the responsibility for the operation of the schools. Eight per cent of the cost of the operation was provided by government grants and the balance by the municipalities in which the schools are located. The provision of the school buildings remained the responsibility of the local

associations with a 50 per cent capital assistance grant from the government.

I think it is fair to state, Mr. Speaker, that the retarded children's education authorities have functioned efficiently during this transitional period and their members deserve a great deal of credit. The legislation being introduced today will receive the association of any financial responsibility for the school programmes, and will spread the cost of programmes for trainable retarded children across the entire tax base which is being provided for the new larger units of school administration.

The Ontario association for the mentally retarded, and its local affiliated associations cannot be commended too highly for their efforts in their establishment of schools. It would be most unfortunate, in my view, to lose the interest and guidance of the association. Therefore, the legislation provides for the establishment by the divisional boards of an advisory committee on schools for trainable retarded children.

The committee shall consist of six members, of which three members shall be appointed by the divisional boards from among its members and three members shall be appointed by the local association, or associations. As of January 1, the retarded children's education authorities will be dissolved and the divisional boards will assume the responsibility for the programmes. The number of divisional boards in southern Ontario will be 48 as compared with the present number of retarded children's educational authorities which is 78.

Funds for the operation of programmes for trainable retarded children, both current and capital, will be raised in the same manner as for secondary schools. Therefore, the schools will be supported by both public and separate school taxpayers. The representatives of the separate school supporters on the divisional boards for secondary school purposes will also be representatives for the purpose of the programmes for trainable retarded children.

In the preparation of this legislation, Mr. Speaker, I have consulted with the Ontario association for the mentally retarded and the federation of retarded children's education authorities of Ontario, and officials of various school boards. I should like to express at this time my sincere appreciation to these organizations for their suggestions and the overall contribution which they have made in the development of this legislation. I think, Mr. Speaker, that the hon. members are aware of

my continuing interest in children with special problems. It is my sincere belief that the inclusion of the schools for retarded children as part of the responsibility of the new larger units will be of direct benefit to the children involved. The resources of the divisional boards in terms of psychological services, special education consultants, and consultants in other fields, will be available to the schools for the trainable retarded children.

I think it is fair to state that more teachers will be attracted to this field of education. The programmes for retarded children will become an integral part of the special education services provided by each divisional board. I believe very sincerely, Mr. Speaker, that this legislation will facilitate the development of the potential of all trainable retarded children in order that they may participate in a satisfying sense in our present society.

#### THE HOSPITAL SERVICES COMMISSION ACT

**Hon. M. B. Dymond** (Minister of Health) moves first reading of bill intituled; *An Act to amend The Hospitals Services Commission Act.*

Motion agreed to; first reading of the bill.

**Hon. Mr. Dymond:** Mr. Speaker, this bill embodies two amendments. The first is to make it clear that the commission, under its subrogated rights, has the right to collect from the negligent person who caused the injury, the costs of all past and future hospital expenses resulting from the injury. The commission has a duty to recover these costs under The Hospital Insurance and Diagnostic Services Act.

The other amendment, sir, is this. Because the capital cost of schools referred to is paid entirely from government funds, it is desirable to provide that no property occupied by such school shall be mortgaged or otherwise disposed of without the approval of the commission. It is similar to provisions already existent under The Public Hospitals Act.

#### THE PHARMACY ACT

**Hon. Mr. Dymond** moves first reading of bill intituled, *An Act to amend The Pharmacy Act.*

Motion agreed to; first reading of the bill.

**Hon. Mr. Dymond:** This amendment, Mr. Speaker, divides the existing schedule B

drugs into three different subsections and provides for precautionary labelling and special attention to be drawn to keeping these drugs from the reach of children.

### THE MEDICAL ACT

**Hon. Mr. Dymond** moves first reading of bill intituled, An Act to amend The Medical Act.

Motion agreed to; first reading of the bill.

**Hon. Mr. Dymond:** Mr. Speaker, at the present time the Act provides that the person aggrieved by a decision of the disciplinary committee may appeal either to the council of the college, or to a supreme court judge with a further right of appeal to the court of appeal. The amendment provides for an appeal to a supreme court judge only. The right of appeal to the court of appeal is retained. The next amendment provides a new section confirming that medical students are entitled to perform certain medical services under the supervision of a registered medical practitioner. This provision is not presently existent in the act.

### THE TIME ACT

**Mr. J. Jessiman** (Fort William) moves first reading of bill intituled, An Act to amend The Time Act.

Motion agreed to; first reading of the bill.

**Mr. Jessiman:** The Time Amendment Act, 1968 provides daylight saving time throughout Ontario, and authorizes the councils of local municipalities to provide for the observance of standard time, instead of daylight saving time.

**Mr. Speaker:** The Minister of Social and Family Services has a statement.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Speaker, at this time I should like to inform the House that we have named the remaining four members of the five-member advisory committee on adoption and foster care. It will be recalled that some months ago I announced the formation of this committee, with Mr. Stanley G. Mullins of Laurentian University, Sudbury, as chairman. The four other members will be Miss Helen Allen, a newspaper woman of Toronto, Mr. Conrad Lussier of Cornwall, Professor Harry Morrow, director of the school of social work at the University of Windsor, and Mr. John B. Regan of Toronto.

The committee, you will recall, Mr. Speaker, has the task of carrying out a study in review of the policies and practices of the children's aid society in respect to the adoption of children, and on all matters relating to adoption, particularly to the circumstances that impede or promote the placement of children for adoption. They will also study and review the practices and policies of the societies, and relevant organizations, with regard to the placing of children resident in Ontario for adoption in other provinces and countries.

The committee will review the maintenance of children in foster care homes and the relation between foster care and subsequent adoption.

I am confident that we have chosen an appropriate and knowledgeable group of people to report and recommend upon these matters, so vital to child welfare services and of so much interest to this House and to the public. I described earlier the qualifications of the chairman, Mr. Stanley G. Mullins. Suffice it now to remind you that he holds the high office of president of Laurentian University; is a scholar and administrator and with first hand experience as a father of three children.

Miss Helen Allen is a feature writer for the Toronto *Telegram* and everyone who reads her feature as it appears in the press will be familiar with the title, "Today's Child." This free adoption advertising, appearing day by day, has been effective in finding permanent homes for hundreds of children over the past four years. Miss Allen has become thoroughly acquainted with the field of child welfare in Ontario in all its aspects and the articles she has written are evidence of her deep sympathy and understanding.

Mr. Conrad Lussier, age 50, has been an executive in the textile industry for many years and is now manager of Palleon Electronics in Cornwall. He is a member of the Cornwall board of trade and the local chapter of the Knights of Columbus. Mr. Lussier is interested in child development and education and has served for the last five and a half years on the Roman Catholic separate school board of Cornwall of which he is vice-chairman. As a family man and a citizen, he represents the point of view of the general public and adds balance to the committee.

The third appointee, Professor Harry M. Morrow, has an outstanding record as a



social worker, administrator of social work agencies and educator in social work. Professor Morrow began his career as a Minister of the United Church in British Columbia. After wartime service as a chaplain in the Canadian army, he studied at the University of British Columbia and obtained his Master of Social Work degree in 1948.

He directed the work of social service agencies in Vancouver until 1955 when he came to Toronto. For 11 years he was executive director of university settlement and a field instructor for the Toronto school of social work. Since November 1966, he has been director of the new school of social work at the University of Windsor. It is needless to say that he is highly qualified in his field and for the work of the committee.

Mr. John B. Regan of Don Mills, Metropolitan Toronto, is a man who has devoted much time and energy to community service. He is at present vice-president of the association of Catholic men of St. Bonaventure parish, vice-chairman of the board of governors of the Scarborough general hospital and a director of the Scarborough regional school of nursing. In private life, he is married, has four children and is the founder and president of the John B. Regan Company Limited, engaged in the construction industry.

As a consultant and specialist advisor to the committee, we have appointed Miss Laurie Charleson, who has given excellent service for many years in the child welfare branch of the department as our expert on child adoptions.

We have chosen for this committee an adoption and child care, a group of people representative of the province geographically, as a cross section of the population and with special interests and knowledge in community and child welfare. Each has something to contribute and I look forward with confident expectation to receiving their advice and recommendations.

**Mr. E. W. Sopha (Sudbury):** What does the committee do?

**Hon. Mr. Yaremko:** I outlined this earlier at the time of the original order-in-council and I repeated it in my statement which you will now be able to read in *Hansard* to know what they do.

**Mr. Sopha:** I could not understand it. I am still wondering what it does.

**Mr. Speaker:** The member for Scarborough Centre has a question.

**Mrs. M. Renwick (Scarborough Centre):** I would just like to ask the Minister, Mr. Speaker, if he does not feel that a person from the field of psychology is very important in this particular council, due to the psychological impact of every move that is made on a child that does not have parents? As the department is like the natural parent of the child, the psychological impact of every move the department makes, to me, is so very important that a person from this field would have been useful in the new guidelines which we hope will develop.

**Hon. Mr. Yaremko:** Mr. Speaker, we could have chosen from many important fields of endeavour which had a bearing in some form upon the work of this committee. However, the committee is a broad representation and it will have experts at its disposal. The committee can turn to psychologists and all other people—specialists in the various fields—for consultation and advice prior to their passing on to me their advice and recommendations.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Speaker, if I may ask the Minister: Can he tell us what date this committee is going to commence operation—its first meeting?

**Hon. Mr. Yaremko:** Mr. Speaker, it is my hope that the committee will now begin to work immediately. My understanding with the chairman, with whom I met just briefly, was that now that the formal appointments have been made, he will meet with the members of the committee individually, and as a group, and get the machinery into motion in the very near future.

**Mr. Speaker:** The Minister of Energy and Resources Management has the answer to a question placed the other day.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, I have the answer to question 511 asked by the hon. member for York South (Mr. MacDonald). His question was:

1. Is Ontario Hydro planning to erect a power line that will cross lands belonging to the Six Nations Iroquois confederacy?

2. Has Hydro discussed with the confederacy their strong feelings that it is an unwarranted encroachment on their lands?

3. If so, what are the results of these negotiations?

The answer: 1. Ontario Hydro is exploring the possibility of erecting a power line on

lands belonging to the Six Nations Iroquois confederacy.

2. Yes, this matter has been discussed. 3. Ontario Hydro intends to continue negotiations in hopes that a mutually satisfactory agreement can be reached.

I also have an answer to question 513, asked by the hon. member for Cochrane South (Mr. Ferrier).

The first part of his question was: Is the Ontario water resources commission making a survey of northern Ontario water resources? The answer is, yes.

The second part of his question: If so, when will the survey be complete? Our objective for completion is approximately 1973, providing sufficient funds and staff are available. Plans for the survey were initiated in October, 1965. The first field work was carried out in the Attawapiskat River basin in 1966. Last year, the upper part of the Albany River basin was surveyed and the lower Albany will be completed this summer. The Moose, Winisk and Severn River basins have yet to be studied in detail. It is expected that these will require at least four summer field seasons.

The third part of his question: Will the results of such a survey be made public so that the information is available to prospective industries which require large amounts of water who have to locate in northern Ontario? The answer is, yes. Progress reports containing hydrologic and other data assembled during the survey will be made available periodically. But the complete report containing an interpretation of the data and assessment of the water resources of the area will not be available until the survey of all of the major river basins has been completed.

**Mr. J. E. Bullbrook** (Sarnia): I have a question to direct to the hon. Minister of Municipal Affairs, Mr. Speaker. Could the Minister advise if it is the intention of his department, or the government of the province of Ontario, to protect the rights of persons relative to contracts for the sale and purchase of real property in the province of Ontario, frustrated by the recent amendment to The Planning Act requiring consent to the severance of land over ten acres?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, in reply to the hon. member's question, I would say that if, in fact, there were a *bona fide* agreement of purchase and sale entered into before the amendment took effect, then I feel that there should not be any frustration and, insofar

as applications for severance directed to me are concerned, I will ensure that these are expedited.

**Mr. Bullbrook:** Mr. Speaker, if the hon. Minister would accept a supplementary question, perhaps of an exemplary nature.

I take it from the Minister's answer that what he is saying is if there was in effect a valid contract of purchase and sale in being prior to May 3, he does not anticipate any difficulty. If I might be permitted to give the Minister an example, if there was in being a contract prior to May 3, 1968, to close on May 15, when the people attempt to close on May 15 because of the amendment to the legislation, they are not able to do so. I give an example that in one township—

**Hon. Mr. McKeough:** I understand the question quite well and what they will have to do, of course, is send that severance to me for my approval, and what I said is that we will deal with it expeditiously. Some of those will have to go to committees of adjustment. Then, in a memorandum dated May 8, we informed the committees of adjustment that this is what we proposed to do and suggested they do the same thing.

**Mr. Bullbrook:** First of all, the statute does not give the Minister power if there is a committee of adjustment.

**Hon. Mr. McKeough:** That is just exactly what I said. Some of them will have to go to committee of adjustment and, by memorandum dated May 8, we suggested that this is how they should do it.

**Mr. Bullbrook:** This is a matter of extreme significance, Mr. Speaker, to the legal profession in the province of Ontario right now, and if I might be permitted I would like to continue.

**Mr. Speaker:** If the member will continue with questions, and not statements, he has every right to do so.

**Mr. Bullbrook:** It is very difficult, sir, to exemplify the problems of the legal profession without giving an example. What I am saying in effect is—getting back to where I was before the interruption and I accept your need for explanation—that if we are to close on May 15, in my hypothetical situation, and we cannot close, then if one of the parties to this contract is unwilling to continue with performance of the contract, I am concerned with two things, Mr. Speaker:

1. The position of either the vendor or the purchaser in a possible action for specific performance, because the contract is frustrative, not capable of being performed on the date specified in the contract. I am concerned with that.

2. More importantly, I am concerned with the fact that under the statute, the very contract itself might be void *ab initio*—not just the deed itself. As a result, this is not a matter where you can say: "Come to me and we will give consent." If one of these parties does not want to come to you and get consent, Mr. Speaker, the position that I am concerned about is: Is the province prepared to protect the rights of these parties to the contract?

**Hon. Mr. McKeough:** Unlike my predecessor, Mr. Speaker, I do not have a QC. I appreciate the great confidence which the member for Sarnia puts in me in asking what is obviously a very involved legal question which would be better directed to my colleague, the Attorney General (Mr. Wishart), or to the law officers of the Crown and not to me.

**Mr. Bullbrook:** I understood. If you will just permit me, sir, the ruling of Mr. Speaker has been that we should direct these questions to an appropriate Minister as we considered it appropriate, but that we could expect an answer from any of the Ministers. I thought as a matter of course that you might desire to answer this question tomorrow and that you might direct it to the hon. Attorney General. I would ask you, sir, very deferentially, if you would seek further advice from your law officers in connection with this to assist lawyers in the province of Ontario to guide their clients.

**Mr. Speaker:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, I have a question of the Minister of Education.

Will the Minister introduce legislation during this session of the Legislature amending section 37 of The Teachers' Superannuation Act so that the survivor of a husband-wife teacher team may receive that portion of the superannuation allowance normally made available to the surviving spouse; and if not, why not?

**Hon. Mr. Davis:** Mr. Speaker, the answer to the first question is no. The teacher's superannuation commission on which the teachers of the province are represented, has

not recommended any change in the present Act in this regard. At the present time the widow is given the choice of continuing her own pension or taking the dependent's allowance. In the event that she elects to receive her own pension, her husband's estate would be entitled to a refund of any unexpended balance of contributions plus interest in his pension account. If the widow elects to receive the dependent's allowance, she would receive a refund of any unused portion of her own contributions. This is considered, Mr. Speaker, to be reasonable provision in a pooled pension fund where an individual does not purchase a specific guaranteed pension, but where contributors pool their resources to provide maximum security and benefits on an equitable basis for all those who are contributing.

**Mr. Martel:** Would the Minister accept a supplementary question?

Is it not possible in Ontario—in a case where both people are working for the government, but only one as a teacher—that should one die, the teacher could still claim her own pension plus her husband's. Is this not discriminatory, since under the teaching Act it is impossible for the dependent to receive both pensions?

**Hon. Mr. Davis:** Mr. Speaker, I think if the hon. member wishes to find out something about the pension plan for the province of Ontario—and I must confess that I am not as knowledgeable as perhaps I should be—he should direct this question elsewhere. As I say, the representatives from the teachers' federation on the teachers' superannuation commission have not requested this change and so I do not consider that they regard it as being discriminatory.

**Mr. Speaker:** The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Speaker, I have a question for the Minister of Agriculture and Food, notice of which has been given.

Is the Minister aware that two American companies, the American Hog Company, and the Farmers' Hybrid Hogs, plan on coming into Ontario to set up a hog-integration programme similar to Clean-Lean in the United States? If not, will the Minister investigate the situation?

**Hon. W. A. Stewart (Minister of Agriculture and Food):** First of all, Mr. Speaker, no, I do not know of any such plans. We have



heard rumours that rather large commercial interests have their sights set on our Ontario hog industry. As a matter of fact, this is one of the kinds of integration and involvement of commercial firms that I mentioned in my remarks when I introduced the estimates of this department a few days ago.

While we have, as I said, Mr. Speaker, no information on the two particular companies mentioned by the hon. member, development of a better hybrid hog, with emphasis on lean meat, is not unique to the United States. As a matter of fact, there are good breeding programmes in Ontario at this very time. In my opinion, they are even better than those programmes in the United States. One of these is the McLeods' farms programme at Aurora, which is a very commendable programme now in full production. There are a number of smaller programmes of this kind being carried out by some of our better breeders in Ontario. As a matter of fact, I belong to one such organization myself, Quality Swine of Western Ontario, which is carrying on a similar programme owned and operated by farmers in several counties in southwestern Ontario.

In Canada, we are about to see the introduction of a proposed new and revised hog grading system that will put much greater emphasis on lean meat, and provide greater financial incentive to the producer of lean meat hogs. Naturally, there is a good deal at stake in being the key supplier of this breeding stock or the seed stock in such a programme. There is likely to be a very great demand for such breeding stock when this grading programme becomes effective.

It may well be that our own producers will have to invest themselves in these breeding programmes and the seed stock if they want to have any influence over the improved hog quality needed to meet the new grade standards. However, I might point out, Mr. Speaker, that regulations under the Ontario hog marketing plan do stipulate that all hogs marketed in this province must be offered through the board. This is the single selling agency of the hog producers marketing board, and this regulation in itself has been, in my opinion, the deterrent to corporate involvement in hog integration in the province up to now.

We are watching these developments, and we are making every effort to encourage the Ontario breeders, to develop these lean meat type of hogs, and exploit these programmes which will only be of major significance and importance when and if the revised and new

hog grading system regulations come into effect.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, a question which should have gone to the hon. Minister of Financial and Commercial Affairs (Mr. Rowntree), or to the Provincial Treasurer; it was made out to the Prime Minister (Mr. Robarts). Will the Provincial Treasurer accept the question?

**Hon. C. S. MacNaughton (Provincial Treasurer):** Mr. Speaker, I think that it should be redirected to the Prime Minister.

**Mr. Sargent:** It is concerning the fiscal and financial policy; the Provincial Treasurer should know that one. In view of the current fiscal policy—

**Mr. Speaker:** Order! The Prime Minister is not in the House at this time.

**Mr. Sargent:** Well, may I put it on the record?

**Mr. Speaker:** The question will be withheld until he comes today, or it will be placed tomorrow.

**Mr. Sargent:** I have a question for the Minister of Transport.

A press release in the Vancouver *Sun* states that a lawsuit is under way in Connecticut in which a U.S. motorist is attempting to stop the sale of his name and car registration by the state to a mailing list company to be used by advertisers. Ontario is receiving only \$35,000 per year from R. L. Polk Limited, who have the monopoly, and yet they are paying the province of Alberta a yearly fee of \$40,000, which is a ratio of seven to one. You should be getting—

**Mr. Speaker:** Order! The member will confine himself to the question.

**Mr. Sargent:** Will the Minister advise why this is allowed to continue and will he guarantee the House a full report?

**Hon. I. Haskett (Minister of Transport):** Mr. Speaker, it is probably several days now since I last read the Vancouver *Sun*, and I do not recall having seen the specific article to which the hon. member for Grey-Bruce refers. I would point out that there is an error either in the article or in his question with respect to the amount received by the province of Alberta last year from R. L. Polk. It was not \$40,000, it was between \$7,000 and \$8,000.

**Mr. Sargent:** It is all there in the press report. Is it wrong?

**Hon. Mr. Haskett:** I am just correcting it—the amount was between \$7,000 and \$8,000. On March 21 last, in reply to a question on this matter from the same hon. member, I said that as soon as our vehicle registration system became automated, we would give this matter thorough consideration.

**Mr. Sargent:** Will you accept a supplementary on this?

**Hon. Mr. Haskett:** I will—if there can be a further question.

**An hon. member:** Sure he will; he is a good man, he is a good fellow.

Interjections by hon. members.

**Mr. Sargent:** When we are told that R. L. Polk Company makes about \$500,000 a year from this service, how does the Minister justify giving them an exclusive list for \$35,000?

**Hon. Mr. Haskett:** Mr. Speaker, this was explained in my reply to the hon. member on March 21 last, when I said that there was only one additional copy of the list available now. But as soon as we become fully automated in our vehicle registration system and other copies were available, they would be made available to the public.

**Mr. Speaker:** The member had a further question.

**Mr. Sargent:** A question to the hon. Attorney General:

In view of the fact that the New York Legislature yesterday authorized wiretapping and other eavesdropping, will the Minister advise what steps he plans to take to review the whole matter in this regard in Ontario?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, this is really a matter of federal jurisdiction in the matter of criminal evidence. I would say that we have made representations for a period of time to the previous Minister of Justice of Ottawa about amendments to the code. Our position as put forward for Ontario was that the evidence obtained by certain electronic devices should be admitted in criminal prosecutions. But we felt that such evidence should be obtained on application to a court and on the submission granted by a judge. I think that I would still put forward this position.

**Mr. McRuer** has made some comment on this very subject in his report on civil rights. He indicates his opinion, which I think is a very eminent opinion, that the law enforcement agencies should be permitted to use these devices, and to offer the evidence obtained by them in criminal prosecutions. We are continuing our discussions with the federal people on the matter of criminal evidence.

**Mr. Sargent:** Thank you, Mr. Speaker. Would you accept a supplementary on this? Your current practice is to use this evidence on certain cases?

**Hon. Mr. Wishart:** Is that the question?

**Mr. Sargent:** Yes.

**Hon. Mr. Wishart:** Evidence obtained by certain telephone wiretapping has been used and permitted on occasion by the courts, but there is no law or rule of evidence. It is a matter for the court to decide if it is admissible and what weight should be given to it. We have no law on the subject, it is simply a matter of the court's discretion.

**Mr. Sargent:** It is acceptable?

**Hon. Mr. Wishart:** Right.

**Mr. Speaker:** The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I have a question for the Minister of Transport. Has the Minister received a report which recommends that the speed limit on 401 be increased to 70 miles-an-hour, and if so, will the Minister be implementing such a recommendation?

**Hon. Mr. Haskett:** Mr. Speaker, it has been recommended that the maximum speed on limited access highways be increased to 70 miles-an-hour. We have also been in receipt of protests against any such increase, including a brief from the trucking interests that insofar as trucks are concerned it should not go beyond the present maximum. Others represented that it should be raised to 70 miles-an-hour for passenger vehicles, but retained for trucks. These alternatives are currently receiving very serious consideration.

**Mr. T. Reid:** Mr. Speaker, could I ask the Minister a supplementary question? I was wondering which provinces in Canada, if any, do have a 70 mile-an-hour limit on at least one of their limited access freeways, such as the 401.



**Hon. Mr. Haskett:** Mr. Speaker, I am not sure that I could give the member the accurate information, but I will see that he gets it.

**Mr. Speaker:** The member for Sudbury.

**Mr. Sopha:** Mr. Speaker, I have a question for the hon. Minister of Mines. In respect of the lands now being mined by Texas Gulf Sulphur in the Timmins area, is there a reservation attached to these lands by law that the minerals and ores mined from them shall be smelted and refined in Canada?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, the answer is, no.

**Mr. Sopha:** Why?

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a question for the Attorney General. Why did Crown Attorney McWilliams withdraw charges laid against the Holiday Inn in Oakville under The Liquor Control Act?

**Hon. Mr. Wishart:** Mr. Speaker, my inquiries indicate that the charges were laid against Dalhousie Motor Hotel Company and that that company was not in existence when the charges were made; therefore, the charges were withdrawn.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** Does the Minister agree with the statement of the Provincial Secretary (Mr. Welch) in the House yesterday that Dalhousie Motor Hotel, by amalgamating with another company, did not go out of existence?

**Hon. Mr. Wishart:** I could not answer that, Mr. Speaker, on such notice. I was not in the House when the statement was made. All I do know is that when the charges were laid against Dalhousie Motor Hotel, it was found the company was not in existence, therefore the charges were withdrawn.

**Mr. Shulman:** Mr. Speaker, I have a bit of a problem because two Ministers have given different answers. Would the Minister consult with the Provincial Secretary?

**Mr. Sargent:** Is it because he is a Tory candidate?

**Hon. Mr. Wishart:** Is that another question? Mr. Speaker, I consult with my colleagues at all times. I read *Hansard* some days ago on this matter. I can get further information but I have answered the question which I had to answer today. If there are further questions, I would be glad to get further answers.

**Mr. Shulman:** Thank you, Mr. Speaker. I have another question for the Attorney General.

In the case of the Queen vs. Gary Williams and Harold Wayne Allen held in court 39 yesterday, why was the bail for the youth of 18 set at \$2,000, while that of the older man with a criminal record was set at only \$200? Will the Minister intervene to see that the youth of 18, Harold Wayne Allen, is released on a lower bail? Will the Attorney General advise magistrates that they should set equal bail for similar offences in the future unless special circumstances intervene?

**Hon. Mr. Wishart:** Mr. Speaker, first of all I would like to deal with the second question. I certainly will not intervene to see that Harold Wayne Allen is released on lower bail. I think no one should intervene in the courts. There is procedure in the code for reduction of bail, or alteration of bail, if it is considered to be set too large or too heavy an amount.

The third question, "Will the Attorney General advise magistrates to set equal bail for similar offences?" No, certainly not. Similar offences are not the only features that enter into the question of bail. The age of the accused, the opportunity to commit further crime, the circumstances surrounding what might be considered the same offence, the stability of the accused in the community—all these things are, I take it, present before the mind of the magistrate when he sets bail. There is the possibility of failure to return to court.

Certainly it would not be for the Attorney General, or for any Minister, or for any individual to intervene in a court action and attempt to instruct the magistrate that he should set equal bail for similar offences. This is not a principle that is followed at all.

Now, as to the first question, "Why was a different bail set?" I am informed that the bail was set for each of these accused persons in the sum of \$2,000. The offence—

**Mr. Shulman:** That is not correct, Mr. Speaker.



**Hon. Mr. Wishart:** Just a moment, I shall enlarge upon it. The offence with which they were both charged was robbery, possession of stolen goods and possession of burglary tools, I would say, first, that \$2,000 bail for such an offence is not an unreasonable demand of bail.

**Mr. V. M. Singer (Downsview):** Oh, come on!

**Hon. Mr. Wishart:** It is not unreasonable.

**Mr. Singer:** Do they set the bail by the seriousness of the offence?

Interjections by hon. members.

**Hon. Mr. Wishart:** What about the very serious offences, do you let them out at all?

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Wishart:** As I say, there is present before the mind of a magistrate, the question of whether further crimes will be committed. That is another matter that has to be taken into account, if the person is released, particularly.

**Mr. Singer:** Surely the main purpose of bail is to ensure the accused's attendance at trial.

**Mr. Speaker:** Order! Perhaps the members will allow the Minister to reply to the question placed by the member.

**Hon. Mr. Wishart:** I am quite prepared to accept, Mr. Speaker, some differences of opinion but I would appreciate the fact that I be not interrupted until I have at least stated my own in answer to the question. The magistrate takes into account, as I say, various things in fixing bail and I would not be able to explain why he would set bail at one level or another—there are various factors that come into play. In this case, I say the offence was a serious one, the bail was originally set at \$2,000 for each, then one of these accused, who spent some time in jail, applied to be released and his bail was reduced.

**Mr. Singer:** Did he hit a different magistrate?

**Mr. Shulman:** Same magistrate.

**Hon. Mr. Wishart:** The same magistrate, but the one, Allen, whose name is used in this question, never spent time in jail. He raised the \$2,000. But I have taken some time to explain, Mr. Speaker, the circumstances

which relate to the imposition of bail and the fixing of the amounts and certainly I stress the fact that no one should intervene in a matter of this kind and tell a magistrate what to do. This matter is now before the courts.

**Mr. Shulman:** Will the Attorney General accept a supplementary question?

**Hon. Mr. Wishart:** Yes, I will.

**Mr. Shulman:** Mr. Speaker, would the Attorney General please enquire into the circumstances of this case because I have visited this boy in jail. I can assure him that at the preliminary hearing which was yesterday, these bails were set by the same magistrate at \$2,000 for the first offender and \$200 for the man with the repeated convictions.

**Hon. Mr. Wishart:** Mr. Speaker, the hon. member is not informing me of any facts of which I am not aware, except that he visited the boy in jail. I have a letter from this young man's lawyer, Mr. Kevin Jones; I have it before me. It was written yesterday and received by me today, in which he sets out the facts. But I see no reason for me to intervene and I certainly do not intend to.

**Mr. Sopha:** What does the lawyer want? Why did he write the Attorney General?

**Hon. Mr. Wishart:** He thinks the magistrate should have set equal bail for both offenders.

**Mr. Speaker:** The member has a further question?

**Mr. Shulman:** I have a question of the hon. Minister of Health, Mr. Speaker. Are any persons other than the criminally insane held in the Penetanguishene Ontario Hospital and if so, what types of persons are still confined?

**Hon. Mr. Dymond:** Mr. Speaker, this hospital is divided into two units, the specialized separated unit for forensic psychiatry, and there is also separated, the regional hospital for the mentally ill for that area, in which are treated all those who suffer from long, moderate or short-term psychiatric disabilities.

**Mr. Shulman:** Mr. Speaker, I did not quite hear, the first section was?

**Hon. Mr. Dymond:** The specialized section for the practice of forensic psychiatry.

**Mr. Shulman:** Will the Minister accept a supplementary question?

**Hon. Mr. Dymond:** Yes.

**Mr. Shulman:** Are these people who have been sentenced to prison, or are these people who are there on a medical certificate?

**Hon. Mr. Dymond:** They usually come to us through the courts, sir.

**Mr. Speaker:** The Minister of Reform Institutions has the answer to a question placed the other day.

**Hon. A. Grossman** (Minister of Reform Institutions): Mr. Speaker, yesterday I took as notice two questions from the hon. member for High Park, one in three parts and one in two parts.

Question No. 515, part 1, reads: How many prisoners have been transferred from Guelph reformatory to county jails this year?

The answer is that apart from routine transfers to jails enroute to other institutions, and appearances in court to face further charges or on appeals, transfers to jails from Guelph reformatory have been 33, which were made last week.

Part 2 of that question reads: Is the transfer to a county jail considered to be a form of punishment? Mr. Speaker, undoubtedly the inmate himself thinks it is a form of punishment to be deprived of the freedom of movement, the company of his friends and the facilities in the reformatory programme. However, our purpose is essentially to use county jail facilities to segregate unruly inmates who are disrupting the programme to the detriment of the other inmates.

Part 3 reads: What is the calorie count of the special restricted diet given to prisoners in isolation detention cells? The answer is, the calorie count of the special diet, which consists of two pounds of meatloaf, is 1,949 calories. This is the amount served each day, divided into three meals and served with tea, milk and sugar. The formula for the meatloaf was devised by Dr. McHenry, former head of the nutrition department, school of hygiene, University of Toronto.

The diets given to inmates in detention contains all the essential nutrients to maintain good health. The formula for the diet is based on the recommended intake for a 158-pound man doing no work, as recommended by the Canadian council on nutrition.

Question number 517, Mr. Speaker, reads: Was a Mr. Ronald T. discharged from the Ontario reformatory Guelph, hospital on

April 26 against his will, and was he shortly thereafter readmitted to the hospital with an injured back? Part 2: If the answer to the above question is yes, how did the inmate suffer the injuries?

I am advised as follows, Mr. Speaker: This man injured his back on February 27, 1968, while in his cell. He told one officer that he suffered the injury while trying to kick the top of the door. He lost his balance and fell backwards on the toilet. He told the investigating officer that he injured his back while doing, as he called it, head stands in his cell. He was admitted to the institution hospital on February 27, the day of the injury. His back was X-rayed. The radiologist, a medical specialist, examined the X-ray and the case was reviewed by a Toronto orthopaedic surgeon. He was discharged by the physician in charge on March 18. He was readmitted to the institution hospital on April 23, for further examination. On April 26, he became obstreperous in the hospital. I am advised that he was not discharged against his will, but that he demanded to be discharged. The doctor discharged him and he was placed on charge before the superintendent for his insolence to the doctor and his disruptive behaviour. That same day, while going up the flight of steps, he slipped and fell. He complained of his back and was readmitted to the hospital at that time, that is, April 26. He was discharged from hospital on May 6, 1968.

**Mr. Speaker:** The Minister of Highways has a reply to a question.

**Hon. G. E. Gomme** (Minister of Highways): Mr. Speaker, in answer to question No. 503, placed by the hon. leader of the Opposition, The Department of Highways does not have any plans in respect to building a bridge over the Grand River at Six Nations reserve. Feasibility studies undertaken do not supply justification for the construction of this substantial structure.

In regard to the resuming of the discontinued ferry service to provide a river crossing at this point, I would state that, should the band decide to institute a service, they would be eligible for normal subsidy, since The Department of Highways subsidizes Indian bands on the same basis as townships. The department would be quite willing to enter into discussions with the band and, I would suggest, the federal department of Indian affairs, in respect to the implementation of the ferry service, should the band so request. We feel that it is entirely possible

that the band might be able to obtain aid beyond provincial subsidy through the department of Indian affairs.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, may I ask the Minister if the normal provincial subsidy would be a 50 per cent subsidy?

**Hon. Mr. Gomme:** I believe that is right, Mr. Speaker. I understood that the subsidy was referring to the ferry service, Mr. Speaker.

**Mr. Speaker:** I have a question from the member for Kitchener. The Minister is not present so your question would be withheld.

**Mr. J. R. Breithaupt** (Kitchener): Yes. I just had one comment, Mr. Speaker.

I had abbreviated ODC and the question came out Ontario Department of Commerce. Of course, it should have been the Ontario development corporation—

**Mr. Speaker:** Perhaps you could have that arranged in my office.

The member for Wentworth (Mr. Deans) wishes to have the floor?

Order please. The Speaker now has the floor.

On Monday, May 13, the member for Scarborough West (Mr. Lewis) asked me to rule with respect to the privileges as members of the House of the member for Beaches-Woodbine (Mr. Brown) and himself, and specifically to rule as to whether or not the resolution standing in the name of the leader of the Opposition is in order, in whole or in part.

The member also furnished me with a memorandum of certain material in support of his request. My conclusions in this matter are as follows:

1. The member for York West is quite correct in his submission that a ruling may not be requested or made under rule 21 until a vote has actually been cast by the member in question, at which time the matter is raised, not at a point of order, but by a motion to set the member's vote aside on the grounds that he has a direct pecuniary interest. In other words, one cannot anticipate the member's action and rise to a point of order before the event. In this connection I should perhaps point out that such a motion can only be made where there has been an actual division on which the member has voted. It does not apply where a motion has been declared carried in the absence of any dissenting voice.

2. Similarly, I have no right to rule on the application of rule 21 to votes cast by the two

members until such votes have actually been cast.

3. I now come to the question of the notice of motion standing in the name of the leader of the Opposition. As I have previously stated, I am in agreement with the submissions of the member for Scarborough West, so far as they apply to a vote cast and the effect of rule 21 thereon. However, I am of the opinion that none of the member's allegations, nor the precedents cited by him have any application to the notice of motion, which does not specifically refer to the right of the members to vote, but, as a substantive resolution, asks that the House, through one of its standing committees, decide whether or not a conflict of interest does in fact exist, with respect to the two members referred to, or other members who may do business directly or indirectly with the government. I cannot find that the proposal contained in this notice of motion conflicts with any rule of the House, particularly in view of the wide range of subject matter which has been permitted to be placed on the notice paper by way of resolution, in recent years. It may be that the reference contained in the notice to rule 21 is not accurate for the reasons stated above. I am asked to rule that section 9 of The Legislative Assembly Act does not apply, for the reason that there is no contract or agreement between the two members and Her Majesty, or with any public officer or department. This question, I suggest, is outside my jurisdiction. Whether or not such a contractual relationship exists is surely a matter of evidence and law, and I am, therefore, unable to rule that the notice in its total import and in its reference to section 9 of The Legislative Assembly Act is out of order.

Orders of the day.

**Clerk of the House:** The 27th order; the House in committee of supply, Mr. A. E. Reuter in the chair.

## ESTIMATES, THE DEPARTMENT OF LABOUR (Continued)

On vote 1001:

**Hon. D. A. Bales** (Minister of Labour): Mr. Chairman, before I deal with other matters, perhaps I could just cover one or two points from yesterday that I did not finish. In recent days we have been very pleased to see the hon. member for Humber (Mr. Ben) return to his seat after being away because of



an illness. And I noticed just recently that the member for York-Forest Hill (Mr. Dunlop) returned to his seat after his illness. I am sure all of us are just as pleased to see him back.

The other point is that I do not think I made clear yesterday that we have pending a number of legislative matters that will be coming before the House very shortly. We have reached that stage where the legislation is practically complete and ready to be introduced and it will cover a number of points raised by the hon. members for Sudbury (Mr. Sopha) and Oshawa (Mr. Pilkey). I might make it clear at this point that included in that legislation—the labour standards legislation—and following it, the minimum wage in this province will be increased on the basis of studies presently being undertaken within my own department.

Mr. Chairman, those are the other main points that I wanted to make clear at this point and perhaps we could proceed.

Mr. Chairman: On vote 1001. I believe we can take these items and these votes individually, item for item.

Items 1 to 3, inclusive, agreed to.

On item 4:

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I would like to speak on item 4—information services. May I ask of the Minister if he is putting out publications on various facets of his department in languages other than the English language. I have had a considerable request from people, not French or English, concerning publications from the workmen's compensation board.

Hon. Mr. Bales: Mr. Chairman, is the hon. member dealing with The Department of Labour or the workmen's compensation forms? I was keeping them distinct—I deal with them that way.

Mr. B. Newman: Actually it was workmen's compensation the requests were made of—publications in Italian, and in other languages.

Hon. Mr. Bales: Mr. Chairman, I would rather deal with all of the workmen's compensation board items separately and at the end, but I would say that in reference to my own department, we do put out material in other languages than English, and we have, of course, translation officers attached to that information branch.

Mr. B. Newman: Actually in your department the only publication you do have in any language other than English is the one on human rights, and I have received requests for others. I have asked of your department and this is what I was told.

Hon. Mr. Bales: I think that there are—in fact, I know there are—pamphlets, and we are doing this in an increasing way and using other languages, but it is mainly French and English at the present time. In future pamphlets we are endeavouring to include other languages. If you have a specific demand or request in reference to one particular type, if you would let us know we would be glad to consider it in a different light.

Mr. B. Newman: I will speak to your Deputy instead, Mr. Minister, because I would like to have a copy of each type of publication.

Mr. C. G. Pilkey (Oshawa): I wonder if the Minister could tell us what is meant by staff development?

Hon. Mr. Bales: That is in our own department. Our complement at the present time is almost 1,000—just under that figure—and we require a good deal of training within our own department in staff development. With that large number of people, we need additional work in that regard.

During the fiscal year ended this year, as a matter of fact, the breakdown of the employees enrolled in outside courses and seminars covered quite a wide range. A number took miscellaneous courses in union management, in report writing, and other such things; some were taking BA courses, others in a certification course or through the manpower development and so on. We find that this additional work is training our people to do a better job in looking after those who come before them for assistance.

Mr. Pilkey: This staff development then is not a question of approving of arbitrators? This has nothing to do with that section?

Hon. Mr. Bales: Mr. Chairman, through you to the hon. member, that is going to be the subject of legislation which I will be bringing in in the future. At the present time, we do not have formal arrangements in reference to training of arbitrators. You will find that the legislation coming forward will take active and positive steps in that regard.

Mr. Pilkey: If there is a training programme for arbitrators, would it come under this staff

development and have they appropriated the money for this type of development?

**Hon. Mr. Bales:** No, it is a matter subject to the new legislation.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, under item 4—advertising—does that include any safety advertising?

**Hon. Mr. Bales:** No. Safety advertising does not come to any extent under that figure at all. Information—yes—but not advertising. We have certain safety pamphlets, for example, which might be covered under that contingency but it is not advertising.

**Mr. De Monte:** May I ask the hon. Minister, Mr. Chairman, what type of advertising this does include?

**Hon. Mr. Bales:** Really, the major amount is in connection with the promotion of industrial training—that sort of thing. You may have seen a substantial advertisement in reference to safety and so on at recent times. Much of that is under the construction safety association which is not within my department—close to it, but not within it. No money would come from this vote.

**Mr. De Monte:** May I ask the Minister then where it would be proper to ask questions about the construction safety association?

**Hon. Mr. Bales:** I referred to it but it is under the workmen's compensation board and if you would care to ask us at that point—

**Mr. De Monte:** That is at the end, is it, Mr. Chairman?

**Hon. Mr. Bales:** Yes.

**Mr. R. Gisborn (Hamilton East):** I would like to ask the Minister with regard to the labour-management committee that was established some two years ago under Dr. Driscoll—the hon. Minister just mentioned it, in his brief report to the House yesterday—is there a report available for the members in regard to their work and their conclusions?

**Hon. Mr. Bales:** The union-management committee is really a committee established within the department and it makes it reports to the Minister. They are not reports that we will publish. They are of a confidential nature and they come to us in that way. We would be glad to give you the results of them and so on. As a matter of fact, you will see the results of the particular report and

study that has been submitted to me coming forward in the form of legislation, but it is not a formal document that comes forward.

**Mr. Gisborn:** There does not seem to be too much wrong with the Minister's explanation but surely the reasoning for some of your decisions and what might be available would be of interest to most of the members—I am sure I would appreciate having anything that would give reasons for the conclusions.

I do not think we should be satisfied with the Minister merely making up his mind as to the reasoning of that particular committee and bringing in legislation unless he does intend to explain at some length that there were reasons for the conclusions enunciated by legislation.

**Hon. Mr. Bales:** Mr. Chairman, when I introduce the legislation in reference to arbitrators and deal with it particularly—perhaps in second reading—I will be making very substantial reference to the committee and to its studies and so on.

**Mr. Pilkey:** I wonder if the Minister could tell us what it means by membership fees?

**Hon. Mr. Bales:** We have memberships in the Canadian standards association; American society of safety engineers; Canadian association of administrators of labour legislation, Ottawa; Canadian association of purchasing agents; Canadian industrial safety association; international association of government labour officials; Canadian public relations society; national safety council; and the centre for industrial relations, University of Toronto. It is that kind of group to which we are referring.

**Mr. Pilkey:** I would suggest that some of this money should go to some of the unions. No chance of getting membership in any of those organizations?

Item 4 agreed to.

On item 5:

**Mr. S. Apps (Kingston and the Islands):** Mr. Chairman, I would just like to commend the Minister on the assistance that is being given to amateur sport which credit, I believe, goes to the Ontario athletic commissioner's office. I think the contributions that are made to many worthwhile sports organizations throughout the province are very helpful indeed, in helping these rather dedicated people provide sporting activities for the young people in their communities.

However, it does seem to me to be that The Department of Labour is rather a peculiar department to administer this assistance. As you may know, the Ontario select committee on youth suggested that eventually that might become a part of a department of youth, if and when that ever comes about.

In the meantime, I was wondering if the Minister had given any thought to probably transferring this particular activity to the community programmes branch of The Department of Education, which is continually dealing with the various communities throughout the province. It might be able to take over this particular project and, although it may not do a better job, it would sort of work in with the work they are doing a little bit better than having them separated as they are with The Department of Labour administering the assistance to amateur sport.

**Hon. Mr. Bales:** Mr. Chairman, I have read the report of the select committee on youth, on which the hon. member was the chairman, and this is one of the matters certainly that has been, and is being given, consideration. I appreciate the remarks you make in reference to the job the section is doing within my department.

**Mr. Chairman:** The member for Sudbury.

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, in relation to the description of this item of assistance to amateur sports, I do not suppose the Minister of Labour has any more precise knowledge than I of the meaning of amateur in the present context. But I should like to review this matter very seriously from the point of view of the participation of this department in the training of young people, by the supply to them of the equipment necessary to carry on sporting activities. I want to refer particularly to hockey.

From time to time, of course, we all get letters from the Minister of Labour informing us that a number of hockey sticks or other necessary ancillary equipment has been given to some organization within a constituency. That is all very well and good and I remember that my friend from Windsor-Walkerville some years ago complained very bitterly about the amount that had been set aside for that purpose. Memory tells me it was somewhere around \$30,000—now it is \$140,000.

Assistance to young people to play hockey must be seen in 1968 in relation to the tremendous

employment opportunity that is opened up by the expansion of the national hockey league. When a young fellow does not demonstrate the aptitude for scholastic work, has no motivation to carry on in school, and prefers the outdoor rink to the pursuit of scholastic endeavours, I say that it is a very fine thing that he can look forward to obtaining a place upon the squads of one of the expanded national hockey league teams.

When we say expanded, we are not talking of a maximum of perhaps 120 players with six teams, we are now talking about double that amount—240 active players and perhaps an equal number that are at any time engaged with teams just below the level and which may be brought up—is that the expression—may be brought up to join the roster of the national hockey league team.

If a young fellow can earn \$12,000 or \$15,000 a year—the member for Kingston and the Islands is generally informed with more precision of the annual emolument that applies nowadays; certainly not in his day, as my friend from Windsor-Walkerville said—then that indeed has opened up a vista to the young fellow lacking the scholastic ability which he could not possibly have anticipated.

In that regard one thinks of Eddie Shack, a Sudbury boy who did very poorly in school. I do not give anything away here; I think he had a very poor record as long as he was engaged in scholastic endeavour. But playing for a number of national hockey league teams, he has garnered to himself not only fame throughout the continent but indeed an income earning capacity that he could not otherwise have looked for.

I see it also in the light of the marathon of mediocrity that we have just seen concluded in Montreal, called the Stanley Cup playoffs, where this year at least—

**Mr. Apps:** That is not right.

**Mr. Sopha:** Oh yes, we are purists in hockey. If there is anything in which Canadians are able to recognize excellence, it is hockey and that was a marathon of mediocrity. When all the average players—

**Mr. Apps:** They do not deserve that comment.

**Mr. Sopha:** Well, what did you have? You had Montreal playing your pensioners this year. And I merely cite that to illustrate that it opens up for young people a terrific atmosphere of opportunity where ability



can really be the measure of success. So when the Minister of Labour is spending \$140,000 for hockey pants and shin pads and hockey sticks, then he is giving the wherewithal to these young people to go into a very respectable income earning category.

The only other thing that need be said is that once the state begins to participate in this way, spending \$140,000, I have to believe that the state is thereby entitled to make its view known about the structural environment in which the game is played. I need only go that far in order to enable me to say that there is an interest here.

The member for Kingston and the Islands could give us some precise figures no doubt, but if Ontario boys make up 50 per cent of those who are presently playing, then perhaps there is an interest that those boys should be allowed to play their hockey in Canada. It naturally follows that they need not have to go to Oakland or San Francisco to play hockey.

If they want to play hockey in Canada then I see no reason for the state spending \$140,000. Increase the vote. Even double it, so that the state can say to those in control, "Look here, this is our national game and we want to do everything we can to provide an environment in which we keep it as such."

What is the situation now? The situation now is the state does not interfere at all. The Minister of Labour, of course, is not consulted about the environment in which hockey is played. But if you own a brewery, then that is the definitive, critical possession to enable you to say how hockey shall be played. If you own a brewery, apparently, you can say that national hockey league brand of hockey shall not be played in Vancouver. In preference, if you own a Canadian brewery you say we shall not play it in Vancouver, we will play it in Oakland instead and we at all events will not permit another brewery to get in on the gravy. One brewery is enough.

That does not impress me at all because at one time, a long time ago, I tasted beer and it all tastes the same and I do not care if it is Molsons or Labatts. In fact, if you took the label off I bet you the Provincial Treasurer could not tell the difference between them.

**Hon. C. S. MacNaughton** (Provincial Treasurer): I could tell Labatts!

**Mr. Sopha:** He says he could tell Labatts! The sportswriters, of course, do not like that. The moment this Legislature starts to interest itself in sport, in the proportions of hockey, for some reason that offends the sportswriters terribly. They do not feel that anyone should trespass into their preserve. But we have a really vital interest and I say very seriously that spending \$140,000 in the training of people who will eventually go into the law of the national hockey league, as did the member for Kingston and the Islands—and look where he ended up, on the backbench. No particular success story here, but he is certainly a credit to both the game and his country.

When people come to the Minister of Labour and say, "What about this assistance to hockey?", the Minister should be perfectly entitled to make his views known. Or, put another way, the Minister of Labour, after consultation with the Premier (Mr. Roberts), says to the hockey locals, "The government of Ontario just does not like the way that you run this thing, and as far as we are concerned, Ontario boys are involved here and we like to see them playing in Canada, and earning their income in Canada. We do not like it and from now on we give no assistance to hockey."

If they want to encourage hockey, those people filling the seats down in Maple Leaf Gardens, then they should give assistance, they should buy the sticks, and the shin pads, and we will use the very modest amount of \$140,000 for lacrosse, or other recreational activities. Fundamentally, my complaint is in respect of that national game. As one legislator I very much resent the dictatorial and monopolistic attitude of these beer barons, and those associated with them.

Let us never forget that their power was created by us; we created them. The government created their power because they did not have the power to control the national game the way that they do, until the liquor control board of Ontario allowed them to advertise on television. That was the beginning, they did not have the interest in hockey. They did not have the very permeating and pervasive interest in hockey and its depiction on the television until the liquor control board made the first step.

We are very heavily involved in the process, and I would expect that the member for Kingston and the Islands is just itching to rise, as good a friend as he is of the Smythe family, who are very powerful in this area, and that he would be the first to

come to my support and say that, by all means, Vancouver should have a national hockey league franchise.

**Mr. Apps:** Mr. Chairman, I am continually amazed at the ability of the member for Sudbury to turn a rather innocent estimate into a speech on hockey, or to any other thing that he wants to work at. I envy him that ability, and I wish that I had it myself.

However, I might add that if you would read *Hansard*, I think a couple of years ago, when the expansion did take place, and Vancouver was eliminated from any participation, you will note that I vehemently put my views forth to the effect that Vancouver should have been given a better opportunity of becoming a member of the expanded national hockey league.

I do not want to take anything away from the Minister of Labour, I am sure that he will answer this better than I can, but it has been my experience in these particular grants that only a very small percentage of it goes to hockey, and what does go to hockey usually goes in the form of goal pads and goal nets to small teams—in many cases, in remote communities or in very small leagues that are trying to give an opportunity to kids who otherwise would not get an opportunity to play.

As the member for Sudbury knows, goal pads and goal gloves are pretty expensive things for the individual person to buy himself. As a result, these grants of pads and gloves and nets are given to the team and the league and they are divided up amongst the various goalkeepers in the leagues.

I think that this help is something that is very badly needed, and I do not think that it bears any relation at all to the national league of professional hockey whatsoever, and I would certainly hope that the Minister, through the appropriate agency, would continue to make such grants to not only hockey, but to other organizations that play athletics in the summer and in the fall, as well as in the winter time.

**Mr. Chairman:** On item 5:

**Mr. B. Newman:** Mr. Chairman, I would like to speak on this item. When I first entered the Legislature, Mr. Chairman, I spoke at some length concerning the assistance to amateur sport and my feelings have not changed at all. As I look through the estimates, I see grants being made to associations and organizations—both on a provincial basis and on a national basis—that are really

worth while supporting, and I commend the Minister for carrying on that policy.

However, I think that in making some of the grants, there should be some conditions laid on. For example, in industrial safety, you insist in construction, that an individual wears a hard hat, and even in some types of employment, the wearing of safety equipment is a must. I likewise think, in athletics, that there are certain sports in which certain types of safety equipment must be worn. Taking hockey, you will find quite often, that the team on the lowest level would not wear head gear, or helmets to prevent head injuries. I think that the Minister should, in making any equipment grant or assistance to any amateur hockey organization, maybe make a stipulation that in receiving this hockey assistance by way of equipment, the organization pledges to see that their players do wear some type of head gear to prevent head injuries.

I noticed that a publication put out by the accident prevention association back in February, strongly recommended the use of certain types of safety equipment by hockey players, and I would like to know what the Minister's views are concerning this, especially in the hockey field?

I could go into many of the other types of athletics and mention the use of safety equipment. I know that at the high school level, coaches and so forth, insist on a lot of this, but when you get below the high school level, or even beyond the high school level, you will find that there seems to be a hesitancy in the part of the athlete to wear the head gear, especially in ice hockey.

**Hon. Mr. Bales:** Mr. Chairman, there are just one or two points that I would like to add to the discussion. One is that, of course, the moneys that are paid out by the department under this section are paid for sports equipment. We do not pay money directly to individual groups.

We do make certain grants, of which the member is well aware, but in equipment itself we do not give the money for them to buy the equipment, because we have found that we can buy it on a cheaper basis and make it available that way. The distribution of the moneys for the equipment by ourselves is really on a quite wide basis, covering some 11 sports in all.

Certainly hockey does take quite a substantial sum, but there is \$34,000 left last year. For that money, out of the total fund, there is baseball, boxing, basketball, football, lacrosse, softball, soccer, tennis, track and



field and volleyball—quite a wide range. The point that you have made, regarding regulations; I am sure the hon. member will appreciate that we do regulate in reference to boxing, and wrestling matches.

Last year, we brought out much more stringent regulations in that field that have worked really well, and they were well accepted by the sports people. Now, the point that you have made about attaching conditions to other grants of equipment; I think that it has merit, and while I appreciate that there are difficulties in endeavouring to make those regulations or conditions stick when you are giving small grants to isolated groups, nevertheless you have raised a point that I think deserves consideration. Certainly, in the area of hockey, I appreciate the difficulties and the accidents that occurred because young people did not have a helmet on. We will take a look at that and see what may feasibly be done to assist.

**Mr. B. Newman:** Mr. Chairman, the hon. Minister mentioned the fact that they do insist—I should not say “do insist”—but that they do give grants. Well, I was not referring to grants, I was really referring to the grant of equipment and nothing else. I think, Mr. Chairman, that you should run an educational programme with the various organizations to whom you make these equipment grants.

When you said you had safety regulations concerning boxing and wrestling—well, you can practically count the number of boxers and wrestlers on the fingers of two hands who are involved, especially on a professional level in the province. But when it gets to hockey, and on the junior level, it runs into maybe tens of thousands of youngsters and it is at that young age that we should certainly impress upon them, and their coaches, that it is absolutely essential that these younger players wear a head gear. We want to keep these fellows' heads in perfect order for their later years.

**Hon. Mr. Bales:** As a matter of fact, Mr. Chairman, in discussing this with the athletics commissioner some while ago, he told me that in the majority of cases now they are wearing helmets. Certainly through his office they are promoting this in his contacts with the hockey groups.

**Mr. B. Newman:** I would prefer, Mr. Chairman, when they are given hockey equipment, to also give them head gear so that they at least would wear that.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, I would like to say to this Minister through you that there is a lot of correspondence which comes to my desk from the government. Some day I am going to tear an envelope up before I open it and there may be a \$1,000 cheque in it or something and I will be the loser. But I usually pick up the correspondence, glance in, tear it up and throw it away.

But when Mr. Mackenzie sends me a letter from The Department of Labour telling me that a certain group received so many bats, so many baseballs, a catcher's outfit or two, I am very happy with that. I like the method by which the Minister administers that particular donation. We all receive copies and it is usually mentioned in the letter through the Minister of Labour and your member, “We are pleased to say that you are receiving this equipment.” I would like that to continue and, if need be, to enlarge on it. Nobody in this House would object to a few more thousand on that item.

But while I am on my feet—and hockey was touched on a little bit here—I know these grants have not been handed out for too many years, so we cannot take too much credit in that area at this time. But as time goes on, these youngsters will benefit by this equipment, so much so that you might wind up with the winning team in your own constituency.

I know of a certain group headed up by Hap Emms, called the Niagara Falls Flyers. They did a beautiful job on Kitchener, then Montreal, then a western team and became champions of the Dominion of Canada. Now, that is not bad. And they started in a meagre way, many of them. They did not have the opportunity to better themselves, but with a little bit of assistance here and there they became champions. And I know we have teams like this all over the country, even though they do not all win cups such as the Niagara Falls Flyers did.

But I did not want to miss this opportunity to tell you of the House who do not take part in sports, that they did an excellent job. The riding that I represent has made me just a little more proud, to think I represent Niagara Falls and the Flyers who did an excellent job for the province.

I think I had better quit while I am ahead. But I do appreciate the way the Minister handles that particular expenditure.

**Hon. Mr. Bales:** Thank you.



**Mr. W. G. Pitman (Peterborough):** Mr. Chairman, I would like to second the suggestion that has been made by the previous hon. member in relation to the way this particular matter is handled.

I do want to ask if there is any kind of negotiation or co-ordination with the national fitness council in this and just generally how do you go about deciding what equipment you are going to buy for what team? Can the hon. Minister very briefly outline the method by which decisions are made with regard to the granting of money under this estimate?

**Hon. Mr. Bales:** Well, I rely very heavily on the athletics commissioner within my department in that regard. He is an experienced person in that field and has a very close liaison with the national fitness council and with a number of groups. We keep in close touch with them, so that we know and he knows what the need is and where best we can move.

**Mr. Apps:** I would like to add my congratulations to the Niagara Falls Flyers, along with the member for Niagara Falls, for the fine job they did for Ontario in Junior A hockey. But I would also like to tell the House about the Kingston Aces hockey team, which represented Canada in an overseas tour this winter. Although they did not win all their games, they did very well. I think they brought honour to the city of Kingston, as well as to our country when they went over there.

I would just like to say that I was particularly interested in that team, not only because it came from the city of Kingston, but my youngest son played for it. I asked him how he liked it over there and he said they visited Switzerland and Sweden. He said Switzerland was a very beautiful country and that he had never seen any more beautiful girls than he saw in Sweden, so I think young Canadians are getting along pretty well.

**Mr. Sopha:** Just like his old man.

**Mr. B. Newman:** Mr. Chairman, I want to ask the Minister two more questions. The first is concerning a portable track. Track and field has taken a tremendous impetus in the province in the last few years and if Canada wishes to obtain any prominence in the track and field area, it will have to have some type of assistance from the provincial authorities. I think the Minister should give a little more serious consideration to a portable track, so that various centres in the province could conduct mid-winter track and field meets.

I have another question after that, Mr. Chairman.

**Hon. Mr. Bales:** Mr. Chairman, I recall the hon. member raised this question with me last year during my presentation of the estimates. We looked at the cost of that and I have a note here that the estimated cost was about \$50,000 for a portable track. Now, against this, we have \$140,000 in all—the same amount of money we had a year ago, and we try to make the very best use we can of it. The hon. Provincial Treasurer is sitting here and he certainly has many problems in arranging the finances of this province. Our budgets have had to be contained. We feel we would be better using that money in a broader sense—spreading it out further rather than allocating it to this type of thing, worthy as that might be. It is quite a bit of money out of our total allowance.

**Mr. B. Newman:** I thank the Minister for his comments.

**Mr. Chairman:** I wonder if I could just interrupt the member for a moment? The committee will see that we have our galleries filled with visitors today again, and I might say that have four different notes from four different people informing me of four different groups but none of them agree. So I will introduce all of these students who are in the galleries today and hope that they will sort themselves out.

First of all, we have students with us from the Cochrane public school, and from both the Ferguson and Central public schools. Now, one note indicated they were in the west gallery; another one says they are in the east, but wherever they are, we do welcome them. We also have with us today some grade 11 students from Waterloo collegiate and a note says they are also in the east gallery. Wherever they are, we welcome them. I think probably this one note is superfluous. Cochrane public school, Ferguson Central public school are one and the same, I think.

In any event, we do welcome all of these students to the Legislature today.

**Mr. B. Newman:** Mr. Chairman, the Minister in his comments, mentioned the costs involved in a portable track. He mentioned a figure of approximately \$50,000. When I first broached this question in the House, Mr. Chairman, the cost at that time was approximately \$10,000. So you can see how it has escalated over the last eight or nine years. Now, had the Minister followed my suggestion—not this present Minister, but his

predecessor—he could have had a portable track in operation in the province. I do not know if the department does not realize the tremendous propaganda value of sending athletes abroad and having them successful in athletic competition. The countries behind the iron curtain exploit their athletes, they come along and show to the western world the superiority of their approach to life, and they attempt to prove it to the individuals in the other world by the success of their athletes. I think that we should put a little more emphasis on the athletic endeavours, and I think the Minister could show his serious concern by giving more serious consideration to a portable track.

I know he says it costs \$50,000 but, Mr. Chairman, you give \$1 million plus to horses, and \$50,000 to athletes; you are afraid of \$50,000 for them for a portable track that can be used in all major centres of Ontario. Surely the human is, by far, more important to us than horse flesh and I think, Mr. Chairman, you should give this a little more consideration.

I have one other subject that I would like to broach—and I am going to be very parochial in this—and that is concerning the little league Canadian championships will be held in my own community this coming summer. My community was successful in winning the Canadian championship two years ago and being runners up last year. As a result, they are the host team this year and I would ask the Minister at this time to give serious consideration to making some type of financial grant to the little league in the community so that they can provide the facilities to properly entertain the Canadian championships in the city of Windsor on the little league basis this summer.

**Hon. Mr. Bales:** We will be very glad to give very careful consideration to that. And to the hon. member for Niagara Falls I would just like to say to him that because the Niagara Falls Flyers won the Canadian championship, we are going to make plaques available to them. Before they are given I will certainly be in touch with the hon. members to arrange a convenient time and arrangements for that.

**Mr. Chairman:** The member for Hamilton Centre.

**Mr. N. Davison (Hamilton Centre):** I wonder if the Minister could tell us what percentage of the applications of groups applying for assistance are actually helped.

**Hon. Mr. Bales:** I cannot tell you the percentages, but a fairly large proportion of them do receive assistance. But they have to be in leagues. It is not for individuals. The hon. member, I am sure, appreciates that. I would have to get those detailed figures but I would be glad to do so and get it for you and send it along after this is over.

**Mr. Davison:** I wonder if the Minister could tell us, are there very many that are turned down?

**Hon. Mr. Bales:** We have a series of conditions which we try to apply uniformly—but they are reasonably flexible and fairly broad—and if they can meet those requirements, then they get the equipment, and we certainly do our best to give as much assistance as our money will permit.

**Mr. Chairman:** The member for Kitchener.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Chairman, I, too, wish to rise to commend the Minister for the operation of the grants to amateur sporting groups. Certainly in the past six months it has been a most pleasant experience to receive copies of these letters. The awards received and the grants made to various amateur groups are most appreciated judging by the follow-up calls and letters that I, too, have received.

I cannot quite share the opinion of the House in their congratulations to the member for Niagara Falls for the win which put his team in the play-offs in the Canadian championship running because, of course, for each winner there has to be a loser and that was unfortunately the team from my city, the Kitchener Rangers. But we wish that team well and we certainly congratulate them as sportsmen for their fine showing in Estevan.

**Mr. Chairman:** The member for Wentworth.

**Mr. I. Deans (Wentworth):** Like the other members I, too, was very pleased with the letters that go out in my name. It is not about that I wish to talk though. I am a little disturbed by the lack of action by the commissioner of athletics in the case, not long concluded, that involved Lloyd Percival. I fear, as I review the case, and as I read the articles in the case, that the commissioner of athletics neglected his duty in not going to the amateur athletic union and forcing them, or suggesting to them, that they ought to take a fairer approach to the trial that they con-



ducted on what was subsequently found to be a case that had no substance.

Now the case, as I see it, is one in which Mr. Percival was denied his rights as a citizen of Ontario. A trial was held by the amateur athletic union to which he was not allowed counsel. He appeared before the union and was not allowed to hear the testimony of those who had accused him. Now as I read an article that I have on it—one of a number that were written at the time—it says, and I agree, that he was a classic victim of an old “smoke without fire” syndrome, and I think this is true.

Here is a man who had built up, over many, many years, a great reputation in this province and in this country, an international reputation, that was ruined, ruined by people who just did not understand what was going on, who did not take the time to discuss the problem with him. It seems to me that as one reads through this particular article, and I would be happy to let the Minister read it if he has not already, though I am quite sure he probably has, we find many things that never became public knowledge at the time.

How the amateur athletic union reached its verdict in the first place is certainly questionable. The fact that when the charges were made at first, he was not invited to clear himself; that he was not invited in and asked to read the charges and to make any statement with regard to them; that when he asked for copies of the charge this was denied; and that when they finally opened the hearing, he was denied the right of counsel.

**Mr. Chairman:** May I ask the member if he is referring to the athletic commission?

**Mr. Deans:** I most certainly am, sir. The athletic commission must have jurisdiction over these matters. If they do not, they should have.

**Mr. Chairman:** Carry on, that is all I wanted to know.

**Mr. Deans:** Thank you very much. He was refused a transcript of the testimonies at that hearing and, at this stage, the athletic commissioner ought to have stepped in—even prior to this stage, but at least at this point—to protect the reputation that his man had built up for this country over years and years of hard work in a field that very few people ever receive the kind of acclaim that they ought to.

He had become a noted expert, and what happened as a result of this case was that he was dragged down into the mud for no reason. People just did not take the time—and the athletic commission ought to have taken the time—to investigate the entire matter on their own, but they did not. They left it in the hands of the amateur athletic union who did not try, by fair means, to reach a good and justifiable conclusion. When you go through this, you find that he was forbidden to attend the hearings when the athletes, who had put the finger on him at the time, were testifying against him.

I would be the first to say that the handing out of moneys to little children playing ball is one thing, and I agree with it. I think we ought to encourage it as much as possible. But we must protect those people who have given so freely of their time to build up the good reputation of Canada in the athletic field. And it is on this ground, and on this basis, that I object most strenuously to the fact that the athletics commissioner and his department took no action to protect this man. It is all right now to say that he was found not guilty after three trials, that they finally agreed that he did not do the things they said he did in the first place, and that it is all right now, he is not suspended any more—he can continue to operate.

But you know the feeling of people. They are reluctant to take back into their bosom those who have been blacklisted and black marked. And this is what happened in the case of Lloyd Percival. It is a shame, it is a pitiful shame that this could have happened to such a person. And the athletics commissioner and his department have a great deal of responsibility in this matter. And I would certainly hope that something such as this could never ever occur again in this province.

**Mr. Chairman:** On item 5:

**Mr. V. M. Singer (Downsview):** Mr. Chairman, though not quite in line with what the member for Wentworth says, the theme we have touched on over the years insofar as the office of the athletics commissioner is concerned, has to be repeated again.

I think that this whole office is an anomaly in the present day and age in the province of Ontario. It just makes no sense at all. First of all, we have an Act called The Athletics Control Act which is chapter 26 of the Revised Statutes of Ontario. That Act



allows the Lieutenant-Governor in council to appoint an athletics commissioner. And then if you read through the Act, you will find out that he is given all sorts of power to look after professional boxing and wrestling, and that is it.

Nothing more, really—the extension into balls and bats for youngsters who are playing baseball, or hockey equipment for youngsters who are playing hockey and so on, you have to stretch quite a bit to find that in the enabling Act. I would think that the time has come that we should get the role of the government of Ontario quite clear and bring the statutes up to date in this regard.

Surely there are matters of much greater interest and much greater importance to the people of Ontario, to the youngsters in Ontario, than setting up an office which deals almost solely and substantially, certainly as far as you read the statute, with the control of professional boxing and professional wrestling. Now this is hardly a keystone of our economy or the highlight of our public interest in this province.

Professional boxing is a farce in this province. I have spoken about this many times in the past. Probably through the whole of North America it is a farce. And professional wrestling is nothing more than a vaudeville act. There is surely a role that the government must play with youth. The report of the select committee headed by the hon. member for Kingston and the Islands contained many good suggestions. Many members have commended your department on the help that you have given to various activities and so on.

These are all good things, but can the Minister explain what logic there is today in having this in The Department of Labour? This surely is not the direction in which the Minister's activities are pointed, nor those of his Deputy, nor those of his staff. You have got an entirely different field of concerns. Surely this function, if it is going to be performed at all, should be placed under the control of the department that has civil servants who are by and large interested in these particular activities.

My plea, and I am not going to elaborate on it, relies as well on the remarks the member for Wentworth put forward. Is there a role that Ontario should play insofar as athletics and sports and encouragement of youth are concerned? If there is, then under this enabling Act you cannot find it. And if there is, why should it be in The Depart-

ment of Labour? It is time that a new Minister who has some pretty good ideas on a number of things put this into proper context.

**Hon. Mr. Bales:** The hon. member for Downsview made some good points there. It has been in this department, as I have studied the situation, since 1951; it was transferred there. We have endeavoured, through my predecessors to myself, to use this to good advantage to the young people in this province. Certainly there have been discussions in recent times in reference to such a role. There have also been discussions in reference to young people themselves through the select committee on youth.

And I think that we are doing a good job with it through the athletics commissioner. But I can appreciate that changing times may require a new look at this whole situation. It will be done and is being done, Mr. Chairman. And I think I will leave it at that for the present time, in replying to the points that you have made.

**Mr. Chairman:** On item 5. The member for Hamilton East.

**Mr. Gisborn:** Briefly on this vote, Mr. Chairman. I notice in the public accounts for 1966-67, under the grants for assistance to the amateur sports, it does not give the grants to the small Kiwanis clubs and the minor soccer teams. Do they come under another listing? I know that I have received letters indicating that grants were made to different community groups in my riding and they are not mentioned, and I thought that they would maybe come under a grouping of grants.

**Hon. Mr. Bales:** Are you referring to the equipment grants or to the others?

**Mr. Gisborn:** Equipment!

**Hon. Mr. Bales:** It is under miscellaneous, and what is shown there are the companies from whom we purchased equipment. We have not given a breakdown of the individual items and their amount.

**Mr. Gisborn:** Thank you, Mr. Chairman, because I was going to raise this question under miscellaneous. I notice in the public accounts, also under this same item, workmen's compensation board, \$24,991.07—oh, I am sorry that comes under the next vote; that comes under training.

**Mr. Chairman:** On item 5, the member for Oshawa has been trying to get the floor for some time.

**Mr. Pilkey:** Mr. Chairman, I too want to commend the Minister for this section of the labour estimates, and I think that the question of providing equipment to amateur sports should be commended. I also want to say that as we provide equipment in this province for amateur sports, we do not get the headlines. The province does not get the headlines for the job that they do in this regard. But when young boys and girls get into some kind of trouble—that gets the headlines in the papers. We have a tremendous crime incidence, we have juvenile delinquency, and we have all of these problems; and this is what really gets the headlines.

It appears to me that two things should happen. We ought to be preventing those headlines. The way we can prevent these headlines is to take these kids off the corners of the streets, provide them with the sporting equipment that is necessary. Put them in the rinks. Put them into the playing fields and provide them with this kind of equipment. And if we do that kind of job, then I think that we are making a contribution to the young people of this province.

**Mr. Singer:** We could take over the newspapers.

**Mr. Pilkey:** We will be making a contribution to the young people of this province. And I think we ought to go just a little beyond what we are doing today in providing this equipment to amateur sports. In addition to that, the municipalities of this province are burdened now with tremendous costs in providing services for their municipalities and are not really in a position to provide equipment and the sporting recreational facilities that should be provided. We can take the burden off the backs of the municipalities.

We have come along with a basic shelter grant that was supposed to be providing something in that area, but what we could do in this area is equally beneficial to the municipality if we take some of that burden off their backs. Recreation in municipalities, whether it is in the purchase of equipment or providing recreational facilities, is getting to be a tremendous cost. I think that the Minister should be cognizant of the need to do more in this area of providing equipment for amateur sport.

I want to reiterate again that this is one of the areas in which we can do a job of providing equipment for these young people,

and relieving to a great extent the problems of juvenile delinquency in this province.

**Mr. Gisborn:** Mr. Chairman, two questions on the amateur sports estimates, under miscellaneous. The people that we buy the equipment from, are these the manufacturer or the distributor, or would they be in any case retailers, such as Murray Anderson Limited, Chislom Lacrosse Company, Cooper-Weeks, or Spalding Bros?

**Hon. Mr. Bales:** We buy direct from the manufacturer, not from retailers.

**Mr. Gisborn:** Another question is that I notice that we have budgeted for the estimates in this vote—\$140,000 for the past two fiscal sessions. But in the 1966-67 accounts we have only spent \$83,930. Is there any particular reason for the continuance of such a high estimate?

**Hon. Mr. Bales:** I think that if you check you will find that we spent more than \$110,000. You will find that there is \$25,600 as well as the \$83,000, which brings it up.

**Mr. Breithaupt:** Mr. Chairman, I was noticing in the summary of functions which the Minister provided us, with respect to the office of the athletics commissioner, that there are certain emphases being placed on the provision of athletic opportunities for the Indian population. I wonder if the Minister could enlighten us on the portion of the work of the commissioner?

**Hon. Mr. Bales:** Yes, what we are trying to do there is to give it special promotion. It is a relatively new area for us, but certainly it is an area where we thought that we could be of great assistance. For that reason, we have provided equipment to a great number of those groups and it will be in increasing amounts.

**Mr. Chairman:** Is there anything further on item 5?

Items 5 to 9, inclusive, agreed to.

Vote 1001 agreed to.

On vote 1002.

**Mr. Deans:** In the field of industrial training, I am a little disappointed to see the amount of money reduced this year. Now, it would seem to me that in the ever-changing industrial complex, where we have workers continually being replaced with machinery, we ought to be spending more money in the industrial training branch this year than at

any other time. I wonder if the Minister would like to explain why it is that the overall amount being spent in industrial training has been reduced.

**Hon. Mr. Bales:** Well, you will appreciate that in the fall of 1966, the former Act of the federal government was changed and a whole new arrangement came into force last year. We reached new agreements with the federal government, and with The Department of Education. As a result, there were substantial changes in the amounts of moneys that were made available in different categories from the year before and, as a result, we are really embarking on a new system so that it is a little difficult to compare one year with another because we are operating under two different Acts. But, in essence, you would find in looking at all of the figures, that we have spent more in industrial training in the last fiscal year than we did in the previous year, but it is a different Act, and a different arrangement.

**Mr. B. Newman:** Mr. Chairman, I do not know if we can go into this item by item because mine may cover several of them, and that is apprenticeship training, industrial training. Before I start my remarks, I would like to commend the Minister on his Department of Labour book this year. It makes it very easy to follow the estimates, Mr. Chairman, and I think that it is the proper approach. I would like to ask the Minister what control does the department have over the apprenticeship in, say, the auto industry in my own community?

**Hon. Mr. Bales:** Well, the control is not over industry but it is over the apprentice training—

**Mr. B. Newman:** Well, let us take it over the apprentices.

**Hon. Mr. Bales:** You will appreciate that we have to establish regulations and training programmes for those apprentices in particular fields and we work in that way. The apprentice is registered in his own particular field. We require a certain programme. We require that programme to be carried out.

The apprentice does a good deal of training on the job, but he also goes to school for institutional training from time to time over the period of his contracts. Now in that same regard, we used to have two periods of school training. That has been changed now, and we have now three periods because we felt that under that arrangement he would get

better training, better supervision and greater assistance, and we have added to our counsellors, in recent years so that we can have greater direct contact with apprentices.

I think that it is extremely important that they are not to be left in isolation in a plant, feeling that people are not supervising the work that they are doing. It is important that they have opportunities to talk to somebody outside as to the progress of the training that they are getting.

**Mr. B. Newman:** Are counsellors instructed to come occasionally into the industry to see that the programme carried on by the industry meets with certain standards?

**Hon. Mr. Bales:** Where they are registered apprentices, yes.

**Mr. B. Newman:** You do? Is there an obligation on the part of the industry to carry the individual in that apprenticeship programme up until the time that he completes his apprenticeship?

**Hon. Mr. Bales:** There is a contract with the apprentice, and I would have to say, yes, there is an obligation subject to proper performance, and the normal things. But it is under a contract arrangement.

**Mr. B. Newman:** The reason that I bring this up, Mr. Chairman, is that I think that it is one year ago that at the Ford Motor Company a series of apprentices were laid off. In all I think that there were 51, and 26 of them were rehired a short while later. The remainder were told, according to the press article, that if they wished to work for the corporation they would have to take production jobs.

If this article is correct, it would seem strange that you would have an apprentice started in a programme and all of a sudden cut him off in the middle, or at some time during the programme, and require him to go into production rather than to stay in the apprenticeship programme. Could you give me an answer as to the reason here?

**Hon. Mr. Bales:** I think that the hon. member and I had some correspondence on this matter, or you may have asked a question in the House, I am not sure, but it was in reference to the Ford Motor Company, I believe. That was a particular situation, and you recall that there was a strike at the Ford plant in the United States in September, 1967, and a large number of Ford of Canada employees, including the 52 apprentices, were laid off.



When the full production was restored, the first week of December, approximately 70 journeymen and apprentices were not recalled. This was due to a change in company policy concerning the manufacturing of parts in this country. So you see, there were some overriding situations. As a matter of fact, as a result of pressure, both from our own branch, from the union and from the apprentices themselves, 28 were eventually recalled, and the remaining 24 were offered jobs as production workers. Six of these elected to remain outside. They did not go on.

Now, the company seems to be sincere in its endeavours to find places for these apprentices, if not in the Windsor plant, in other plants either in this country or in the adjacent places in the United States.

There was an overriding situation in this regard and I can only tell the hon. member that we are continuing to work with the company and trying to work it out and find suitable employment. This was, I think with respect to a rather isolated type of situation.

**Mr. B. Newman:** I am pleased to hear from the Minister that this was an isolated case because I think once an individual is taken on in an apprenticeship programme, regardless of what industry it happens to be, they should have the privilege of completing the apprenticeship programme. Otherwise, that individual could have gone into production work at a much higher hourly rate of pay and been much better financially off staying on production, rather than attempting to benefit himself, and his own nation, by being a skilled tradesman.

The fact that some 26 of these people only were taken back, or 28, as the Minister had mentioned, that still left 23 people who had started an apprenticeship programme and had to go into something other than apprenticeship.

The hon. Minister mentioned that they could have been placed in Detroit; in, probably, Talbotville; in other Ford plants. Let me tell you, Mr. Chairman, it is not that easy to get over to Detroit. The programme—or the immigration regulations—are not simply that an individual can just go over there and find employment. Industry must have advertised and proved that they could not obtain that type of individual in their own area before they would accept a Canadian working for that company.

**Hon. Mr. Bales:** It requires a special permit, I think.

**Mr. B. Newman:** That is right. A special permit would be required.

**Mr. Pilkey:** On that point could I make a comment? I just wanted to say to the Minister, through you, Mr. Chairman, that where there is a cutback in a certain industry, obviously the apprentices are going to be affected. Apprentices cannot be retained in an industry at the expense of journeymen and obviously this is some of the work they are doing in the auto industry.

My friend here said this is the Ford Motor Company. If there is a ratio, I think it is one to eight on the basis of journeymen and if there is a cutback of journeymen, then the apprentices are going to get cut back on a ratio basis. Because if they remain in the industry then the journeymen are the people who are going to be laid off.

I want to say also to my hon. friend from Windsor that if you check the apprentice rates in the auto industry today you will find that they are comparable to the production workers now. The apprentice rates in the auto industry are fairly high. If they do take a production job, obviously when the openings come up they get preference to go back into their training again and they get a preference over any other people that could be hired in the future.

So we cannot arbitrarily say that because a fellow is in an apprentice programme he stays there regardless of what happens in that specific industry—whether it is auto industry or any other industry, because we have to maintain the ratio. We have to have some protection for those people already trained as journeymen.

**Mr. Sopha:** Mr. Chairman, I wanted to say something about the apprenticeship branch, but I want to tell you that at the earliest opportunity in Sudbury I am going to tell the united steelworkers, who actively support our friends to the left, both financially and otherwise, that during the discussion of the estimates affecting the united steelworkers there were precisely four out of 20 of their agents here, and none of the top brass. You will notice none of them at all, just the second line and I will relish in telling the executive of the steelworkers about that on Saturday.

**Mr. Gisborn:** Champions of labour, eh?

**Mr. Sopha:** Yes, the champions of labour, noticeable by their absence. Now I wanted to say to the Minister—

**Mr. Pilkey:** Elmer, did you tell him the auto workers were here?

**Mr. Sopha:** Yes, I will tell him the auto workers were here, I will be fair about it.

I wanted to say something to the Minister about hairdressers. And I would have to say—to adopt the Imlachian phrase—that the apprenticeship programme in respect to hairdressers is less than satisfactory. At any particular time in Sudbury there is something like a near insurrection going on among the apprentices at the local hairdressing school.

Very frequently I get deluged with visits from the young ladies who are training in that very important area telling me about their difficulties—difficulties with the management of that school and part of it is the responsibility of The Department of Labour. That part being the holding of the necessary examinations.

We men should certainly have an interest in this, when we bear in mind the ferocious charges that we have to pay for the end result of all this. Apparently the way it is set up is that for a period of time—a lengthy period of time—the young ladies undergo training.

The school is operated on much the same principle as the dental school over here at the University of Toronto, in that people who cannot afford a dentist can go there and have their teeth fixed by the apprentice dentists. Women, whether for economic reasons or any other reason, can go to the hairdressing school and get their hair done for a very modest fee.

So from that point of view, at least it is a profitable or an income earning process for the management of the school. What I do not like about it is that after The Department of Labour holds the examination—and for some reason, unknown to me, they are held in North Bay. I do not want anything affecting Sudbury held in North Bay because we are 80,000 people and they are a relatively small town compared to us; and I am so parochial that I do not like to see people have to go over to North Bay—

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): There is a Liberal member there!

**Mr. Sopha:** They hold their examinations in North Bay and these young ladies who do not pass the examination have to return to the school and undergo what seems to me an unnecessarily protracted period of training, during which they have to continue to pay the fees to the operator of the hairdressing school. Many of them, from the economic point of view, are just unable to do this.

Furthermore, my experience tells me that, the examinations over in North Bay are not held frequently enough. It seems to me they come only a couple of times a year to examine the young ladies on their proficiency in hair styling. I would think, contemplating it from a layman's *a priori*, the examination of the thing, that unless she showed an almost total lack of understanding of the process, if she failed the examination she might be permitted to try it again in a month. There should be a supplemental examination—as they have at university.

I see no need for her to come back and enter in to a lengthy period of further training and, of course, during that period of training the operator is earning income as a result of her efforts in the school.

Another feature of it is that these young women indenture themselves. I have seen one of the contracts and they indenture themselves to the owner of the hairdressing school, I believe, for \$1,200 of training. I can tell from the Minister's activity that nobody has ever told him about hairdressing in his department before and he is getting a thumbnail course in it right now.

I think it is for \$1,200 that they indenture themselves to the man and undertake that they will be in attendance for that period of time. I really do not see that it is all that important that proficiency has to be measured in a fixed number of hours. It seems to me that a young woman could perhaps learn all the techniques of the trade in half that time. Some of them might be very bright, might have the necessary aptitude, and in half that time they are ready to write The Department of Labour's apprenticeship examination in hairdressing.

But I am very, very suspicious of that shop method of apprenticeship training; the shop method whereby the owner of the shop is earning income as a result of the efforts of others. And it really opens itself to far too many abuses. I think the supervision of the apprenticeship branch of The Department of Labour in that area has been rather less satisfactory than it had been.

I would really appreciate it if the Minister would tell me that he will have his apprenticeship people look at this hairdressing business, particularly in reference to Sudbury and perhaps necessarily the rest of the province to see whether we cannot develop a much more rational method of fitting the people to go out into the income-earning street.



**Hon. Mr. Bales:** Mr. Chairman, in reference to the hairdressing course, it is one of the compulsory certification groups in the apprenticeship field. But there are two means of training, one through the private schools—and I think that is what the member refers to—wherein a young person pays money to go to those schools to get intensified training. We have looked at this a good deal and I can appreciate some of the concerns the member feels. But there is another means of doing it and that is through the training that is provided in the public schools.

They do not have to go to the private schools. As a matter of fact, I think this is rather a complicated situation and I would be glad to send the member a whole set of the regulations and requirements that sets it all out.

The examinations, while they may be at North Bay, are also given at Sault Ste. Marie at the Algonquin college. So a person can go and take examination at either one. There is no discrimination against Sudbury. We are trying to spread out the arrangements in areas wherein they can take these examinations. But I think perhaps the easiest way would be for me to send the hon. member a set of the regulations in reference to this whole thing and he will see the training programme.

As a matter of fact, it is an area we have been looking at and are continuing to look at because I have quite a thick file in reference to the difficulties encountered by the private schools, and the submissions made by them. They are not too happy that we have this other arrangement; the private school operators would prefer that we use only them.

**Mr. B. Newman:** Mr. Chairman, the apprenticeship today covers 22 trades. Is there any movement at all on the part of the department to increase the number of trades that would be covered under the apprenticeship?

**Hon. Mr. Bales:** It is not just 22.

**Mr. B. Newman:** There are 22 registered.

**Hon. Mr. Bales:** Yes, that is right, but then we go up to more than 100 others—

**Mr. B. Newman:** Non-regulated?

**Hon. Mr. Bales:** That is true. The number of regulated trades will increase steadily. But we are looking at this as need and time go on.

**Mr. B. Newman:** What opportunities does the new arrival, the individual who is not

conversant in the English language, now have as far as the apprenticeship programme is concerned? In the first place, he has the handicap of not being able to speak the language. Are any of these apprenticeship programmes conducted in areas where, say, an Italian, Pole, Hungarian or Ukrainian, being the only language that the individual could converse in, could still maintain his apprenticeship or still qualify for apprenticeship?

**Hon. Mr. Bales:** We have had special classes in, for example, the Italian language, in some cases wherein we find a particular group has a particular need. Now, we are handicapped to a degree in this by the instructors who are available.

But we try to look at the situation as we have it. And of course, our own translation people are very active in certain Italian organizations here to help those people and help the people who come to them through those organizations. As far as we are concerned, it is a developing area and we are fully cognizant of the situation and would like to take advantage of the opportunities.

**Mr. B. Newman:** Is there any opportunity for the youngster who is too old to attend elementary school, and is too young to actually go into industry—he may be 16 and still on an educational level of about grade 5 or grade 6, attending these slow learner classes in the elementary school level, or even attending classes for the low learners on a secondary level—does he have any opportunity for apprenticeship? Is there anything open to him, and has the department undertaken any studies as to how that individual can become productive?

**Hon. Mr. Bales:** I was just thinking on the question the member raised, because it has been a matter of some concern to us. We have a grade 10 standard which we have endeavoured to adhere to, but we have not been stringent in that. We take grade 10 or equivalent because people in their normal experiences in life gain knowledge and understanding outside the classroom area. But I would say to the member, he referred to grade 5, for example, that is a pretty low grade.

**Mr. B. Newman:** They do not have a grade level in the school. They are simply attending school because they happen to be too old to be put in a low grade so they lump them all into the one grade or one class and they are referred to quite commonly as slow learners.



**Hon. Mr. Bales:** Under our testing, if they have the equivalent of—

**Mr. B. Newman:** They would not have the equivalent of grade 10. They would be admitted to training courses.

**Hon. Mr. Bales:** If they have not some understanding, or have not achieved, some of these levels, they really could not take advantage of that type of training because with today's situation they need the technical knowledge and understanding to do these things.

**Mr. B. Newman:** What does that fellow do then to become engaged in the labour world? What avenue has he at his disposal?

**Hon. Mr. Bales:** There are a number. For example, our short-term training courses and other such things, outside the apprenticeship field. But there are a number of opportunities open to him through the educational field to upgrade himself and, in the future, to take some of these other courses.

**Mr. B. Newman:** The problem with the fellow who is in that slow-learner class is that he cannot be upgraded and they are attempting to teach him some mechanical skills. I am just wondering whether The Department of Labour would consider using these people on an experimental level in some type of industry to see if they could become productive.

I do not think in industry, in all phases of industry, it is absolutely essential that you have a grade 10 education. For some of the types of occupation, I do not know if you need any education at all other than being able to move your body.

**Hon. Mr. Bales:** Mr. Chairman, I think there are two things here that we have to keep separate, one is the apprenticeship programmes which we have been dealing with up to the moment, and the other is the on-the-job training or in-training schemes, which are not related to apprenticeship, but which deal with jobs in the plants themselves, and on that there is not the same educational requirement. Perhaps it is in those fields that a person would fit in, and not in the apprenticeship.

**Mr. B. Newman:** Thank you, Mr. Chairman.

**Mr. J. B. Trotter (Parkdale):** Mr. Chairman, I am curious to get the views of the Minister on the question of these private teaching schools and how they treat some of

the students at the schools. I think I have had more complaints from individuals who have attended some of these training schools, particularly learning IBM machines.

They sign a contract, they put down a deposit, and then for some reason or another the student cannot attend the school and, of course, loses the deposit. Or, another instance which comes to mind—this happened with the workmen's compensation board—where a student was sent to a school by the workmen's compensation board, he completed part of the course and then the private school went out of business. The student just went to the school one day and the doors were closed.

I would like to know what control the department has over these private schools as to the standard of their courses; and second, would it not be far wiser if, on this matter of industrial training, these schools were not directly run by the government under The Department of Labour or The Department of Education?

**Hon. Mr. Bales:** Mr. Chairman, the school, for example, you mentioned the IBM school. These schools are really regulated under The Trades School Representation Act which comes under The Department of Education. It does not come under our department at all. We work with and we have close relations with The Department of Education in a lot of these things, but those types of schools are not within our responsibility.

**Mr. Trotter:** Under this vote, we have the industrial training branch. Are private schools used at all by your department?

**Hon. Mr. Bales:** They are not used by us, no. We discussed a moment ago the matter of hairdressers, and there are certain private schools there that we regulate indirectly because of that particular apprenticeship trade, but the other types of private schools come directly under The Department of Education, not under ourselves.

**Mr. Trotter:** Then, for example, we know that regarding hairdressing schools, which come under this vote, you would have some control of the regulations over the standards that the hairdressing schools have. What other types of industrial training come under this vote? Assuming that the IBM machines and that type of training is under The Department of Education, what type of industrial training is under this vote?

**Hon. Mr. Bales:** We regulate, for example, barbering and hairdressing schools. We do not regulate the other types of schools. The

apprenticeship programme involves practical experience within a plant or some other type of situation. Then, as I said earlier, they go through certain institutional training periods during their course of apprenticeship and while they are in those schools, that is under The Department of Education. We purchase the service from them.

**Mr. Trotter:** I realize that you cross certain jurisdictions but here you are purchasing a service from a school that may be regulated by The Department of Education, is that correct?

**Hon. Mr. Bales:** We are now purchasing the training in the community colleges from The Department of Education. We do not use the private schools now since this other arrangement has come about. The courses are normally given in the community colleges.

**Mr. Trotter:** What I am concerned with—and I realize you can pass the buck and say it is The Department of Education—is that certainly, through industrial training, and insofar as the labouring people are affected in trying to improve themselves by taking a course, it is of large interest to this department. I am concerned about these individuals who go to these schools, put up their money, sign contracts, and then for one reason or another they do not get the course they bargained for. As I understand it, your department has no control over this type of situation at all, is that true?

**Hon. Mr. Bales:** If it helps the hon. member, it is a complicated situation but if I refer to what we call the training jurisdictions of The Departments of Education and of Labour, it sets it out here fairly clearly. In general, The Department of Labour is responsible for all skilled training which takes place in industry which has an occupational objective. The Department of Education is responsible for training provided outside the confines of industry and for employee educational upgrading, regardless of where it is provided.

Under apprenticeship. The Department of Labour has the overall responsibility for the administration and enforcement of The Apprenticeship and Tradesmen's Qualifications Act and its regulations. These provide authority for Ontario's apprenticeship system, and, more specifically, the department is required to, first of all, determine and maintain a minimum entry in course requirements in industry and institutional training for apprentices, length of training and credit certification.

Second, we monitor and supervise the training provided apprentices on the job as well as their wages and working conditions. Next we purchase the required classroom training through The Department of Education or wherever necessary—from the local school boards or other sources with the agreement of The Department of Education. We also pay the tuition, the transportation costs and the training allowances for apprentices who are not eligible under The Occupational Training Act.

The Department of Education, on the other hand, is responsible for providing the related, or the supplementary, instruction in the theoretical foundation of the trade through the community colleges, or other educational facilities, the content of this training being jointly determined by our two departments.

The present practice is, since the community colleges or the colleges of applied arts and technology have been provided, that we purchase the training through them and the courses are taken in those institutions. We do not use, except where absolutely necessary, the private schools, and I think you will find that a number of them have ceased to exist.

I have had some enquiries of late, I may say, in reference to a particular school in one of the cities. We made extensive enquiries and we could not find or locate it at the present time. Apparently it has gone out of business. So I think you will find that a number of those are ceasing to function now that the community colleges are being established throughout the province.

**Mr. Chairman:** The member for Hamilton Centre.

**Mr. Davison:** Mr. Chairman, I would like to ask if this is the place where I will discuss this. It concerns skilled tradesmen who are brought over from Europe and then they discover that they cannot get their licence here in Ontario. Would this be the area I would discuss this under?

**Hon. Mr. Bales:** Yes, this would. I am quite content to deal with it here.

**Mr. Davison:** What is happening, especially in the Hamilton area, is that we are having an awful lot of Italians who are brought over on the basis that they are skilled tradesmen over there and they are told that they can get skilled jobs here.

Then when they come to Ontario they discover, because they do not speak the language very well, that it is impossible for them to pass the test here to get a certificate for



an electrician, or plumber, and so on. What opportunity do they have? Most of them are working, up to now, as labourers. What opportunity do they have to upgrade themselves to the extent that they can pass the examinations here? Can they have an interpreter go with them to try this test, or must they learn the English language first?

**Hon. Mr. Bales:** I attended a number of meetings in reference to this kind of problem over the last year, and you can appreciate that the people coming to this country come under the immigration department of the federal government. I do not say that with a view to blaming them for this situation, but it is very difficult to get the correct information abroad in all of these places to relate the training and, perhaps, the skill that they may have in a European country to what we require in our compulsory certified trades.

A number of people have come here—I appreciate some instances that were brought out in these discussions—where the trades were not really related and they found it a difficult situation, and I know a number of them did go into the general labouring force. We provide interpreters for many of them to help them meet their requirements, or meet their examinations, so that they are not under that disability because of their language. There were recently some difficulties raised—you may have read—in connection with that kind of situation.

We are endeavouring to correct it and to help these people as much as we can. If they have real skills, we try to ascertain it and we try to work them in. We also will assist them in upgrading where they may not meet our requirements. But it really is a situation of getting detailed information abroad so that they can relate the skills that they have at home to what they require here for that same trade. An electrician in another country may mean quite different to what we require here.

**Mr. Chairman:** The member for Hamilton. East.

**Mr. Gisborn:** Mr. Chairman, through you to the Minister, if you will recall, The Apprenticeship and Tradesmen Qualification Act arose I believe out of the select committee on training and apprenticeship. If I remember correctly, one of the most pertinent notes on that committee's report was that in dealing with the training programme that was necessary at that time, to make sure that we had the greatest degree of co-operation with management, and that in those industries involved in the trades, good research would

be absolutely necessary inasmuch as projection of needs on at least a five-year basis.

I have not yet seen any reports that have indicated that this kind of projection has been brought about. I know that unions, when dealing with management about training programmes just cannot get them to say what their plans are beyond the terms of a four or five week set of negotiations. I am wondering if the government, through their advisory committee, are having any more success in this field. We see by your report on page 12 that there are some 14,854 certificates of qualification issued from April 1, 1967 to February 28, 1968. And I know that in Hamilton, sir, there are almost 500 men in the various trades unemployed at the present time.

As we know, our Ontario unemployed figure is, at present, 4.6. I have heard it said, from some who have looked the situation over, that what we might be doing in this province is developing the highest number of skilled unemployed. I received the report today. Certainly that does not give one the opportunity to read such an important document—or to talk intelligently about the advisory committee's report. This report we just received today. I do not know how these things happen. We get the Minister's statement an hour before he comes to the House, and then we get the report from a very important advisory committee today. It may satisfy my mind to see a new approach to recognition and projection of the needs of the skilled trades. But when we see such a large number of people going into the apprenticeship—when we know that we have a great deal of unemployed in the trades across the province—we wonder if we are on the right track and, if we are, if we have made the proper type of projection as to what we are going to need in a five-year period. That is it for the apprenticeships.

Now, regarding special classes in industrial training: the report tells us the department has actively involved 82 industries and 1,584 trainees. This comes out to about 19 employees per industry. I do not want it interpreted that I am not in favour of industrial training and the special classes that were developed. But last year, during the last set of estimates, I asked for the list of employers involved. I do not remember seeing it in the public accounts before. When you look at the names of the companies participating in these special classes—and the numbers that might be involved in each one—it averages



out to about 19 employees each. Certainly it might be said that, if there was any degree of Canadianism in these industries, they would have paid for the necessary training.

It seems a shame that the taxpayer has to provide money for some of the industries listed in the public accounts under this kind of a training programme. We get the Hawker Siddeley Company of Canada, Dennison Mines, General Electric, Goodyear Tire and Rubber, MacIntyre Porcupine Mines and National Steel Car Corporation, which is a subsidiary of Dominion Foundries. Now why in the world do we have to spend money in that manner to train people to work in that industry with such wealthy companies?

It is not just the amount of money—because National Steel Car was only \$17,330—but the work in the development and the application of the programme. What part does the department play in it through salary and travelling expenses and this sort of thing? Certainly it seems to me, some of these industries just do not seem to have the element of Canadianism they should regarding industrial training.

I have just glanced quickly through the advisory committee's report, and it seems to me that they may be coming up with a new solution that will be more effective regarding special classes in industrial training. We also noticed that many of those participating are in the textile industries, which are in somewhat of a depressed position today. I know they are petitioning government. I do not know whether they have been to this Ontario government yet, but they have been to the federal government to have the quotas imposed on imports so that they can get the people who are laid off back to work. I notice some of the mining industries which are receiving money and participating in a retraining programme, have lay-offs. I just wonder if we are on the right track and if the Minister notices in this report if there is reference to a drastic change in the approach to the special classes for industrial training?

**Hon. Mr. Bales:** Mr. Chairman, the hon. member is referring to a report of the general advisory committee, established by my predecessor in November, 1966, just before I became the Minister. That report has only come to me in the last short while. I have had it printed, and I want all the members to have it. It is being sent out—not widely, but to some members of the public who can make use of it. We think there is certain merit to it. We are looking at various proj-

ects we might use as pilot projects to test this as a new type of training. I referred to it yesterday in my estimates speech. I will not repeat what I said then, but it provides an ongoing system whereby people can acquire additional skills to help them to do a better job. We also are really looking for the most appropriate roles for both government and industry in this field. Yesterday I made a point saying that, in the last year, industry spent some \$25 million in the way of training people. That was in addition to \$8.5 million spent by governments, and I think that industry, by and large, is doing a good job in assisting in this. Mind you, we are prodding them as well. But in our own research section, we have developed a report on occupational training so that we can better guide people as to the type of occupation they should engage in.

In April, for example, the federal Department of Manpower and Immigration issued an Ontario manpower review. This was the first copy published. It includes a section on employment conditions by industry and also gives a summary of the main developments in the labour markets. These are the kinds of things that are coming out now. These are the services that are being made available so that we will not have a large surplus of people trained in one field and who cannot find jobs.

**Mr. Gisborn:** Mr. Chairman, would the Minister just explain the part of the training involved in the workmen's compensation board? They have one of the highest figures—\$24,991. What would that training involve?

**Hon. Mr. Bales:** That is not training. It is compensation assessments for apprentices because they are covered under The Workmen's Compensation Act.

**Mr. Pilkey:** Mr. Chairman, I just wanted to ask a question on the educational levels and what criteria are used to determine the educational levels. I understand that one of the members asked some questions on education. I specifically refer to the question of hairdressers. I want to get back to that point. As I understand it, they must have grade 10.

**Hon. Mr. Bales:** Or equivalent!

**Mr. Pilkey:** Well, then, first of all I would like to know what equivalent means in that regard, and second, I wonder why the grade 10 level is necessary to be a hairdresser. I can understand grade 12 for a tool and die-maker or machinist or something like that,

but I fail to understand why anyone would need a grade 10 education to be a hairdresser.

**Hon. Mr. Bales:** I am sure the hon. member does not want to downgrade that trade, it is an important one with many people involved in it.

**Mr. Pilkey:** It costs me a lot of money.

**Hon. Mr. Bales:** I share that. We have advisory committees for all of these trades who are made up of the people actually involved in the trade itself. In many instances it is the advisory people, those who are actively engaged in that particular trade, who make the recommendations to us.

Before I was Minister—I must point this out—we had the grade 10 level. But since then we realize that a number of people who are a little older in years and have been away from school, through their work in life and their general experience have acquired a level of education which is equivalent to grade 10. And as a result, we take a series of tests, oral tests and so on, wherein our people can judge if they have acquired that grade 10 equivalent standing.

We try to use good common sense in that field and I think it has helped a number of people. It depends on the particular trade. The hon. member has singled out one of them, but there are many of them. And the advisory committee in those particular trades, has been of great assistance to us.

**Mr. Pilkey:** I want to say first of all, sir, through the Chairman, that I am not in any way downgrading these people who have less than a grade 10 education. As a matter of fact, some of my very best friends have less than a grade 10 education and I consider them very fine friends of mine.

Let me remind you that mathematics, as an illustration, is part of a grade 10 curriculum and if you give someone who has been out of school for a number of years a test in mathematics, to be a hairdresser, I am sure they are not going to qualify. Even if you went back to a grade 8 test for many they are not going to qualify in the type of mathematics they teach today.

As a matter of fact, my little daughter happens to be in grade 5 or 6 and sometimes that throws me for a loop, so I do not know what is going to happen to these other people who have to take these kinds of tests. As the Minister points out, this is only one occupation, and I do not want to downgrade any

occupation that requires an apprenticeship in relationship to their academic background.

Nevertheless, if we are going to train people today, whether it is done through apprenticeship or tradesmen's programmes, we have to incorporate as many people as possible. We are facing a new scientific and technological age in which we are going to find out that the people need more training in these trades areas and we just have to bring them along. And I suggest to the Minister that we ought not to be spending a lot of money in bringing up their academic background so that they can qualify.

I think we are wasting some time in that area and we should direct them into a programme that gives them this needed training so that they can fit themselves into the technological type of society that we live in today.

**Hon. Mr. Bales:** Just one point there, they are progressive achievement tests; they are not mathematical tests and so on. They are much broader and understandable.

**Mr. Gisbourn:** Mr. Chairman, I wonder if the Minister could tell me why a radio and TV technician is not designated in the compulsory certification bracket?

**Hon. Mr. Bales:** We just recently brought it in as a voluntary certification. It needs a period of time before we bring it in as a compulsory one.

Vote 1002 agreed to.

On vote 1003.

**Mr. Sopha:** Mr. Chairman, I would like to get some idea from the Minister as to the composition of the numbers of the staff engaged in conciliation services presently operating in his department.

**Hon. Mr. Bales:** At the present time, we have 15 in that particular branch headed by Mr. Dickie, as the—

**Mr. Sopha:** Fifty conciliation officers?

**Hon. Mr. Bales:** Fifteen.

**Mr. Sopha:** Fifteen?

**Hon. Mr. Bales:** It is all in the book. For example, we have set out particular material on that, I believe, on page 13 of that information booklet. Mr. Dickie is head of that, assisted by Mr. Scott, and we have 13 conciliation officers. From time to time we are under far greater pressures and we do en-



gage outsiders to assist us as conciliation officers.

We also use other people within our own department to assist us as conciliation officers and they have some training and understanding in that. But Mr. Dickie likes to keep improving the qualifications of his people in this regard. He has carried on in this last year a number of training seminars for that particular group and we are adding to the training programme as he feels we need to.

But in this conciliation field, the demand is not uniform throughout the year. There are certain times, and they are not always the same time of year, wherein the pressures are greater. At those times we have developed a system of bringing in other people to assist us temporarily.

**Mr. Sopha:** Mr. Chairman, I had much more in mind than my original question. I should like to know what was the experience encountered within the department in conciliation services when the federal government moved to prohibit judges from taking part in this important area of activity? What happened within the department then?

**Hon. Mr. Bales:** For example, we have reduced very drastically, in the last year, the number of conciliation boards that were established. They have dropped from some 400, I think, in 1965 or 1966. In the past year, there have only been about 70 boards established.

**Mr. Sopha:** Because you did not have judges to staff it.

**Hon. Mr. Bales:** No, it was a different policy. We felt that the use of the conciliation board frequently served no purpose. It delayed the whole procedure.

**Mr. Sopha:** Did you decide that after the Minister of Justice said, "No more judges"?

**Hon. Mr. Bales:** No, it was decided previously. It was decided really in January, I believe, in the early part of 1966. The judges were effectively removed from use as the chairmen of arbitration and so on, in 1967.

**Mr. Sopha:** Right. I would like to know—knowing as I do the very intimate part played by many county court judges, many of whose names come to mind—in what ways were these skilled people replaced and by whom? I take it the services were curtailed? We have now discovered that.

**Hon. Mr. Bales:** We are dealing with two different things here.

**Mr. Sopha:** No, we are not.

**Hon. Mr. Bales:** The judges were used then as chairmen of the conciliation boards, not as conciliation officers.

**Mr. Sopha:** What was Judge Reynold in the Hamilton strike two years ago?

**Hon. Mr. Bales:** He was a conciliation board chairman. Earlier I was talking about the conciliation officers. That is different.

**Mr. Sopha:** Yes. Right. Let us talk about conciliation boards, then.

**Hon. Mr. Bales:** A few minutes ago, I mentioned the fact that we have reduced the number of conciliation boards very drastically, not because of the result in the change of federal arrangement through judges, but rather through a determination earlier in 1966 that this was frequently a delaying tactic in the whole conciliation purpose—they have found it really serves no useful purpose. We establish boards from time to time wherein we feel it is advisable, wherein there is a public issue, wherein we need greater information to be brought out. But if it is going to serve no purpose, then we sign—or at least I sign—a no-board order, on the recommendation of my officials. That step in the whole negotiation procedure is then not used.

But the conciliation officers stage, which is prior, is always used. If they can resolve the matter at that point, it is resolved. But if the conciliation officer feels there is going to be no purpose served by establishing a conciliation board, it is not established, because it delays and frustrates the whole purpose.

**Mr. Sopha:** Of course, we advocated that several years ago and it is just a matter of accepting the suggestions we made here for several years about that unnecessary delay. We are very grateful, very grateful indeed, to hear that that policy was adopted.

**Hon. Mr. Bales:** I am not sure it was entirely your suggestion. But if it was partly that, I call it all to the good.

**Mr. Sopha:** Oh yes. Well, I will not go into it except that myself and a number of colleagues pointed out in reference to specific industrial disputes, that the process was far too long and indeed generated further antagonisms. That was the chief difficulty. Instead of the parties being more in equanimity when the process started, they were often separated



in bitter controversy when it ended. I refer to the foolish report of Judge Thomas of Barrie in 1958, which really precipitated the first strike that Sudbury ever had. However, that is a matter of history and the person who writes the labour history of that area will, no doubt, refer to that report.

I take it then, that in all the major big-industry bargaining in this province, Mr. Dickie is doing all the conciliation services.

**Hon. Mr. Bales:** No, no. Mr. Dickie is the chairman, or the head of the conciliation branch in my department—

**Mr. Sopha:** Oh, I know that—

**Hon. Mr. Bales:** You have met him, I am sure. He does not attempt to do all the major ones himself.

**Mr. Sopha:** Who else does them then?

**Hon. Mr. Bales:** He has 13 highly-trained officers underneath him and he is assisted by Mr. Scott, who is the assistant head of the conciliation branch.

Mr. Dickie is a man of very great experience, but he is a firm believer that he must train his officers in all levels of responsibility. He works with them, encourages them and assists them, but he does not wish to do all the major items himself. He feels he can do a better job by standing back and assisting the various people who are frequently dealing with very difficult situations. Some cases are small, some large, but they are all important and he is there to assist. Sometimes he takes a greater hand because of complications or the importance of a case. But he works very hard to encourage his officers and give them as much experience as possible so that they can handle situations as they come along.

**Mr. Sopha:** I never realized, of course, how important this work was until I read the official biography of the first of them all. The first of them all—you know who that was. The first conciliator of them all. I will not offend my friends by reminding them who it was—that great Canadian who led this country for so many years. He was the first one. W. L. Mackenzie King—the first conciliator the country ever saw.

However, if I may return to the question: I take it this is on-the-job training they get?

**Hon. Mr. Bales:** You could call it that.

**Mr. Sopha:** The hard mill of experience.

**Hon. Mr. Bales:** That is right.

**Mr. Sopha:** May we turn to operations and ask what was the experience in the department when judges were prevented from handling arbitrations by the federal government? What did you do then?

**Hon. Mr. Bales:** It happened shortly after I came to the department, Mr. Chairman. It was a very serious situation because it came on quite suddenly and we had to work in a variety of ways to overcome the problem.

Today, we use a number of experienced laymen, and we are seeking more to fill the gap in this regard.

**Mr. Sopha:** Is “laymen,” university professors?

**Hon. Mr. Bales:** Sometimes yes; sometimes no. You will appreciate that judges are not really forbidden to do this work, but they cannot be compensated. All they can receive are their expenses and this—

**Mr. Singer:** That makes it somewhat less interesting.

**Hon. Mr. Bales:** Nevertheless, the judges are not prohibited and some are doing some of this work from time to time, but in lesser degree than they were previously.

**Mr. Sopha:** Do you select them? Do you select this body of people? We have Harry Arthurs and Professor Cheevers doing some work. Are they operating under your aegis?

**Hon. Mr. Bales:** They are selected by the two—

**Mr. Sopha:** I know in the specific case, but really—

**Hon. Mr. Bales:** They are not operating under us, no.

**Mr. Sopha:** Well, look here—just look here. Let us find out about that.

A number of years ago we passed a statute in this Legislature to provide for such a body of people. I forget the name of it now—An Act to provide for arbitrators in industrial disputes or labour relations. It came as a result of the report of E. H. Silk, QC, and imposed upon somebody the very obligation to provide a body—a number of skilled arbitrators. So now do we have an admission that nothing was done at all?

**Hon. Mr. Bales:** Mr. Chairman—

**Mr. Sopha:** I do not want to cross-examine you but you said it.

**Hon. Mr. Bales:** Mr. Chairman, this occurred before I was in the House. I understand that that Act was never proclaimed.

**Mr. Sopha:** That was a narrow escape. I took part in the debate on that Act, I remember that very well.

**Hon. Mr. Bales:** Perhaps you would enlighten me about the debate.

**Mr. Sopha:** We went through the exercise long enough.

**Mr. Singer:** We thought the Minister of the day had shown a little enlightenment.

**Mr. Sopha:** Well, let me see now, we will find that. Bring the statutes 1961 to 1962—we will find out the name of that Act but we take it that—

**Hon. Mr. Bales:** Can I just add one point?

**Mr. Sopha:** Pardon?

**Hon. Mr. Bales:** Can I just add one matter that perhaps would help? I referred in my statement yesterday to a matter of the arbitrators and the report of the union-management council. We are bringing in a whole new statute with reference to this field, dealing with the particular kind of situation that has come about because the judges are no longer available.

**Mr. Sopha:** Well, certainly, but here is the thing: The Minister's own statute has a specific section about arbitration of industrial disputes. If a contract is silent, the collective bargaining agreement shall be deemed to contain the clause that is in The Labour Relations Act. So who can have more interest in the creation of a body of people such as that? Now we are told that all that debate we went through a number of years ago—

**Mr. Singer:** Perhaps the Deputy Minister could tell us the exact name of the Act? No? He does not remember either. Well, can the Chairman tell us?

**Mr. Chairman:** I find an Act, Approved Impartial Referees and Arbitrators Act.

**Mr. Singer:** Yes, that is the one, 1961-62 session.

**Mr. Sopha:** What chapter?

**Mr. Chairman:** Five.

**Mr. Sopha:** Bingo!

**Mr. Singer:** I remember that very well.

**Mr. Sopha:** And, indeed, they were going to give them a very high-faluting title in section 4: "approved impartial referee and arbitrator." That anticipated the day, of course, that county court judges would be relieved of this responsibility. To be fair we must disclose that it was not the then Minister of Labour who introduced this bill at all; it was the Attorney General, the hon. Kelso Roberts. We were told then that immediate steps would be taken to train a body of people skilled in this art. I can recall very well committee meetings upstairs on the third floor when this whole aura of competence was created. And then, lo and behold, what happened? We could see there was no real intention or desire on the part of the government or The Department of Labour or anybody else to remove the county court judges from it. The system had become entrenched and organized labour felt more safe with county court judges than with anyone else. So it just went on in accordance with its historical development.

Then lo and behold, a couple of years ago the Minister of Justice, the predecessor of the present one, I believe, suddenly lowered the boom and said "no more" to these county court judges. Now we discover that we are singularly ill-prepared to meet this. I refuse to accept the statement of the Minister of Labour reneging from the responsibility for the creation of a body of these people. I just do not accept that. This cannot go on, this is too important a field to go on.

**Hon. Mr. Bales:** I did not make that statement.

**Mr. Sopha:** I asked if this body of people, which is arbitrating disputes under collective-bargaining contracts, operates under the Minister's aegis and he said "No".

**Hon. Mr. Bales:** May I make this clear? They do not operate under our employ or under our direction. We know who they are, we make names available to the parties.

**Mr Sopha:** That is what I meant.

**Hon. Mr. Bales:** And we assist in that way, but they are not connected, they are not civil servants, and they are not part of this department. They have been encouraged by us, they have done a number of things through us, but they are not part of the civil service.

**Mr. Singer:** Well, 'tis a pity, Mr. Chairman, that we have a new Minister and a new

Deputy. But I can well remember—the now Minister of Financial and Commercial affairs (Mr. Rowntree) was at his convincing best as he said: “This is going to be one of the highlights in The Department of Labour, we are going to really get this thing on the road.” And we debated the statute. It was very interesting. We were highly complimentary to him that day, I remember it well. We had this new group of people with a whole bunch of fancy initials after their names, they were going to be called AIRAs.

#### **An hon member: AIRAs?**

**Mr. Singer:** AIRAs, that is right. That means approved impartial referee and arbitrator. The plan was so well laid out that when you turn over to section 8, the statute even had a target date in it. It says: “This Act shall come into force on the day after April 1, 1963.” I can almost remember his very words as this thing comes back now. “I don’t expect to do this overnight, give us time and some time after the 1st of April in 1963 we will be all ready to go and there will be a new era in labour arbitration here in the province of Ontario”. Just by the merest accident and the intelligence of my good colleague, the member for Sudbury, we discover today this Act has never been proclaimed. And all this force that the government carries on from time to time is brought out into the open. The Minister should be embarrassed and the Deputy should be embarrassed and the advisors should be embarrassed, because your predecessors and the government again misled the people of Ontario.

**Mr. Sopha:** To which I add, of course, that the Minister well knows that he has a statutory obligation in this regard. When the parties cannot agree on an arbitrator, the Minister must, by statute, appoint one to decide the particular dispute. So we end up at this time, the county court judges have been removed. Out in the mainstream of public life there is a vague and a morphous number of people who do this sort of work. And the Minister has an idea who they are. But so far as I can discern it, he takes no responsibility for the training or selection of these people.

This is purely an *ad hoc* proposition, and the seriousness, in the light of the government’s intentions is that the matters they describe sometimes are of very monumental proportions; those matters may affect the economic well-being of many thousands of people. The union at Sudbury, the collective bargaining agent, the steelworkers, may bring

a grievance against the company that ends up in arbitration which may affect 15,000 or 16,000 people, and I do not know where there is more responsibility on The Department of Labour to provide people of the very highest order in this regard.

But, of course, this body of jurisprudence has grown like Topsy and has grown as a result of the intervention from time to time, more or less by chance, of men of ability. To illustrate this: a new direction was taken when Mr. Laskin decided the Polymer case—that turned the river into a whole new area; the idea that a union could be liable for damages resulting from a work stoppage.

One who keeps close to these sees that the intervention of Harry Arthurs is often very dramatic in this area. Those are about the only names that come to mind. But I have to say—boy, oh, boy, when such important things are at stake and public policy is involved, and I repeat that public policy is involved to the extent that the Legislature has commanded the Minister when he takes over this department. He is bound, perhaps, more than anybody else by the commands of the Legislature that pertain to his department and he ought to be particularly conscious of those commands.

The Legislature has said for many years that when a collective bargaining agreement is silent about arbitration, then it shall be deemed to include the clause set out in The Labour Relations Act.

It must follow in that appreciation of the subject that the Minister of Labour has got to be vitally interested in how this process is carried on. But what he is doing, in effect, is saying this, that whatever ideas about arbitration may be evolved in some of the law schools around this province by imaginative people, then so far as they want to superimpose them on labour life in the province that is all right with me as Minister of Labour.

The Legislature, you see, has never passed a statute to say that unions are liable for damages. No, we have never taken that step. But Mr. Justice Laskin, Professor Laskin, as he was then, took the step himself, so to that extent he legislated. And I am saying that these labour arbitrators going about the province legislate in respect of the economic life of this province.

That legislation was all right as long as it was judicial legislation, as long as judges were doing it. Labour people like the member for Oshawa and his colleagues, and Seguin, of Sudbury, and others, felt that in



naming the panel of arbitrators as they did they were safest in the hands of either judges or magistrates—certain judges or magistrates. What they did as they set up a panel for collective bargaining agreements, of course, was set out the names of the judges or magistrates who would arbitrate their dispute. I think four judges and one magistrate, Hanrahan, of Windsor—no that is not right; three judges and two magistrates—Bigelow, of Toronto, was the other one; Judge Little, Judge Henderson and Judge Bennett of Grey county made up the panel till the last time that they were permitted to have judges.

That day is gone when there can be brought to the table in the quasi-judicial setting a man who is shrouded with the independence and the prestige that the judicial bench affords. And when that day is gone who but the Minister of Labour is going to replace it with people of high integrity, commanding respect of the labouring people. Who else has the responsibility?

He has been aware of this for a couple of years, but on questioning here today we find out that the Minister of Labour has certainly been wanting in this field. The way it is left now it is more or less just drifting, and the shocking thing is that this government came along in 1961-62 and said, "We have a great programme, we have a great plan for development in this field." Then somewhere, unbeknownst to us until today, they decided that the plan is not very good. So what we went through six or seven years ago here was an exercise in futility.

Then in 1968 the Minister comes here today and says, "Well, out there in the law schools, some place downtown there is a body of people—we know who they are." Do we know who they are? Does labour? What do we know about their competence? What do we know about their impartiality? What do we know about the perception they bring to the table? The last thing I know, and I read *The Searcher* all the time, is that in the last batch at INCO, and those arbitrations affect 18,000 people, the union was in a state of exultation about having won them.

They won the majority in the last batch and they almost threw a party to celebrate it, if you read the front page of *The Searcher*. But next month *The Searcher* could come out and as they have lost the recent ones the first people they will be condemning will be the arbitrators, the chairman of the arbitrators. The other aspect that I have always viewed with a good deal of

misgiving and suspicion as to its efficacy is the exercise of naming the union and company representative. It seems to me it is a needless expense, because the final critical, determining opinion, is that of the chairman, the chairman alone.

He really decides, and his decision prevails because he can get either the company or union man to go along with him, depending who is winning in the result. The other two people are lobbyists and they are there to lobby the chairman with their views. Since that goes on behind the scenes, I as a lawyer do not know about the Caesar's wife appearance of that kind of a process, especially when I see some of those arbitrators as I have done travelling on the airplane and being the recipient of the munificence of the company side.

At the hearings at which I appeared, every time we adjourned the hearing for lunch the INCO company invited the arbitrator over to the Copper Cliff club. Oh yes, the company lawyer, Britton Osler, would get up and say, "The general manager of installation cordially invites you to lunch in the Copper Cliff club," and none of us as the unwashed appearing for the union ever were proffered that invitation.

I end citing the illustration that I have cited so many times about this, that if you are involved in a motor vehicle accident and you sustained \$80 damage to the fender of your car, you can go and have a full trial before a competent judge and call 24 witnesses to determine who is to pay for the damage. But if it is an industrial dispute in a collective bargaining agreement involving whether 14,000 people are going to be paid double time for Christmas day—and that is the actual case I was involved in; that is a lot of money, double time for Christmas day for 14,000 people.

And if things had been otherwise we would have taken that case to the Supreme Court of Canada, but things were otherwise and the dispute between the two factions in Sudbury prevented it from going. And yet if you are involved in something involving 14,000 people you can feel that you have had a judicial hearing of the same quality as the damaged fender in a court of law. And if that is so, then there has to be something wrong with a system of justice that permits it. There has to be something wrong.

It is a system that has to have a close look and I do not feel at all relieved by the answers of the Minister of Labour today in the light of all the circumstances as they have been revealed here, that he has carried out

his responsibilities in this important area and is ready to offer to the unions of this province a body of capable, trained men of unquestionable impartial behaviour and reputation to decide these very important things that must be ironed in the light of a collective bargaining agreement.

I would feel a lot better if from 1962 sufficient steps had been taken, and thank heavens we have people like Professor Arthurs and Professor Cheevers, who are ready to apply imaginative approaches to these problems. But we have no assurance that if they were to withdraw—or others like them, I do not want to single them out especially—that we would have other people in the province capable of bringing all the necessary qualities to the judicial determination of these very important matters.

**Hon. Mr. Bales:** Mr. Chairman, let me make it clear that we regarded this matter with great seriousness. We established the union-management council because in this very realm we must deal with both groups; as both groups must be involved in this kind of situation. And the first matter that we referred to that group, was in reference to that whole field of arbitration.

They came forward with a unanimous report on this matter after considerable work under Dr. Crispo and it is on that basis—and we will look at this other statute as well—that we are concerned to develop a body of capable arbitrators. We already have a number of able people available. There are some 35 on our list at the present time. This is the kind of group that is going to be developed and made available.

**Mr. Singer:** Mr. Chairman, it is more than passing strange that the Minister of the day asks specifically for a year's time before that Act is to come into force. And as he explained to the House, "We cannot do it overnight." This was in 1961, or late 1961 or early 1962, and the House went along with that. Well, it has been a long, long night; it has been a seven-year night. And still we are getting the same sort of nonsense.

Really, it is awfully hard to understand why the government does not move as it tells the people of Ontario that it intends to move. That is my substantial criticism of this Act. You have left this great vacuum, you are afraid to legislate in so many matters. Why do you not move?

**Mr. Bukator:** Mr. Chairman—

**Mr. Chairman:** The member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, I would like to deal just for a brief few minutes with The Hospital Arbitrations Act. I think we all agree that compulsory arbitration to bring about a collective agreement is not the best method. On the other hand, there seems to be quite a consensus of opinion that there are areas where compulsory arbitration is necessary and it has become more evident, to class together North America and parts of Europe, that those expert in the labour-management fields are no more convinced that compulsory arbitration does not do what it, in some cases, was provided to do and that was to avoid strikes.

I think maybe that the intent now, as applied in a sense to the form of compulsory arbitration we have in hospitals in Ontario, was to protect the public's interest and provide an orderly way to bring about a collective agreement with hospital workers. As we know, and the hon. Minister may be aware of this, I had hoped that his report would have shown some results of the Act since it was passed in 1965.

I know there is a difference of opinion on both sides, both in the labour movement and in management, as to the benefits of this particular piece of legislation. On one hand, we have one very prominent union that has found it has been effective in bringing about collective agreements and in the field of organizing. And, of course, it has helped in the field of organizing, in my opinion, more than it has in bringing about a good collective agreement because of the controversy over the organizing of hospital workers and the possible subsequent labour problems in collective agreements in hospitals.

Public opinion, government intervention, the protection of the patient, the pressure that it would certainly not be in good keeping to strike the hospital, left the workers free to make a decision away from this fear. And we have noticed quite an improvement in the organizing of the hospitals.

Some of them have felt that the procedures under The Hospitals Arbitration Act have been fruitful; others have found that the boards had turned into nothing more than a group of people who negotiate amongst themselves to bring about a collective agreement in that hospital.

And I must say that some of the cases I have looked at give this impression. We have heard something about our position on com-



pulsory arbitration by the lead-off speaker for our party, and the lead-off speaker for the Liberals, but I would hope that the department, through the Minister, is keeping a good eye on the results of this Act as it applies in the province of Ontario.

I feel that it could lead to the people who are opposed to collective bargaining—plus some industries no doubt—to use every method they can use to oppose organization. I would hope that we start to recognize now that we have to tighten up and reduce the inequality that applies to these people under compulsory arbitration.

I have said before that where we take away the right to strike, we have to give something in return and I do not think that anyone disagrees with The Firemen's Act, The Policemen's Act and the sanitation rules under the public health—we have to use a lot of logic and common sense in relation to these services.

But if we are going to take groups of people, such as hospital workers and put them under compulsory arbitration, take away their right to strike—much of which I feel is happening—and bring in a group called the arbitration board to negotiate their agreement for them, we have to give them something back.

I would like us to start thinking in terms of strengthening the Act. I think that we should be thinking in terms of providing, where there is compulsory arbitration, certain uniform standards. I think they should be provided with the best possible pension programme; they should be provided with the best possible hospital and medical care programme; the full extent of statutory holidays should be automatically applied; the best of severance pay; the best type of seniority programme that could be provided, and of course, the best type of union security.

Then, I think, you could allow an arbitration board to sit down and talk about their rates, because the rates would be competitive as one set of negotiations ends and the other takes on.

I collected, Mr. Chairman, 12 copies of the results of 12 arbitration cases in the hospital field since the Act was brought in and it is amazing to find some of the things that they have to deal with. I think they point up my concern.

Take one here, the matter of arbitration between the Wellesley hospital, Toronto, and the building service employees international union. The points in dispute make it very

frightening to me as to the success of this kind of procedure.

There were 14 points in dispute: union security; interview for new employees; grievance procedure; employer grievances; probationary period; new title job posting clause; seniority list in posting; wages; hours of work; overtime; statutory holidays; sick leave; vacations; health and welfare. This pointed up some of our concerns when we debated the Act when it came in 1965—that with compulsory arbitration we would find a complete block to any effort of negotiations whatsoever. I go through some six of these cases out of the 12 and find that the same thing is taking place, that almost no agreement was made on any of the minor points whatsoever until the board of arbitration was established. Then, this board actually sat down and negotiated the agreement for the employee.

So that is why I say, Mr. Chairman, that I would hope that these people would be given better recognition, that the government would start to think about some uniform provisions to be applied to contracts that come under the Ontario Hospital group because it is nothing more than a farce which is being made out of the collective bargaining process when we find all these kinds of points are thrown into the bag and have to be dealt with by a conciliation board.

Another point I would like to raise is in regard to arbitrations in general. After the award is brought down—and this is not under the hospital compulsory arbitration Act, it is arbitration under The Labour Relations Act—there is an ever increasing number of awards now being taken to the courts.

I have not studied this question, but it has been brought to my attention that there is a feeling in the credit union movement that unless there is some way to include a privative clause that bars, as we understand it, cases of arbitrational awards being taken to courts for review, arbitration should be stopped.

I am sure that the Minister might have heard about the fear of this programme taking place, and might have something to say about it. But, certainly, if we understand the reference to arbitration in The Labour Relations Act, and the binding provisions, we have to study the rights of companies to take them to court after the decision has been brought down, rather than live up to the terms of The Labour Relations Act. I wonder if the Minister has had legal advice on



this situation as to whether it is permissible, whether it is a borderline case, and what would have to take place to test this sort of procedure?

**Mr. Chairman:** The member for Niagara Falls.

**Mr. Bukator:** Mr. Chairman, I recall not too long ago being invited to the union centre in Niagara Falls to speak on this very subject. The member for Hamilton East and I attended that meeting and David Archer, if I recall rightly, was the chairman.

The member on the Conservative Party was asked to attend also, but it was on a Sunday, if I recall, and the Conservative did not appear. I suppose he believed in The Lord's Day Act or he might not have felt that he ought to speak on this subject on a Sunday.

But we were there and we had quite a meeting. I recall this bill, this very Act, where I thought that this government would train proper conciliators and proper arbitrators, because I think in this particular area we are lacking.

I felt that this bill would do the job and as my learned colleagues, the lawyers, have said, they believed it was in an Act in the statutes and it did receive Royal assent. Leave it to a layman to believe also that it did take place. If it did not, we have come short of the mark.

If you give these men a title—and I recall, at that time also speaking on this very subject—I indicated that I did not believe that judges should be called in as arbitrators. Not because they were not capable, but I felt maybe at times they would lean a little to management. I was not sure because I have heard that this has happened, human beings being what they are.

But the fact remains that when you bring in businessmen and capable men in our country to do these particular chores of arbitrators and conciliators, we find ourselves in the position where we need many of them. The troubles are continuously before us and I think the proper calibre of man could handle this job as well as any judge, not to belittle the judge. I feel, Mr. Chairman, that this particular Act no doubt will be debated more while we have your estimates before this House.

There is a possible chance, with maybe some minor amendments, that this particular bill may get Royal assent and be put into effect so that these people will have these titles and go about the task that is cut out for them because there is a lot of work to be done.

**Mr. Chairman:** Does the Minister want to make any comments at this point?

It being 6 of the clock, p.m., the House took recess.









# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 16, 1968  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 16, 1968

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF LABOUR (Concluded)

On vote 1003:

**Mr. Chairman:** The leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Chairman, the vote concerns itself with conciliation services.

I have always been somewhat surprised that these services were not more effective than they are in dealing with the strikes in larger companies. There seems to be a tendency on the part of union to request that the conciliation stage be either dispensed with or, if they are required under the law to take part in it, it seems to be simply a matter of form, an exercise to be got through as quickly as possible by both sides, so that they can then get down to the business of what may be termed the real negotiations.

I think of the Minister's report in reply to a question I put to him some days ago concerning the UAW Massey-Ferguson strike, in which he said the conciliation stage lasted just 15 minutes.

**Hon. D. Bales** (Minister of Labour): May I just answer that? That was the conciliation board, not the conciliation stage itself under the conciliation officer. There were a large number of meetings under the officer.

**Mr. Nixon:** I am glad you corrected concerning that. But when the board meets with both sides represented I understand they do not sit around a table, they are in separate rooms for conciliation.

**Hon. Mr. Bales:** No.

**Mr. Nixon:** But the Minister did say that under those circumstances, the deliberations of the conciliation board with both sides at least taking part in some manner were rather brief. In this particular case the union representatives did not see fit to take part in any prolonged exchange of views. It appeared

that the position on both sides had hardened and that only a strike was going to solve the problem. In fact, this is what has come about.

There is an impression that I have gathered in following these matters in that particular strike and some others in my constituency and nearby where I have had some special interest and known some of the people concerned. That is the government might be able to take a more useful role in bring the two sides together, either during the conciliation procedures as they are formally set out, or before the negotiations break down to the extent that a strike actually occurs.

There seems to be some over-emphasis on the formalities concerned, a sort of a stylized process of which at least in some cases that I have been aware of, the usefulness as far as the unions are concerned—and it may very well be true on the other side—is somewhat in question. This seems to be true of the negotiations or the conciliations stage involving a large number of working people or large corporations more than any other.

Has the Minister any views on this? Does he feel himself that there are cases where the conciliation procedures in which we are asked to vote more than \$.5 million this year, could be improved and made more useful, brought up to date, so that they can have more an effect on actually achieving solutions, bringing the two sides together in a more meaningful confrontation with the third party present?

**Hon. Mr. Bales:** Mr. Chairman, I think we should bear in mind—

**Mr. Nixon:** I cannot hear you very well to tell you the truth.

**Hon. Mr. Bales:** Mr. Chairman, I think we should bear in mind that there are different stages in this matter and particularly, the stage where the conciliation officer is dealing and meeting with both parties. These are informal meetings which take place over a period of time.

Now in this province last year, in 50 per cent of the situations dealt with by a conciliation officer, we achieved settlements. This is a



pretty high rate. In British Columbia, they only achieve settlements in about 25 per cent of the cases. It was the conciliation board stage of which you were speaking a few minutes ago—about the Massey-Ferguson situation—that only lasted a few minutes.

That is a different arrangement. It is under a board. The parties are there and if one party decided that it was not going to be fruitful and they wished to leave, then they left. But the negotiations with our conciliation officer present are on an informal basis and it has proven here, quite effective in a great number of cases.

I may say to you that there are a number of times that I receive letters from both sides after these matters have been settled. They express appreciation for the officer and his services and the fact that he was able to bring the parties together. Now sometimes they meet separately; sometimes they meet together. It is an entirely flexible and informal arrangement so that whatever kind of system works out for the best. But the conciliation officer stage and the conciliation board stage are two distinct things.

We are looking at this situation constantly. My predecessor brought in the arrangement, or the policy of using fewer conciliation boards because he felt that they were fruitless. There was a delay in the whole procedure and for that reason the policy was changed. This new system has been working reasonably well. I think my officers, in this regard, are doing a very fine job. There are difficult situations after strikes come about, but it does not mean that we abandon or leave the situation at all. We are in constant touch with them to see if we can be of assistance to either side in bringing about a settlement.

**Mr. Nixon:** Have there been any cases this year when one side or the other requested that the conciliation procedures not be entered into?

**Hon. Mr. Bales:** We have had requests that boards not be appointed. They make that clear to us from time to time. Sometimes I appoint a board even though they make request that one not be appointed.

**Mr. Nixon:** Do you have to have agreement on both sides that a conciliation board be appointed?

**Hon. Mr. Bales:** Only in construction. In construction they say: if one or other side say they do not want a board, then there is

no board. That is under the provisions of the statutes.

**Mr. Nixon:** When I mentioned I could not hear you, I did not mean that I did not believe you were speaking loud enough. But I would say, Mr. Chairman, that I want to ask the Minister about the procedures when negotiations between the two parties do break down. The Minister has said on many occasions that he and his staff hold themselves ready to take part in any helpful way at all. What does this involve? Does this involve a morning phone call to both sides saying: How do things look today? Was there trouble on the line last night? What do you want us to do today? I am interested in this.

I think of the long-drawn-out affair at Canada Sand Paper, which I have mentioned to the Minister previously. I felt that strike dragged out longer than it should have as far as either side was concerned; they were able to reach an agreement and things are back on the rails again, but only after very serious difficulties and situations had occurred. They were going to take a long time to fill in the workings of that company.

The role of the public interest, of course, is one which the Minister must exercise, but I just wondered how he does this. Whether or not it is an *ad hoc* basis. Do you phone them up? How do you make your facilities available to a point where they are prepared to come to you as an objective third party in whom they have confidence and can sit down at a table—perhaps under the chairmanship of someone from the department or some other facility like this and accomplish the kind of hard talk that can result in a solution?

**Hon. Mr. Bales:** Mr. Chairman, I share with the leader of the Opposition the feeling that this particular strike went on far longer than it should have. But it is informal; it is an arrangement; you cannot stylize it; you cannot formalize it. We keep in touch with them. Sometimes it is a matter of asking them to come in to see us; sometimes it is a case of exploring as to what are the avenues of settlement; what range is open; going back and forth until we can find the right time for the parties to meet together and that there is a basis and a chance of settlement.

We might bring them together, for example, immediately after a strike. But if they could find no common ground, then we might

set the whole process of ultimate settlement back. You have to explore the situation. You have to do your best to find the right time and that is what the officers are trained for and, under Mr. Dickie, I think, they have great facility in doing this. But you have to be very flexible. I can only leave it at that. We use all methods we can to keep in touch with them and to find, as quickly as we can, the means to help them reach a settlement.

**Mr. Chairman:** The member for Oshawa.

**Mr. G. C. Pilkey (Oshawa):** Mr. Chairman, I would like to just make a comment for a moment on this question of conciliation. The hon. leader of the Opposition just made a comment about conciliation lasting 15 minutes in the Massey-Ferguson UAW dispute. I think that the Minister knows, and so do many members of the Opposition, that the UAW has consistently opposed conciliation; and for a very obvious reason. It opposes it because of the delays; the delays that take place in terms of these procedures. Let me say this, and I do not only say this in regard to the Massey-Ferguson dispute, but in many disputes that take place in this province—and particularly in regard to larger unions—that these negotiations go on for many months prior to conciliation.

Now conciliation may be applied for shortly after they go into negotiations, but normally these negotiations go on for some time. In Massey-Ferguson I do not know how many months they were in negotiation. In the General Motors situation, we ended up in a strike for 47 days. We were in negotiation for eight months. Conciliation was not part of that procedure because even the managements have come to agree that obviously the settlement is going to really take place between the two parties. The Minister of Labour and his department, through the conciliation procedures, very often can be helpful; I am not saying that they are not helpful.

It has been the position of organized labour for some time that, where the department can be helpful, it ought to participate. But where either party does not want to participate in conciliation procedures, then they say that the procedures should be out and they should not be participated in. I think that the government has come to recognize that this makes some sense.

The Minister in his estimates, the ones that spell him out in particular, indicate that only 70 cases went to the board of some 1,300—if my memory serves me correctly. So there

were some 500 cases that you ruled no board because you did not think that it would play any significant role in determining a final settlement and I have to agree. I really think that their judgment in those cases was probably correct. As a matter of fact, I suspect very strongly that, in some of the 70 cases they did say that it was unnecessary to set up a board. I am not too sure, Mr. Chairman, and I say this to the Minister, that in the Massey-Ferguson situation there was a little politics being played here, because they could have ruled a no-board in that situation very well and I do not see any—

**Mr. Nixon:** I have a question at this point, Mr. Chairman. Did the UAW request that no board be appointed?

**Mr. Pilkey:** That is right. The UAW requested that no board be appointed in that situation and the government saw fit to have a board appointed. Obviously they knew full well that it would serve no purpose—and it lasted 15 minutes. I make no excuse for them. As a matter of fact, I said to the Massey-Ferguson boys, "You took 12 minutes longer than we did at General Motors; it only took us three minutes to get out from under the boards on most occasions. The companies sit there silently. They do not try to make any presentation; they do not come there armed any more with great volumes pointing out their position because they know that it is really not going to serve any useful purpose.

I am not saying for a moment that in some situations conciliation does not have some bearing on the dispute. There are unions—where there is a small union and they are in a dispute, a small unit—conciliation serves a purpose. In the guild situation in Oshawa when there was a great fight there on injunctions, let me tell the Minister that Mr. Dickie did a tremendous job in resolving that situation, and spent 48 hours in solid negotiations to bring about a settlement. There were 34 employees involved. It got national headlines, but Mr. Dickie went in and resolved it; so in that situation conciliation served a purpose, and I think it serves a purpose in many other areas.

Now, one of the things that is happening as far as conciliation is concerned, is the question of delays. Now, there is a situation—and I want to become parochial just for a moment—in Oshawa there is a situation now pending. There is a dispute between local 250 Canadian union of public employees and the city of Oshawa. A conciliation board has been recommended and a chairman has been nominated by the two nominees to the board. I



think it is Mr. Tom O'Connor. Do you know the date of the first meeting is that he is going to call? June 21. And I suspect he has been appointed for a couple of weeks. These are the kinds of delays that create frustration and create an atmosphere that really does not bring about, or is not conducive to, any kind of a settlement.

I think this is all wrong. I do not know if The Department of Labour is checking when the first meeting is to take place after the board has been appointed; I do not know if they check it; but this is all wrong. It is some six weeks before Mr. O'Connor can meet, and I think, in those kind of situations, that The Department of Labour should intervene and make sure that the conciliation procedures work, because obviously, I suppose, here is where the parties think that it does serve some purpose.

Now, I would not want anyone to believe that because the UAW and the steelworkers as well, and some of the other larger unions, do not want to use the conciliation procedure, it should be scrapped. I frankly think that if both parties request conciliation, it should come about. If only one party requests it, then I do not think the service should be provided. But this, Mr. Chairman, is historically the position of many of the larger unions and it just does not serve any real purpose.

I do believe that the government could on occasion be mediators in situations—not a question of conciliation—but could be mediators where the parties request them to come in. On many occasions you can bring the parties back to the bargaining table. Even if you do not participate in the negotiations, you can bring them back to the bargaining table because sometimes in these negotiations both sides will go to their corner and wait for the referee to ring the bell. Well, it never happens and they sit there sometimes just a little too long. I think that the government—

**Mr. J. E. Bullbrook (Sarnia):** What is the technical difference between—

**Mr. Pilkey:** I do not know what the technical difference is, but the mediator in my opinion, is really one man who sits at the head of the table and maybe does not participate. He may just want to bring the parties together. There may be no technical difference between the word "conciliation" or "mediation" but—

**Mr. Bullbrook:** That is what a conciliation officer does?

**Mr. Pilkey:** Not really, no. A conciliation officer does not do that. The conciliation officer sits in and because it is the law attempts to bring the parties together, I must agree. On the other hand, a conciliation officer is not looked upon in the same light in an industrial dispute as the mediator would be looked upon; not looked upon in the same fashion. That may seem foreign to some people who are not participating in those negotiations.

**Mr. Bullbrook:** I am no novice in this, you, know.

**Mr. Pilkey:** Well, what plant does the member come out of?

**Mr. Chairman:** Would the members please address their remarks through the chair?

**Mr. Bullbrook:** I am sorry.

**Mr. Pilkey:** These are the only remarks that I make, the question of delay and the question of the parties attempting to resolve their disputes themselves. I think that in most cases the two parties do come to agreement. It is only those areas that again get the headlines in the papers, those which are not resolved. Let me say that most negotiations come to a final conclusion without any strike action, worked out by both parties. I really do think that this is the method that really should be used, that both parties work it out without too much government intervention in the area of negotiations.

As I say, obviously they can play a role and should play a role when it is necessary, but I would think that on most occasions that the government's role is rather minute in most disputes.

Also, Mr. Chairman, this brings me to the question of arbitration. Section 34(1) of The Labour Relations Act says that every collective agreement shall provide for the final and binding settlement by arbitration without stoppage of work, and so on. Now, I want to say in this regard that more and more cases are ending up in the courts of this province, and I want to say that it all started back in the year 1956 when there was, a celebrated case now, of the International Nickel Company Limited and Rivando. I believe that was the case, back in 1956, that was taken into the courts.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** What has this got to do with this?



**Mr. E. W. Sopha (Sudbury):** The Minister is not serious?

**Mr. Chairman:** Order! The member for Oshawa will proceed.

**Mr. Pilkey:** Thank you, Mr. Chairman.

I do not recall the chief justice's name who made the decision, but this was the first case where an arbitration case was contested in the courts.

I want to say that this is one area where Mr. McRuer and I part company. I think Mr. McRuer's documents and principles were good, but in this area of arbitration they cannot be allowed to end up in the courts. It would cost some unions to appeal all the way to the Supreme Court of Canada probably well in excess of \$10,000, probably more than that. The legal people here could tell me how much that would cost. If the labour movement has to fight their arbitration cases that they have won on an arbitration level and then appeal to the courts, if they have to go that route to get a final and binding decision, then the arbitration section in 34(1) and (2) is going to become meaningless.

**Mr. Sopha:** Well, does the member want no appeal at all?

**Mr. Pilkey:** We want no appeal on the basis of arbitration decisions that are made, they should be final and binding as is pointed out in the Act.

**Mr. Sopha:** Some unions do not agree with the member.

**Mr. Pilkey:** And should not be appealed to the courts. As I said, the moment that you start appealing and taking this through the legal procedures, then the trade union movement in many cases is not going to be able to participate. It is difficult enough now to participate at the arbitration level with the burden of costs and that can be illustrated, the records are clear, in terms of the cost of a union to participate at the arbitration level. Some of them can ill afford it.

The large unions, yes, but the smaller local unions cannot participate at the arbitration level, and if they had to go to the courts then, as I say, this is going to become meaningless.

I want to say to the Minister that I believe in British Columbia and Alberta, what they did was to add just one or two words to their section in their Labour Relations Act—I do not know if they called it a Labour Relations

Act—and the wording they used was: "By arbitration or otherwise."

The Supreme Court of Canada has ruled on these. One of the cases that they ruled on in 1965 involved the Palmer Corporation Limited, OR 774. In the Palmer situation the courts ruled that the arbitration was final and binding because of the words "or otherwise."

Interjections by hon. members.

**Mr. Pilkey:** So I would suggest to the Minister, through you Mr. Chairman, that this arbitration section of the agreements be tightened up so that it means what it says, that it is final and binding at the arbitration level and that there is no appeal beyond that step. Because I can see who is going to come out on the short end of this kind of a situation where cases are going to be appealed to the court; where the mighty corporations in this province have the resources and the financial backing to participate and the trade union movement do not have it.

You know many people—

Interjections by hon. members.

**Mr. Pilkey:** Many of the people in this province really think that the labour movement gets those dollar bills coming out of their ears and they can participate at every level. Frankly, it is not true.

I am not going to speak for any length on trying to convince the members in this House; obviously, I could not do that if I had all night.

**Mr. Chairman:** Order!

Can we get back to the estimates?

**Mr. Pilkey:** I tell you frankly that we cannot participate at the level that the corporations can.

I want to say to the members of this House that if we ever face the management group in this province—on a question of trying to beat them with dollars, we know that we would never win that kind of fight. We know that we cannot win this kind of fight on arbitration with dollars either.

**Mr. Bullbrook:** Did you ever see in the construction industry a large construction company trying to put down a small construction company?

**Hon. A. Grossman (Minister of Reform Institutions):** Do not confuse them with the facts.

**Mr. Pilkey:** I want to say, Mr. Chairman, that this question of arbitration is a costly procedure. I want to reiterate my position, that this Labour Relations Act and that section 34 ought to be amended so that the smaller local unions particularly are given some protection as far as their arbitration procedures are concerned. I want to agree most heartily with the member for Sudbury when he says that arbitration decisions do reflect, on occasions, on every member of that union. If it is a membership of 12,000 or 15,000 or a membership of 10, that decision could reflect on the whole membership. So that we think that, in that regard, it is important. It is important that if we do get a favourable decision at the arbitration level that decision ought to stand and not to be subject to appeals all through the courts, all the way to the Supreme Court of Canada.

The labour movement, I am sure, are prepared to live with it. Obviously arbitration is not the soundest device for the labour movement. If there was some other method of resolving the grievances I wish you would find it. But at the moment this is the law and this is what we abide by, but I want to say again that if it is the law, let us make it final and binding so that both parties must live with it and there is no appeal from the decision going to the courts throughout this land.

Also I want to say, Mr. Chairman, that court reviews, and again in the courts, cause tremendous delays. This procedure under The Labour Relations Act that is deemed to be in the agreement anyway was a procedure to accelerate the final dispositions of grievances that may take place during the life of an agreement. Obviously, if we are going to allow them to go to the courts they are not going to be accelerated.

There is going to be a long delay and those grievances are going to be festering in the dispute beyond what it really started out with. So I want to suggest to you again that courts are not final and should not be the final and binding position for arbitration cases.

**Mr. E. Sargent (Grey-Bruce):** You are repeating yourself.

**Hon. Mr. Bales:** The one point the—

**Mr. Chairman:** Does the Minister want to reply to the speakers so far or to this particular member?

**Hon. Mr. Bales:** He raised one point that I wanted to deal with and that was in reference to the Oshawa civic employees dispute.

I may say that we had an enquiry about that yesterday and we were in touch with the chairman directly. We have asked them to arrange an early meeting and he assured us that that was being done. We did not have a specific date—we certainly did not have June 21. We have asked it to be done as quickly as possible.

**Mr. Chairman:** The member for Port Arthur.

**Mr. R. H. Knight (Port Arthur):** Thank you, Mr. Chairman.

I have no intention of speaking on exactly the same matter the hon. member for Oshawa was touching on, but a matter that I think applies to this vote, at least I hope it does.

I returned from the Lakehead at about 6 o'clock tonight on a late plane. I have still ringing in my ears comments that, if they bear out true, this department is going to have to conduct an awful lot of arbitration and conciliation in the Lakehead area before this year is out.

There seems to be a bit of a depressive mood setting in. Folks are bracing for what they call a long tough summer and fall labour-wise. I think that if the hon. Minister and his department are not aware now they should make themselves completely aware of some serious signs on the labour front right now at the Lakehead as to what may come very soon so that if these labour crises do develop during the course of the year, the department will be completely on top of it. At least it will not be able to say it was not forewarned. If these warnings do bear out, well then, of course, the department will be able allay the fears of some people in business and in labour circles that I can assure you are very prominent right now.

I refer to the wood industry, Mr. Chairman, where I am well informed that the industry is quiet, inventories are high, wood programmes are lower than normal and to top it off, union contracts will come up for settlement somewhere around September 1. There is great concern in that industry and it could be a source of considerable trouble, not only for the people of the Lakehead but for this department.

In shipping I understand that for the time of year, grain movement is not what it should be because of the grain markets. I am not suggesting the department improve the markets, but I am suggesting that there could be some difficulties in matters of labour in that area.



New construction is down in the Lakehead area generally speaking and many of the trade union contracts will be coming up for negotiation.

The Lakehead as far as employment is concerned in most of these areas is seasonal. We have a nine-month period of good, hard work for our people; you will realize that if they do not get their work done and make their income during those nine months, they cannot count too well on the other months.

Right about now everything should be wide open and flying, and it is not.

**Mr. Chairman:** Would the member please restrict his remarks to vote 1003—conciliation services?

**Mr. Knight:** Thank you, Mr. Chairman. I am trying to make a point that I think this department—I do not know what its *modus operandi* is or how it goes about doing these things—should send someone there or have its representatives there to make themselves completely aware of these problems right now and head off as much of this labour trouble it can so that it will not have to get involved into some very serious conciliation efforts. I felt it my responsibility as a representative for this area, since these matters were brought to my attention, to convey them to the hon. Minister and to seek his assurance to the House and to my people that the department will keep on top and will investigate these serious signs. Thank you, Mr. Chairman.

**Mr. Chairman:** Vote 1003. The member for Sudbury.

**Mr. Sopha:** That was a very interesting discourse by the hon. member for Oshawa and as usual the Minister played his cards very close to the vest and was not provoked by what he said. In the first place I do not think there is a universal agreement in the trade union movement with the member for Oshawa that these awards of boards of arbitration be not appealed to the courts.

Quite frequently, of course, the unions have made use of the courts by the prerogative writs to get them there. I must tell the member for Oshawa, I will tell him freely—I will send him and his union no bill—that unfortunately the Minister of Labour cannot help him because the common law is just too powerful for this latter day emergence upon the labour scene no matter how able a lawyer is or what talents he has at his disposal.

If the member for Oshawa, of course, could write a privative clause that would keep these out of the courts, he would have achieved a pinnacle that has eluded generations of legal scholars. No amendment the Minister would like to make for the member for Oshawa, unfortunately, can keep Her Majesty's judges from delving into the matter and substituting their own judgment of whether natural justice has been served or not.

The other aspect was far more interesting. He condemned conciliation services out of hand and he revelled—did you notice how he revelled?—in the fact that it only took three minutes in Oshawa to get them packing bag and baggage. But then when he got around to talk about mediation, while professing not to know what it meant, you notice the caution with which he approached that one and how he allowed how useful the services of the Minister of Labour might be in mediation.

And of course that is what I was saying yesterday—precisely what I was saying. The modern development is the interposition of the Minister of Labour, the embodiment of the state and the compulsive feature that he brings along with him. And the united auto workers, like the united steelworkers, are smart enough to know that if the Minister of Labour arrives on the scene he can begin to lean on people a little bit and perhaps he can drop the odd word to the parties about what the public interest demands, and that is why the member for Oshawa likes you. Frequently, this cuts both ways—let us have it, what goes on out in the open—this cuts both ways: Not only is there a possibility of leaning on the company by the Minister of Labour, but the Minister of Labour is the straight guy who gets the union negotiators off the hook also. He is used by them to bail themselves out of a position that has become untenable.

What I said yesterday is that I approve that development wholeheartedly because it is the public interest that is coming to the bargaining table and the Minister of Labour, by being there, ably assisted by Mr. Eberlee and Mr. Dickie—and if this matter is big enough they can bring the whole NHL crew with them from the department. It means that the public is heard and the vital importance of settlement of the dispute to the third force that is not a contractual party to what is going on is recognized. And the member for Oshawa well knows it.



His paeans of praise about the mediation of the Minister of Labour might have been much more gradiose than he chose to make them because what he is really saying on behalf of the auto workers is that "we big unions will get these things settled the faster the Minister of Labour appears to help out in the discussion." And, of course, the more prolonged the strike is, the greater the urgency becomes and the public prints call for direct intervention by the government. And the public now expects, and is entitled to expect that their point of view, their interests, will be heard in this to avoid the great dislocation, economic loss and inconvenience, that strikes involving large contending factions must inevitably leave in their wake.

Having said what I said yesterday about the public presence and a development of the recognition of vital public interest I am delighted to hear, even though it was a grudging and restrained admission, what this emissary, this steward from the united auto workers had to say tonight.

**Mr. J. E. Stokes (Thunder Bay):** Do you agree or do you disagree?

**Mr. Sopha:** This is the first good sense in the pragmatic area that we have heard from this party up to now. Up to now all we have heard is the idealistic—you remember Bryden and how he used to envelop it with all the Marxian dialectic? Well, we have a two-fisted union leader here who tells us the facts of life and how these things work out.

**Mr. Stokes:** You are just beginning to listen.

**Mr. Sopha:** They should have sent him here a long time ago to get down to a bit of reality. All right, I am one member of this Legislature who says to the Minister of Labour: "Hereafter when the issues seem to be irreconcilable in these industrial disputes, all power to you; get there as soon as possible with your books and your baggage and say 'I am here, now what seems to be the trouble between you parties? Maybe Uncle Dalton can iron it all out. All we need is a little bit of reason on either side; that is all we need, a little bit of compromise, give and take; come on fellows, let us have some coffee and get down to business'."

**Mr. Chairman:** Vote 1003; the member for Hamilton East.

**Mr. R. Gisborn (Hamilton East):** I do not want to say very much, Mr. Chairman, but

certainly I will say this: I will debate with the hon. member for Sudbury at any time that he just does not know what he is talking about. I am just going to say briefly that I have seen eight sets of negotiations that were considered most important. Not once have I known of either management or the union requesting a session with the Minister of Labour. Two or three times we have been invited to sit down with the Minister of Labour and one of the most genial gentlemen I ever met, the hon. Mr. Daley. But Mr. Daley could not negotiate himself out of a paper bag although he was a fine gentleman and he brought the parties together and asked us what the problem was. We told him and he left, and we got down to serious bargaining.

**Mr Sopha:** That was years ago.

**Mr. Chairman:** Let us get back to the estimates.

**Mr. Gisborn:** Winds of change are coming and they strike the Liberals right in the face. We heard them talk yesterday about minimum wages because they have some feeling that we are going to get some legislation to cover it, and I agree with you, Mr. Chairman—

**Mr. Sopha:** What legislation?

**Mr. Gisborn:** I agree with you, Mr. Chairman—we will talk about it in the next vote—that I am not dealing with this question—

**Mr. Sopha:** Then you are out of order.

**Mr. Gisborn:** What I wanted to ask was—and first I might say that there are other strong oppositions to conciliation boards. My colleague from Oshawa has been very straightforward with his position. We have asked for years that conciliation boards be made voluntary for the reasons he has explained, that where both sides cannot agree that they can be of some use, they become a waste of time. The Minister in his report has told us of the reduced use of conciliation boards. I know it has been beneficial and he uses it with good discretion now.

But there is another reason for which conciliation boards are used, of which we have never approved. We are sceptical of them because when you are ready to settle down to strong, straightforward negotiations the industry wants to get their propaganda across to the public. They draft their briefs to present to the board, issue their statements to the press, and then in a hurried fashion, read

off their brief to the union and away they go and get down to serious negotiations. These are some of the delays and the things we have opposed. I think the Minister should give us an answer himself. I do not entirely take for granted the answer to the question of whether we can stop the arbitration cases, the awards, going before the courts. I wish the Minister would express his opinion as to whether there is any way to stop them from being taken to the courts in face of the terms of section 34 of the arbitration clause in The Labour Relations Act. I think he should give us his expression because some legal people are concerned about it, and if legal people are concerned about it, and think that it has become too prevalent, it is dangerous. They must think something can be done or they would just throw up their hands and say, "We will have to face it."

I know that when it is found that common justice has not been done, the avenue is there. But what we are complaining of and what our fears are, is that they are being used just to revive the case and to make it costly for small organizations, not just for the sake of common justice.

**Mr. Chairman:** The member for Sarnia.

**Mr. Sopha:** Just a moment, Mr. Chairman. I want to ask—just a moment—

**Mr. Chairman:** Will the member for Sarnia yield to the member for Sudbury?

**Mr. Sopha:** On a point of order.

**Mr. Chairman:** On a point of order, all right.

**Mr. Sopha:** On a point of personal privilege.

**Mr. Chairman:** What is the point?

**Mr. Sopha:** I do not like the record to say, as my friend said about me, that I do not know what I am talking about when I talk about intervention of the Minister of Labour. I rise on a point of order to clear that up. When I said that the Minister of Labour intervenes in the settlement of industrial disputes, I was talking about whereof I knew, and in relation to the last strike at INCO in my community, the wildcat strike of July, 1966. I stood in the House and I conveyed my sincere thanks to the then Minister of Labour (Mr. Rowntree), for the intervention he made, personally, to resolve that dispute. And if it did not work in Hamilton, that is too bad; but the personal intervention of the Minister of Labour worked in Sudbury. And that was

the development that I was speaking about tonight.

Interjection by an hon. member.

**Mr. Sopha:** And I do not like people to get up and say that I do not know what I am talking about.

**Mr. Chairman:** Let the record show that the member for Sudbury does know what he is talking about. The member for Sarnia.

**Mr. Bullbrook:** Mr. Chairman, I wanted to perhaps suggest to, with respect, the hon. Minister of Labour that before this stage of the debate he should have got on his feet and discussed this question of recourse to the courts. You left it to my colleague, the hon. member for Sudbury, to discuss the question of access to the courts and I suggest that perhaps you should have been on your feet before this time—recognizing full well that you will probably sum up on this point afterwards. But I as one member of this Legislature, and one member of the legal profession, would not ever want to find us, sir, in a position of legislating complete incapability of recourse to the courts; and the courts have found this.

My friend from Hamilton East has discussed the question of recourse because of natural justice and although I sympathize with the position of trade unions, I must say this, Mr. Chairman, that this whole question of collective bargaining is a two-way street. I have been involved with both ways on the street itself. I perhaps unduly interjected when the hon. member for Oshawa was speaking, but I have been involved with situations where large trade unions have put small construction companies out of business. So I do not think we can just look at that tremendous octopus of industry, General Motors, and say, in effect, that the poor UAW is being unduly treated at all times; it is a two-way street and I think the Legislature and the hon. member for Oshawa recognizes it as a two-way street.

I want to speak of one thing, Mr. Minister, through you, Mr. Chairman, that concerns me greatly; and I premise my remarks to exemplify if at all possible some degree of impartiality and some degree of objectivity. I had the good fortune to act for the oil, chemical and atomic workers in connection with the case cited by the hon. member. On the other hand, I have acted on many occasions for businesses in the city of Sarnia involved in conciliation procedures, arbitrations and other matters.



What causes me great concern is what transpired in the city of Sarnia and in the city of Toronto, and what I like to call the layering of contracts. This has got to stop, in my opinion. And your department, I think, is attempting to stop it; maybe you have stopped it already and if you have, sir, stop me right now.

What I am talking about is this. We have got to stop having industry, of its own volition, collectively bargaining with separate trade unions. By way of example, the Sarnia construction association bargaining with some 12 or 13 trade unions at different contract times. And, as my colleague rightly says, the public interest has to be considered—and it is not adequately being considered—because last year we found the expiration of all proceedings and a legal strike by the iron workers against the Sarnia construction association. The picket lines honoured by other trade unions during the course of valid contractual relationship with the Sarnia construction association had the effect, sir, of completely crippling a huge capital programme in our city. This has got to stop. And it is an insidious thing; not only insidious, but well planned, and I charge this publicly on the floor of the House, by some trade unions in the construction industry. And I suggest to you, if you have not done it already, it is most incumbent upon you now to consider this whole problem.

If we are going to be in a situation where you must have some collectivity of bargaining agencies, that is, where you have perhaps a plethora of companies and trade unions who must bargain through one collective vehicle, then I suggest to you, you have got to insist that there be a term certain in the contract that relates to all the trade unions. Otherwise, sir, it is going to create complete chaos and I invite you to respond to this now, if you would, to assure me as the representative of the people of Sarnia that this government is going to do something about this tremendous problem. Because if the trade union movement of its own volition will not do something about it, as in my opinion they should have, then, sir, you must do something about it. And I would ask you to respond to that right now.

**Hon. Mr. Bales:** Mr. Chairman, last summer particularly—and I am well aware of the difficulties to which you refer—we had a very difficult situation here in this province both in this area and in the Sarnia area; a matter which caused us the greatest concern. The hon. member for Sudbury talked about the

hon. Minister of Labour taking part and getting into the middle of these things—and that is what took place. I will tell you now, in a number of times it was a difficult and protracted matter. The hon. leader of the Opposition was involved sometimes in certain meetings that we had outside this building, for example. But it is a matter that we are very much aware of and I may say to the hon. member, very concerned about, and we are considering the whole situation to find ways and means whereby we can hopefully avoid this kind of situation in the future. So far as I am concerned, as Minister of Labour, I have no hesitation in becoming involved in these kinds of situations as long as we recognize the public interest and free collective bargaining. But we have to do our best to find ways to bring about settlement in these things and to stop the disruption such as occurred in the last year.

I have a very great concern in reference to that matter. There was a long and detailed discussion on these things and I think in the estimate period that it is a good thing that people on all sides should express their views and express them openly. Because remember, it is not just a case of my giving information to others. I benefit and gain from the information and views expressed by people on all sides of this House. So I welcome this kind of situation.

**Mr. Bullbrook:** Mr. Chairman, may I make so bold to say, sir, that you agree in principle with what I have tried to convey to you; that there should be some uniformity of expiration of the contracts in trade unions collectively bargaining with one association. Would you say it is a good principle?

**Hon. Mr. Bales:** I can only say to you, and I think it is quite clear, that it would be very desirable, if it were all that way and it would help us in many ways. It is one of the things we are working towards.

**Mr. Bullbrook:** Is there not, sir, respectfully, some degree of obligation on your part in this respect? It has been brought to your attention so many times, and you recognize it much more than I do, your obligation to the public interest. It seems manifestly clear to me that there is only one way to make sure that trade union contracts of this nature end at the same time, and that is to write into the law some degree of obligation on the part of the trade union, if they will not do it voluntarily.



**Hon. Mr. Bales:** I think there is a good deal to be gained though by co-operation and, for this reason, it is one of the reasons we established the union-management council wherein we have people from both sides. We bring them together outside the immediate strike situation whereby they can deal with this kind of thing, realizing the problems that are being created and sitting down together to try to help us solve their own problems. They can do a good deal in this regard, and it has taken a good deal of trouble and persuasion to reach this present stage. I think we are making good progress here, and this is what I want to pursue, and am pursuing.

**Mr. Pilkey:** Mr. Chairman, I just want to make a comment on this because I think it is important, too, and this is the question of government involvement in the situation that the hon. member talks about.

I really do think that there is something to be gained where labour and management and the government come together as a group to discuss specific problems, whether they are going to happen now or in the future. But the thing that bothers me is this question of saying that something has to be done because of the public interest. Let me say this, that the moment you keep playing that song it could be detrimental to the unions in particular.

The management groups in this province, in most cases, are quite capable of taking care of themselves; make no mistake about that. Let me say one other thing to the hon. member. He is talking about this cohesive type of group where the union comes as one group and the management as one group. I would like to tell the hon. member through you, Mr. Chairman, that there are occasions when that type of negotiation takes place, and who bolts then? It is one of the management groups because they will not agree to stay within the group, and one of them will—

**Mr. Bullbrook:** The law should apply to them, too.

**Mr. Pilkey:** Well, yes, but the member's whole speech has been directed towards the trade union movement, that they have been the culprits in this situation and not the management who are Simon pure in all these situations.

**Mr. Bullbrook:** The trade unions have been at fault, that is why.

**Mr. Pilkey:** The unions have been at fault? This is the point I am trying to make, Mr.

Chairman, this is the obvious point, that the unions are always at fault, that if there are any—

**Mr. Bullbrook:** I rise on a point of order, Mr. Chairman. I never for one moment said that the unions—

**Mr. Stokes:** That is what the member said.

**Mr. Bullbrook:** Never! In discussing the question of public interest, who other than government is to take care of the public? If government does not do that, surely we cannot expect the trade union officials to take care of the public interest.

I am not here, Mr. Chairman, if I might on this point of order, to undertake some fight with the trade union movement. I am trying to point out to the Minister, as he has requested, that we do know some of the difficulties that are involved in our various constituencies, but let us not try to relate this to any fight on my part with trade unionism.

**An hon. member:** They are too touchy.

**Mr. Pilkey:** Well, Mr. Chairman, I took that inference from the hon. member's remarks. I just want to say again that if it is possible to bring the groups together and to work out some resolve with government sitting there as a group—I am not talking about negotiations—I think the committee that the Minister has set up; if the committee of management, of trade union leaders and the government can sit down around a table and co-operate in terms of working out some agreements that are beneficial, not only in the public interest, but to the management, to the trade unions and everyone, and the government obviously will be sitting there representing the public.

The labour movement has said this many times. When we went to the federal government on the question of the Canada-United States auto pact, the free trade pact, we went to the government and what did we say? We said, Mr. Chairman, that there ought to be a tri-partite committee set up. Now, let me tell you what happened in that situation.

**Mr. J. Jessiman (Fort William):** High Park or tri-partite?

**Mr. Pilkey:** A tri-partite committee. If you have fingers, it is three.

A tri-partite committee should be set up, and we talked to the Minister of Labour about that, Mr. Nicholson; I believe his name

was, John Nicholson. We talked to him about it, and let me tell you what he said. He said that the government is prepared to co-operate, but we do not know if we can get management to co-operate in that kind of a situation, in a tri-partite committee that would discuss the problems of the labour movement and the management.

Mr. Nicholson said this has to be done on a voluntary basis. He said: "We would not dream of legislating in this area."

We said: "Well, why do you not legislate in this area?" and he said: "We would not dream of it."

So I wonder who is prepared to co-operate, I wonder who are the culprits in this kind of a situation. I think the labour movement, Mr. Chairman, is prepared at any time to sit down with government, with management, with organized labour, and try to resolve our situation before there is any economic action taken.

Let me say that the workers of this province do not desire strike action at any time. Let us face it, when they take that type of economic action they know the distress that they are going to have in terms of their living standards, in terms of their families, and everything else, but they take on that kind of fight. Not just because they want to rush out and form picket lines. They do this because of necessity and because they know they have to participate in that kind of struggle. And this is what it is all about.

They are going to continue to do it. But if we can get government and labour and management to sit down and work out solutions, I want to tell you that the labour movement in the province of Ontario will accept that kind of solution and would laud this government the day they put that kind of committee together.

Mr. Sargent: Mr. Chairman, I would just like to say a few words about the position of the OPP intimidation in these strike matters on the part of the unions.

I do take exception to the position of the hon. member for Oshawa in saying that his feeling is that there is no need for appeal. After all, management are people, too, and management in most cases have not the large amount of money available to unions.

Mr. Stokes: Oh! Dreamer!

Mr. Sargent: Well, some of the members should tell the House how much money the NDP gets from the unions.

Mr. Pilkey: I will tell the hon. member if he tells me how much he gets from General Motors.

Mr. Sargent: I wish I knew, I would tell him.

Mr. Chairman, my concern is that the area of business, of free enterprise, has to live, too, it is no use thinking it is a one-way street. There very definitely should be appeal on both sides of the street. My one thought on this vote, Mr. Chairman, is that I do not see anything in this item 4—conciliation boards, commissions and boards of arbitration—under this vote, I do not see the OPP mentioned there.

My point is this, I think it is a criminal thing that the OPP can arrive on a strike scene and create an atmosphere of intimidation against the unions. I would like to know from the Minister at what point do they arrive on the scene? I do not think the Minister would order the OPP to arrive on a strike scene, but at what point do they arrive on the scene?

Hon. Mr. Grossman: When there is trouble.

Hon. Mr. Bales: Mr. Chairman, I am sure the hon. member realizes and appreciates the fact that this is with reference to the Attorney General (Mr. Wishart) in the maintenance of law and order. It is not within our jurisdiction at all.

Mr. Sargent: This is very important. I think intimidation in a strike is a very important point. The very fact that the cruisers are there and police are there, the unions, Mr. Chairman, are very concerned. At a strike that was in Brantford about a month or so ago, the OPP were there in force—

Mr. Chairman: This would be better discussed with the Attorney General.

Mr. Sargent: I do not agree with you, sir. I think that—

Mr. Chairman: It is under his jurisdiction when the OPP are—

Mr. Sargent: I would suggest to the Minister, through you, that it is completely unfair. It should be a position of definitive—to define the very last resort that they will be called in. Can management call police, Mr. Chairman?

Hon. Mr. Bales: Discuss this with the Attorney General!

Mr. Sargent: Pardon me.



**Hon. Mr. Bales:** In reference to the Attorney General; the maintenance of law and order.

**Mr. Chairman:** I think you made your point, as far as the labour part goes.

**Mr. Sargent:** No, no.

I do not agree with you. I am trying to find the Minister's attitude, Mr. Chairman, insofar as calling police to a strike scene.

**Mr. Chairman:** It is still under the jurisdiction of the Attorney General.

**Mr. Knight:** I just wonder if the hon. Minister wants to give me any kind of answer on the comments I made earlier. There is some concern, and I just wonder if his department is aware of it and if they plan to give us some assurance that they are investigating it.

**Hon. Mr. Bales:** I am glad to give assurance to the hon. member that we are aware of the situation up there. We look ahead to these agreements as to when they are coming up for renewal and all the other matters. And I may say in reference to a number of situations that have developed in northern Ontario, we have been working some months ahead of the actual termination of the present agreement and carrying on discussions. We realize the seriousness of the situation up there but I do not want to discuss them here.

**Mr. M. Shulman (High Park):** I shall not take much time, I just want to ask through you, sir, to the hon. Minister, if he agrees with the recommendations made by the select committee of this Legislature on labour relations—a select committee on which the hon. Mr. Leslie Rowntree and Hon. Mr. John Yaremko were present?

**Hon. Mr. Bales:** That was the select committee which reported, I believe, in 1961 or 1962, I have forgotten the exact year. Certainly it was prior to the time the—

**Mr. Sopha:** It was 1958.

**Hon. Mr. Bales:** It was 1958, certainly before I was here and perhaps before the hon. member—

**Mr. Sopha:** Donald MacDonald has been embarrassed ever since—

**Hon. Mr. Grossman:** You should not have brought that up.

**Hon. Mr. Bales:** The select committee report which—

**Mr. Jessiman:** This is the Shulman hour.

**Mr. Shulman:** I am sorry; there is so much noise I could not hear your reply.

**Hon. Mr. Bales:** The select committee report was some years ago—ten years now, the hon. member for Sudbury tells me. I have read the report but I have no further views on it at this moment.

**Mr. Shulman:** Well, the point I am coming to—and this will come up properly under the Attorney General's estimates—but this particular select committee recommended that *ex parte* injunctions should no longer be allowed except in emergencies and, although this will come up again in the Attorney General's estimates, I wanted to ask this particular Minister if he would agree with the particular recommendation of the report, so that we may use his feelings when making representations to the Attorney General.

**Mr. Sopha:** Attorney General's Department—

**Hon. Mr. Bales:** You will appreciate that this particular matter that you refer to is one of the main reasons for the Rand Royal commission. And certainly we are anticipating some very firm views in reference to this whole matter, when the report comes forward. And since the report will obviously come to my department, I shall want to deal with it and study it very carefully when it comes. I do not know when it will be here but it will be within the next few months.

**Mr. Chairman:** The member for Oshawa.

**Mr. Pilkey:** I just want to make one comment. The member for Grey-Bruce when he was up, mentioned something about profits and I just wanted to make one comment that the workers, between 1961 and 1966 in the Chrysler Corporation, had increases of 29 per cent while the corporation's profits went up 1,504 per cent. I wonder who is making the money?

**Mr. Sargent:** Where did you get those figures?

**Mr. Pilkey:** Those are the facts, they are on record.

Vote 1003 agreed to.

On vote 1004:

**Mr. Gisborn:** Mr. Chairman, under the labour standards branch; this is the section of the department that looks after the various pieces of legislation, vacations with pay,



hours of work, overtime and so on. I was very pleased to hear the Minister tell the House that his intentions are to bring in legislation during this session dealing with minimum wages. He did mention minimum wages—I would hope that it will be a little broader than that in the field of vacations with pay, and hours of work and so on. But, I know others will have something to say in those fields.

But as I proceeded to say, when the winds of change start to blow, the Liberal Party certainly catch on because the member for Sudbury, in a very good speech yesterday, did point out to the government and the House the very miserable minimum wage we have in this province. I think it was in the air that we were going to get some legislation to increase the minimum wages. I would just like to add my thoughts to it, that certainly, if this is the intention of the Minister, it is very belated. We have, in Ontario, been dragging behind other provinces and other countries in this regard for some time.

I have found, in the last two days, that we are now the lowest of any that I can find because I find now that in Newfoundland, at the present time, it is planned to increase their minimum wages from their present 70 cents to \$1.10. It was pointed out in the *Financial Times* of April 8, 1968, that the legislation was already in the mill. Quebec is now \$1.05, Prince Edward Island and Nova Scotia \$1.10 and of course, we know the Canada labour code has \$1.25. In the province of Ontario, of course, it is still \$1 in most industries and only \$1.25 in the construction trades.

It is interesting to note that in the United States the federal minimum wage has now gone from \$1.40 to \$1.60 and the state legislation from \$1.50 to \$1.60 as a minimum. Of course, this is in the large industries, and also they have provided a 40-hour week with time and half in legislation under the federal code. In the United States, the service trades—the farms, farm employees, hotel, hospital and cleaning establishments—are now \$1.15 and, under legislation, will move to \$1.60 in a three-year period.

So we would hope that we will be able to say in Ontario that at least we will match the American minimum rate. We realize there has been quite a controversy, Mr. Chairman, about parity wages in some industries; and of course, there is a lot of room for a dialogue and discussion as to the pros and cons of that. But I do not think that we can have any argument about a basic minimum

to provide the necessities for a person who has to go and work from morning until some time in the evening to make a living. So, we anticipate that when the government brings in this legislation it will be substantial and make up for the time lag in any improvement in this field over the years.

On vacations with pay, I would just say that we have about as miserable a vacations-with-pay programme in this province as any that can be found. We get one week up to three years, and two weeks thereafter. Other provinces across this country have had better vacations with pay for many years. It was interesting to find that, until a short time ago in France, there were two provisions for vacations with pay. Those in heavy industry for some years have had an automatic four weeks' vacation with pay without regard to terms of service and the services establishments—farms, hotels and so on—have had three weeks. The national assembly a few days ago announced that all workers would now be entitled to four weeks' vacation with pay. Certainly we have some guidelines and I hope that when we get to legislation we can feel quite proud of this province and be assured that it is substantial enough to get unanimous consent of the House without any reservations.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, earlier in the day I heard the Minister mention something about the studies concerning the minimum wage. I, like the member for Hamilton East, I think it is, have spoken practically every year concerning the need for an increase in the minimum wage. The cost of living for the past year has risen substantially, and I think that, as the cost of living rises, so should the minimum wage rise; whether one should be directly based on the other I cannot answer. But I think the approach the Minister is taking, by having a committee undertake a study in this field, is certainly a proper approach and we hope that it is not too long before the Minister introduces legislation that will permit the minimum wage to rise substantially.

I know, coming as I do from an industrial community, that one dollar as a minimum wage is far too low. There is not a married man in the city of Windsor who could possibly live on \$48 a week, yet there are some industries or some branches of labour, some employers that would not pay much more than that. I know their businesses may not

be able to afford wages that might be in excess of a dollar an hour but I think the employer will have to manage his business in a certain fashion or do something to the business to enable him to pay a wage much in excess of one dollar an hour. At the same time, I would like the Minister to take into consideration raising the minimum wage of students—

**Mr. Sargent:** Hear, hear!

**Mr. B. Newman:** —and the reason why I mention students; a lot of the students work after school, not for luxuries that they would like to enjoy but because of necessity. They may come from a one-parent family; they may have other reasons for requiring work. I think the fact that they may be making only 65 cents or 75 cents an hour as they do in some of the supermarkets, is not sufficient for that youth to enable himself to collect or to save enough money to carry on his education.

**Mr. Sargent:** Ontario discrimination.

**Mr. B. Newman:** Today, where we are trying to encourage our youth to stay in school and with the cost of living as high as it is and with the cost of books ever increasing, we find that the student—especially the student who is going on to university—finds himself in the most embarrassing position. Not only does he have difficulty obtaining employment, when he does obtain employment he finds that the wage for which he has to work, in many instances, is much too low to enable him to save sufficient funds so that he can carry on his education.

**Mr. Sargent:** Hear, hear!

**Mr. Chairman:** The member for Cochrane South.

**Mr. W. Ferrier (Cochrane South):** Mr. Chairman, I would like to raise a matter that has happened a couple of times in my riding. I think that The Department of Labour, in this labour standards branch, should be aware of it and perhaps try to do something about it.

It concerns marginal mines in our area but could very well concern marginal companies throughout the province. These companies go bankrupt or go into receivership. The Irvington-Genex Mine sent the men home on Friday, just before Christmas a year and a half ago and when they got back on the Monday, they met barricades and the company had closed down. There were a lot of

back wages owing to these men and it was only after a long struggle that they got these wages.

Just recently, Munro Copper went into receivership and there was a four-day period when the company ceased their responsibilities and the receiver took over. The men worked for four-day periods and nobody accepted responsibility to pay those men.

The average miner's wages are not terribly high in our area and it seems an outright crime that men should have to be deprived of their rightfully earned wages. In some cases, when a company goes into bankruptcy after a long period of struggle, they can get those wages, but in the case of Munro Copper mines, they will not. It seems to me that the labour standards branch of this Department of Labour should look into this question and see if there is some way that the wages of workers, who have actually worked and are entitled to these wages, could be guaranteed to them.

We are not asking for anything that is not theirs. But I feel that something must be done before this happens again and again and again.

**Mr. Chairman:** The member for Oshawa.

**Mr. Pilkey:** Mr. Chairman, yesterday, I mentioned the question of the minimum wage. I am sure the Minister must accept the fact that we are not raising this question solely from a point of Opposition because it is not only this side of the House that has raised this question of the minimum wage. As a matter of fact, very recently, sir, you had a delegation of the congress of Canadian women which presented, I understand, a brief to you and the hon. Prime Minister (Mr. Robarts) of this province. They urged you to raise the minimum wage along with a number of other things. They urged you to raise the minimum wage to—

**Mr. B. Newman:** Two dollars an hour!

**Mr. Pilkey:** You are right, to \$2 an hour. In that brief they also stated, at least this is the press report, that if you were considering raising it to \$1.25, they said, we forthrightly reject this miserly pittance. It said in the brief and so I say that it is not only the Opposition on this side of the House that raises this question of the minimum wage. It has been raised from other quarters of this province, outlining the need.

I also want to say, Mr. Chairman, on this vote 1004, that The Hours of Work and Vacations with Pay Act points out the number of



hours per week; in addition to that, the number of overtime hours that are permitted. If I have not said it, I want to congratulate the Minister on this document; very helpful in terms of discussing this estimate. In this document, it states the branch controls this procedure under a permit system and they are talking about the overtime.

I want to suggest to you, sir, that in my experience, this question of overtime is not controlled to the extent that it is necessary. Many workers in the province are forced to work excessive overtime, even though they do not desire it, by their corporations with the threat of termination of employment if they do not work that overtime. I want to suggest to you, sir, that there will be a great need in this province to increase the number of jobs. I just do not recall the projected figure in the province of Ontario as we need jobs as young people come on to the labour market from the schools and from training centres. Therefore, this question of overtime—and I am talking about excessive overtime—in these industries should not be tolerated when these young people are coming into the labour market so that we can provide them with jobs.

In addition to that, I would suggest to you, sir, that overtime in this province should be on a voluntary basis; that no worker should be subject to having to work overtime with the threat of discharge, of termination of employment. This is very important. I know that there have been requests to your department by employees of industries for you to take action in regard to stopping this question of overtime. I think there is a sense of urgency here in this area, and that the governments are the people that can legislate and make this question more desirable as far as employees are concerned.

**Mr. Chairman:** Is there anything further on labour standards branch? Does the Minister wish to reply?

**Hon. Mr. Bales:** The hon. member opposite has raised a question in reference to the amount paid to students, and if I might just clarify that for you. The rate for part-time students working under 28 hours per week is 80 cents; and students working over 28 hours in a week is \$1.00. Now, in reference to the matter of overtime and the granting of permits. In this particular matter beyond 48 hours does not preclude a person from refusing to work. He can, if he wishes, refuse to work beyond that point. But sometimes the collective agreement allows employers to

schedule overtime as required, times working beyond 48 hours is entirely voluntary; a person is not compelled to do so.

**Mr. Chairman:** The member for Sudbury East.

**Mr. Pilkey:** Could I follow on with a question so that we do not lose the context?

**Mr. Chairman:** If the member will yield the floor, by all means. The member for Oshawa.

**Mr. Pilkey:** I want to raise a question with the Minister on this overtime because I want to understand this point very clearly. As I understood, what he said was that an employee is not required to work more than 48 hours in a week. Now that raises one point. Does this mean that he has to work it in five days, or is this a six-day period, eight hours a day? That is one of the questions that I would like to have answered.

Now the other point is that, obviously, most collective bargaining agreements—and when I say most, I think nearly all of them—did not have this question of overtime spelt out in the agreement; whether on the basis of time-and-a-half, in some cases double time and in some cases triple time, or depending on when they work it. Now I would hope that the Minister did not interpret those sections of a collective bargaining agreement; of making it mandatory on an employee to work, because those sections just obviously have to be in an agreement. If it did not spell out the time and a half, the double time or the triple time, then the employees would not receive it. But surely as we spell that out in collective bargaining agreements, this does not make it mandatory on an employee to have to work the overtime. Now those are the two points on which I would like to have some reply from the Minister.

**Hon. Mr. Bales:** He can work the 48 hours in six days or, by agreement, in five days; but these are minimums. However, the collective agreement, which is a freely negotiated agreement, is between the union people and the management and the employer can, if it is a provision in the contract, schedule overtime. But, of course, he must obtain permits and so on. But under the law the maximum hours is 48 hours without a permit, and the employee, even if the employer does obtain a permit, does not have to work beyond the 48 hours if he does not want to. If there is a collective agreement which binds him, then he is a party to it and that is a different arrangement.



**Mr. Pikey:** Well, the point that I am trying to make, Mr. Chairman, through you to the Minister, is that every collective bargaining agreement is going to have time-and-a-half in it; and surely this cannot be interpreted as an agreement to work excessive overtime. Obviously, the trade union that is representing those employees has this written into the agreement. It is just a normal procedure that this would be written into a contract. Surely the government is not interpreting that as a mandatory feature of having to work overtime; this is the point I am trying to make.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, on this point I am going to bring up, I have had considerable correspondence with the Minister. What I am interested in knowing is, does a man have to stay beyond eight hours? I quoted the limitation of hours of work, section 2, subsection 1, that states subject to this Act the working hours of an employee in an industrial undertaking shall not exceed eight hours in the day. And when a man refuses to work beyond the eight hours, does a company have the right to suspend him for five days as in the case of my constituent who has been suspended for five days because he refused to work beyond the eight hours? I agree if it was an emergency that possibly, if it was going to be detrimental to the company, this man might have to stay to work. But when the work is scheduled 24 hours ahead of time, and the man refused to stay beyond the eight hours because the company does not want to feed him, then why has he not a right at the end of eight hours to go home without facing a five-day disciplinary action? It is right in the Act, and I cannot understand the Minister's correspondence to me. I cannot get this point across that the Act says eight hours, and beyond eight hours he does not have to work. It is very clear in the Act. Maybe I misinterpreted him.

**Hon. Mr. Bales:** The hon. member and I have had rather extensive correspondence on this particular point and he has gradually, and to the very best of his ability, obtained the information to give it to me. But I think that it is an individual point that we have been endeavouring to deal with on that matter, and I think we have tried to clear it up. It concerns whether or not he should work beyond eight hours in any one day, and he has not worked beyond the 48 hours in the week. I think that, under the circumstances, we have covered it just as fully as possible in

my correspondence with him. If there are any additional facts from this matter that he receives from the person in his riding, and if he will send them to me, I will be glad to deal with it further.

**Mr. Martel:** Just one question then. Has the company a right to keep a man beyond eight hours in one day even though the Act I have just read says, "shall not exceed eight hours in the day"? Can the company keep a man beyond the eight hours regardless of whether he has worked only 16 hours in a week? In other words, can he work a 16-hour day? This is the point I want to know.

**Mr. Chairman:** I think the Minister has suggested to the member that this is a specific case. I think in the book on page 16 it indicates—and the Minister has also indicated—what the ruling is regarding the eight hours a day and the 48 hours per week. The member for Hamilton East.

**Mr. Gisborn:** Mr. Chairman, this is the place to get this settled, and I am not satisfied. I am sure that there will be many people interested in this statement of the Minister that you do not have to work over the hours provided by the hours of work in The Hours of Work and Vacations with Pay Act, which says:

—work maximum of eight hours a day and 48 hours a week. Where overtime hours are required, the branch controls this procedure under a permit system.

We know all about that. Now, if there is no permit obtained, and if the employee is asked to work over his eight hours or else over 48 hours in the week and he refuses, and he is penalized by either suspension or dismissal, what protection has he? I would ask the Minister to clarify it because we know he is familiar with the local 707 appeal of the arbitration award to the courts, and the courts upheld the company in the face of this Act and said the company was entitled to penalize the employee for refusing to work over eight hours a day. We have tried to get some clarification on this and I am just amazed at what has been going on, and the lack of any protection for anyone standing up for their rights, and the Minister saying they do not have to work.

**Mr. Chairman:** Can the Minister offer any further clarification on this point?

**Hon. Mr. Bales:** Mr. Chairman, we require a permit for a person to work beyond 48 hours in the week. We do not require a

permit if the person is going to work more than the eight hours in the day. May I say to you that, as I indicated in a statement—yesterday and again earlier today—we are preparing legislation which will be coming forward shortly and at this point we are endeavouring to clarify this situation. I realize the point that you are making but I would just say to you that we do not require that permit for the eight-hour part, but beyond the 48 hours we very definitely do and we insist upon it. If we were to do it for eight-hour periods we would be inundated with applications for permits and I think we would do more harm than we would do good.

**Mr. Chairman:** Is there something further on this vote? The member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, the Minister earlier in the evening mentioned the fact that the minimum wage for students working under 28 hours would be 80 cents an hour and over 28 hours would be \$1 an hour. The minimum wage is being reviewed, I understand, Mr. Chairman. I would suggest that you seriously consider increasing this substantially, or if you do not increase it substantially, lessen the number of hours required to work at which an individual would get the lesser of the two amounts, and over that minimum number of hours, the greater of the two amounts.

**Mr. Chairman:** The member for Thunder Bay.

**Mr. Stokes:** Mr. Chairman, the problem that confronts me with the regard to the labour standards branch is a little bit different from those remarks that have been made earlier. I was wondering if the civil service association's contracts with government departments come under this Act, and if so is there any regulation or any provision in the Act, or any justification for not paying an employee for hours worked.

I have had considerable correspondence with the Minister of Highways (Mr. Gomme). I have had some correspondence, in fact, I spoke personally to the hon. Minister of Labour on this problem, where an employee of The Department of Highways accumulated 188 hours of overtime. Apparently, somewhere within their collective agreement the department does not have to pay overtime, but they allow them time off at their convenience in lieu of—

**Mr. Chairman:** Order please! This surely comes under civil service and Department of Highways.

**Mr. Stokes:** Well, certainly it falls under the purview of the labour standards branch. Certainly, if there is a department of this government that is contravening this Act it would certainly come under the jurisdiction of the Minister of Labour.

**Mr. Chairman:** If there was. But it has not been shown that there is, in fact, any contravention. If the member suggests there is, this should come under—

**Mr. Stokes:** Well, I would think that any time—

**Mr. Chairman:** Order! This should come under the civil service estimates, The Department of Highways.

**Mr. Stokes:** It is a labour problem where a man has worked—

**Mr. Chairman:** Order please!

I ask the Minister if his department under this branch has anything to do with this.

**Hon. Mr. Bales:** No, the hon. member has spoken to me in reference to this particular matter and I suggested that he raise it under the civil service matters when that is before the House. There are certain additional factors I think in regard to this particular matter that have a bearing upon it. He raised it with me in correspondence and I have spoken to the Minister of Highways about it, but this involves the civil service and certain other matters which do not fall within this particular type of thing.

**Mr. Stokes:** Under what Minister then, do we talk on civil service matters?

**Hon. Mr. Bales:** The Provincial Treasurer (Mr. MacNaughton).

**Mr. Chairman:** On vote 1004.

The member for Oshawa.

**Mr. Pilkey:** Mr. Chairman, through you to the Minister, on this question of minimum wage I would like to know if the Minister has this matter under consideration. Elgin Handles Limited, 21 Cain Street, St. Thomas, Ontario; a plant owned by Mr. Hap Day, who I understand has been paying less than the minimum wage.

**Mr. Chairman:** Order please! I do not believe we should bring up all these individual specific cases—

**Mr. Pilkey:** I am only bringing up one.

**Mr. Chairman:** Well, there have been many references in the past. Surely we have had enough of these specific cases without you going into them.

**Mr. Pilkey:** The point I want to make— Could I make one point?

**Mr. Chairman:** In general, I think it would be proper, yes.

**Mr. Pilkey:** Right. Well, the question is if this has been taken care of, what does the department do in terms of minimum wages when they find out that a company is paying less than the minimum wage? The question I would like answered is, do they make this retroactive, do they go back and pick it up, or do they make them pay the minimum wage from the time they are found to be in default?

**Hon. Mr. Bales:** If you have a particular case, if you would write to me about it we will be glad to look into the matter. But I may say to you that our branch investigates and goes back and collects it insofar as the law will permit us to do.

Vote 1004 agreed to.

On vote 1005:

**Mr. B. Newman:** Mr. Chairman, may I ask of the Minister if industry, when they contemplate mass layoffs, inform the Minister so that he can make preparations to take care of the fact that large numbers in the community may be laid off and it may require the services of other branches of government to assimilate or to educate, or to upgrade those that will be laid off?

**Hon. Mr. Bales:** Well, I would say that we encourage companies to certainly do so. In many instances, and I think in perhaps most instances, they do, but not in all instances. There have certainly been certain cases where we have not known about it ahead of time. Where we can know about it ahead of time, or where we have that information, we do our best to try to ease the situation.

**Mr. B. Newman:** Mr. Minister, would it not be possibly better were you to make it compulsory on the part of industry to inform you when there are going to be substantial layoffs in a given community? I mean you do put your own self in an embarrassing position because all of a sudden you find 300 or 400 or any number laid off all at

once. You have other preparations that you must make.

**Hon. Mr. Bales:** You raise a point, and we will certainly—

**Mr. B. Newman:** Give it consideration, Mr. Chairman? Thank you.

**Mr. Chairman:** The member for Sudbury.

**Mr. Sopha:** I was wondering whether this board ever meets outside of Toronto.

**Hon. Mr. Bales:** Yes it does.

**Mr. Sopha:** Does the full board meet in such circumstances, or half or one member?

**Hon. Mr. Bales:** No, the panel of the board. They must meet in a panel. A full panel does meet outside Toronto from time to time.

**Mr. Sopha:** Well, I do not think from time to time is very frequent. I cannot recall in all the labour troubles in the great involvement of this board in the Sudbury area this board ever meeting there. The people trudge down to Toronto to their court room on York Street.

**Hon. Mr. Bales:** I think the hon. member is correct, if we were to say that most of the time they meet here in Toronto. They do meet outside and, quite frankly, it is a matter in which I think there is merit to meeting in other places in this province from time to time as the need is required. It would be difficult you will appreciate, if we were to send them out on a circuit, shall we say, as the judges do, because we are rather short-handed in this regard. The people who serve on the board, the lay members or the management people and the union people have other occupations and can only devote so much time to this. So there is a difficulty in arranging for them to meet outside. But from my standpoint I think there is merit to it because I like to see us have boards which endeavour to accommodate different sections of this province and the people just as much as possible.

**Mr. Sopha:** Well, it is hoped, not only hoped but it is expected that Mr. Rand will make some observations about the activity of this board. One must not anticipate the reforms that he may advocate in his report, but certainly it is apparent in one respect. I never heard of any activity within The Department of Labour in the way of an examination of the ethicacy of this board. In one respect, it violates the principle of natural justice, and that is that a person



ought not to be a judge in his own cause. Bearing in mind the partisan nature of the board then that is precisely what the board must be in the total picture, save the activity of the independent chairman.

Unions, of course, and indeed management, have wanted to participate directly in decisions of the board. This reached a strange character when in the strike in Sudbury between the rival unions you had members of the board who were advocates of one side of the dispute—were connected with the united steelworkers—formed part of the board. That gave rise to a good deal of bitterness.

For myself, and the position we have tried to take in the Liberal Party—we are not the spokesmen of labour and we are not the spokesmen of management—but what we as the Liberal Party traditionally tried to do, we try to accommodate the middle ground and try to see the argument of both sides.

I would prefer if the board, the composition of the board, was completely independent of the parties, and if they want to sit three at a time, well, being a lawyer I see nothing wrong with the transposing of the principle followed in the courts of justice, that all the arbitrators, the judges, be removed from association with the parties. I never could see what advantage it gave the labour people to have Mr. Archer and others on the board advocating their side. If this is to be a quasi-judicial tribunal I would like to see it meet the ideal as much as possible. That is one thing.

The other matter I want to raise is the question of certification. For many years we, in the Liberal Party, have advocated that certification ought to be more or less automatic. I cannot support rationally all these technical and artificial rules that the board has surrounded the process of certification. Our statutes usually lack a declaration of purpose; very seldom do you ever see some sort of preamble which sets out the purpose of the statute, that is not our way.

Particularly is that so with The Labour Relations Act; and quite in contrast to The Wagner Act of 1934, I believe, where it was the stated purpose of the statute—so it said in so many words—that it was intended to facilitate the collective bargaining process and to assist workers to enter into that process through representatives of their own choosing, to bargain for the conditions of their employment in all the antecedents and factors that related to their employment.

Our Act does not do that. But it just seems to me that the board really builds up a barrier

against easy certification. I would prefer a system that if, in a certain industry or a private enterprise, people came forward with a given number of names, certification would follow automatically, putting the onus on those who opposed it to show why it should be set aside. But in the reality, it ends up in a great lawyer-ridden dispute down before the labour relations board, and before you know it they have ordered four or five votes. Frequently the votes demonstrate paradoxical showings of the disposition of the workers involved and it ends up in a bitter controversy.

I put those remarks against the background that surely it is a fundamental right of the individual to bargain collectively. It is about time that this Legislature said so. If a person has a fundamental right, if my premise is correct that he has that fundamental right, then surely it must follow that the onus is upon the person who wishes to impeach it. Having put it that way, the attitude of the labour relations board is entirely inconsistent with that easy process of granting certification. It boils down to this, I say to the Minister through you, Mr. Chairman, that, in effect, the onus is put on the workers to show why they should be granted certification.

Now, there are many other problems connected with this, such as the whole rat's nest of successor rights when the corporate aspect of the operation of the industry changes. I can only hope that Mr. Rand will show us the way through this maze of artificiality that has grown up at the labour relations board. Perhaps at the next session of the Legislature the Minister of Labour will have some legislation that will impose some rationality on the process.

But it all goes back, of course, to the depiction that I made yesterday and which was not disputed by anybody—maybe it is not necessary to dispute what you say here. I said that The Labour Relations Act, to look at it, is based on the adversary principle; it is based upon the eternal dialectical struggle between labour and management. And it assumes in its four corners, in the words it uses, that the struggle will be never-ending. That is a very cynical view, that does not say much for the progressive nature of our society, and the possibility that we may enter into a more enlightened age.

That is the way Jacob Finkelman saw it. He wrote that statute, and in some of the phrases he used he talked about the trades, the artisan, the craftsman who, of course,

were the early progenitors of the labour movement. He used to say they acted as if they had a God-given right to the perpetuation of their craft method of collective bargaining and union organization.

Well, that is all past. That Act has now been enforced, I think, for 22 years, and it has never had substantial revision.

I would hope that next year, after Mr. Rand makes his report, the Minister of Labour will consider rewriting the whole thing. I am one who believes that there ought to be some form of law so that after 20 years a statute could be rewritten to bring it up to date with existing conditions. That Labour Relations Act is, I submit, completely out of date with the reality of the present economic life of this province. The parties to the collective bargaining process are much more enlightened in their negotiations, and their attitudes to one another, than the Act anticipates. I would like to rid this province of that atmosphere of struggle between labour and management, and replace it with an attitude of co-operation to achieve common ends. The Minister has referred four or five times to union-management councils, and he refers in his booklet to their usefulness. I can only say, as modestly as I can, that this is another of our ideas which has been endowed in one of the great legacies of John Wintermeyer, which as far back as 1960, he was recommending when he stood in his place as labour critic. I looked that up in preparation for these estimates.

He based the theme of his remarks in 1960 on the development of some common committee or organization which would bring the two points of view together. When the Minister of Labour talks about his union-management committees, he speaks very proudly of them. Have I got the right council? The member for Parkdale (Mr. Trotter) and myself are very proud of it also, and the member for Windsor-Walkerville, all of whom sat here with John Wintermeyer and heard him advocate both here and elsewhere in the province, the establishment of that common forum where views could be exchanged.

My plea is simply this: Let us at least reach the stage where certification goes automatically upon application. I see nothing wrong with that at all. I am philosophically and rationally against this business of workers having to go, cap in hand, to that board and prove to them that they ought to be granted a certification. This is a violation of fundamental human dignity. They have every

bit as much right to form a trade union and enter into collective bargaining as they have to join the Kiwanis club, or any other voluntary association. They should not have any kind of onus attached to them at all to prove that it is meet and just in the circumstances.

The time is long past when the attitude of opposition and suspicion is to be attached to that desire by the labour relations board or anyone else. Some of the hearings of course, evolving as they do into legal and technical difficulties, depart from the ridiculous into the realm of the sublime, I say to my friend from Ottawa-East (Mr. Morin), who attends me. It is certainly not worthy of a rational society or an emanation of a rational society which is what the labour relations board is supposed to be. I will not repeat my remarks of yesterday. I have been discouraged for many years. I am just discouraged, and there is nothing that I can do about it. I am powerless to do anything about it. I have talked here for nine years about the legalism that surrounds the operation of this board, and any rainfall of rationality that comes from me falls on fallow ground and never creates a blossom.

I remember that when I first broached the subject a few years ago, no less a person than the Minister of Labour himself agreed with me. It gives me strong comfort to know that I am right. When I deplored the jurisprudential, legalistic approach, and the dependence upon precedent and legal jargon in that board and its devotion to form and precedent and regulation, he got up over there and he said, "You are right. I agree with you." He said, "I pleaded with the professor"—that was Finkleman, they called him the professor—

**Mr. Chairman:** Shall we get back to the estimates now?

**Mr. Sopha:** I am talking about the labour relations board. Goodness gracious, do I have to wake you up?

**Mr. Chairman:** No. You are putting me to sleep, I can tell you that. This is a long recitation. I think that you should get right back to the estimates.

**Mr. Sopha:** I am talking about the labour relations board, and I am talking about the way that it operates.

**Mr. Chairman:** You have been off the estimates for so long. We will get back to 1005.

**Mr. Sopha:** I am complaining about the devotion to legalism that this board has in it.



I regret very much your intervention. As I was saying, Tod Daley, who introduced these estimates 18 times before he left, and had a great deal of experience in this department, said to me, "You are right in that."

He said that he himself deplored the approach to the resolution of difficulties. I say that I deplore the fact that in order to arrive at a decision, both sides have to hire lawyers, and get down and argue as if they were in court of law. A simple quasi-judicial tribunal, such as that set up by this Legislature to get some resolution out of the economic strife, was never intended by the Legislature to become that which it has become. Perhaps the Minister of Labour will go back and look at those debates of years ago and see what Mr. Daley said.

He was powerless to intervene successfully. Perhaps under the new chairman, it will be possible to simplify the procedure. By George, I know what I am talking about, because I have been there when they have given a lawyer the very dickens for not having his forms right. They ask the lawyer if he had looked at the precedents before he came down. How is whether he looked at the precedents or not, material to solving the problem that exists in some enterprise a couple of hundred miles away?

The issue before the board is to give the best rational solution that human beings could give to the problem. That has nothing whatsoever to do with forms or writs or precedents or legal jargon. I would much prefer if the board, in its hearings, had before it the actual representatives of the management and union to submit the respective arguments.

I have made the plea once again, as in many times in the past. I must sit down with a feeling of discouragement knowing that things will go on much as they have in the past. Finally, of course, what will happen is that something very shocking will happen. It will involve some industry where the implications are so great in some community that the public will refuse to tolerate it, and that will be the end of it.

It very nearly happened because of the way it was handled in Sudbury. They had to have a couple of votes under the auspices of that board to determine just what was the will of the workers in the circumstances. I am glad that it has gone into history now. It will not be one of the brighter chapters in the history of the labour relations board. That is the type of thing that I mean.

I would put forward to Mr. Rand, though he is a lawyer himself—and being a lawyer, I am suspicious of lawyers—I can only say that I am not suspicious of anything else except their intellectual investment in the law and that is all. Intellectual outlook I am suspicious of; and suspicious of myself in that regard, because we get too wrapped up in it and too devoted to the characteristics of the practice of law.

Mr. Chairman, I am grateful that you allowed me to speak on the labour relations board as you have.

Mr. Chairman: I think we are on vote 1005. The member for Oshawa.

Mr. Pilkey: On a point of order—

Mr. Sopha: What is on the point of order?

Mr. Chairman: State your point of order.

Mr. Sopha: Vote 1005 is the labour relations board.

Mr. Chairman: Exactly.

Mr. Sopha: I want to tell you, to make it perfectly clear to you, that everything I said in that disquisition was related to the labour relations board.

Mr. Chairman: The member is entitled to his own opinion. The member for Oshawa.

An hon. member: Not necessarily on the estimates.

Mr. Sopha: Not necessarily what?

An hon. member: It is not necessarily on the estimates.

Mr. Chairman: He did not mention the estimates on one occasion. The member for Oshawa.

Mr. Sopha: Well, you lost me.

Mr. Pilkey: You are going to lose me in a minute if you do not get some order.

Mr. Chairman: The member for Oshawa.

Mr. Pilkey: The question of certification, Mr. Chairman, comes under the labour relations board and I recognize that there are a number of problems, but one of the most pronounced is the question of delays in certification. I am sure that The Department of Labour, if not the present Minister, did receive a brief some time ago from the united steelworkers of America in regard to delay in certification of office and technical and clerical workers.



**Mr. Sopha:** Right. Is he talking about labour relations right now?

**Mr. Pilkey:** I am talking about the labour relations board and the question of certification—

**Mr. Sopha:** Yes, yes.

**Mr. Pilkey:** Who—

**Mr. Chairman:** Order, order!

The member has had about two minutes; he may proceed.

**Mr. Pilkey:** —and the time elapsed, on six office units that were applying for application—the time elapsed averaged 117 days and, in one case, 378 days. Obviously, those delays in certification before the labour relations board, mean only one thing: It gives the employer a great opportunity to make sure that the union that is applying for certification is not certified and in addition to that, creates tremendous frustration among those employees who are asking for organization in that specific trade union.

I am of the opinion, Mr. Chairman, that the certification procedures, as far as office workers are concerned, need to be speeded up and that the interrogation to goes on to find out whether an employee comes under the supervisory or confidential-employee category, is taking too long in terms of certifying those employees. I suggest to the Minister that all delays in certification, whether it be office workers or factory workers—there is a sense of urgency in speeding up those certification procedures.

I also want to make a point on what is happening in the city of Windsor at the moment where American Standards Products Limited are closing their plant down or threatening to close their plant down. I want to suggest to the Minister that he should be aware of this situation and that the employees in this plant really warrant some protection. This company in Windsor will have left men with 35 years of service on the street. Obviously, they will have some difficulty in finding employment. In addition to that, I want to make the point that here was a union that understood, or at least believed, that this company had some operating problems. The representatives, the united auto workers in this case, believed the threat of the company moving their plants to other locations or disbanding all together, and in the last three rounds of negotiations with that company, the employees have received in total 20 cents in wage increases in an

attempt to keep that company operating in Windsor. Yet we find the plant moving out even though the union accepted the threat that the company was going to move. I do not know how to urge to any greater degree the necessity for The Department of Labour to intervene in this situation where these employees will have lost their jobs, will have lost the benefits accrued. In most cases, pension rights that have been established will have been lost as well. There is a real urgency, as far as this situation is concerned, to get some relief for the workers in that area.

**Mr. Stokes:** Mr. Chairman, just before you carry that vote I wonder if the Minister would give us the names of the chairman of the board, the alternate chairman, the vice-chairman and the four employer representatives, the four employee representatives and what compensation, if any, they earn from their reference on that board?

**Hon. Mr. Bales:** The present chairman of the board is Mr. J. W. T. Reid, QC, the—

**Mr. Sopha:** Is he a lawyer?

**Hon. Mr. Bales:** QC, yes, Mr. Reid—

**Mr. Bullbrook:** You do not have to be a lawyer to get a QC.

**Hon. Mr. Grossman:** You do not? I found out otherwise.

**Hon. Mr. Bales:** Mr. Reid—I think the hon. member for Sudbury and I both know him. The vice-chairman and alternate chairman, as he is called, is Mr. J. H. Brown. The vice-chairman is Mr. J. D. O'Shea. There is a vacancy there because Mr Weatherall is not there now; Mr. Egan and Mr. Brown. The employer members are Messrs. Irwin, Murray, Page, Robinson and Teagle. The trade union members are Messrs. Archer, Boyer, Forgie, Hodges and O'Keefe.

**Mr. Sopha:** We must assume that, unlike the Minister of Labour who held this portfolio for 18 years, this Minister has no views at all on the labour relations board.

**Hon. Mr. Bales:** I have a great many views in reference to this matter, but there will be certainly recommendations in this regard from Mr. Justice Rand. I have taken particular note of the points that you have raised because I think that we want to make some reasonable changes in this regard. I want to see the report from Mr. Justice Rand and I hope that next year we will bring in a substantial number of changes in reference to

this particular Act. I do not seek to anticipate his report but when it comes I will give it very careful study and bring it forward.

**Mr. Chairman:** Vote 1005 carried?

**Mr. Pilkey:** No, Mr. Chairman.

**Hon. Mr. Grossman:** I think you are filibustering.

**Mr. Pilkey:** Filibustering? No, I just want to get—

Interjections by hon. members.

**Mr. Chairman:** Is this vote 1005? Does it concern vote 1005 or 1006?

**Mr. Pilkey:** It concerns vote 1005.

Mr. Chairman, I do not want to take a great deal of time but there is an important point in section 73, of The Labour Relations Act. This is where the Act calls for—

**Mr. Chairman:** I would suggest to the member that we are not debating the efficacy of the Act, we are looking at the operation of the board itself.

**Mr. Pilkey:** I am talking about certification; I want to talk about the certification procedures under the board.

**Mr. Chairman:** The way in which the board operates?

**Mr. Pilkey:** Right, right!

This is applicable to that section. I just want to say that this province of Ontario, and particularly this government, you know they have all kinds of fancy slogans—a province of opportunity—equal opportunity—

**Hon. Mr. Grossman:** Is it not?

**Mr. Pilkey:** Good, then let us apply it right here, if it is a province of equal opportunity. Where the Act calls for certification of 50 per cent of those eligible to vote—I do not know what other kind of votes take place—to win that vote that you have 50 per cent of those eligible to vote. Obviously this government would not be sitting here today if they had to have 50 per cent of those eligible to vote. The Opposition would have been sitting over there.

**Hon. Mr. Grossman:** Some of you would not be over there either.

**Mr. Pilkey:** Oh yes, we would have been here. There would be more of us—

Interjections by hon. members.

**Mr. Pilkey:**—had that been the criteria that was necessary to be elected.

Interjections by hon. members.

**Mr. Chairman:** Order please!

**Mr. Pilkey:** But 50 per cent of the eligible to vote is not the correct standard that should be used. If it needs to be 50 per cent, plus one, then it should be of those that voted. Why should a person who did not cast a ballot count as a negative vote? In no other way does it count as a negative vote.

I want to suggest that this whole theory is all wrong. This Act needs to be changed so that when people appear in front of the labour relations board, or when there is a vote, they are certified. This is the point that I make. The whole question is one of a negative thing. It ought to be positive.

**Mr. Chairman:** Vote 1005 carried!

**Mr. Gisborn:** Mr. Chairman, not quite so fast. I think this question which was just raised by my colleague from Oshawa is one that has to be pursued. I hope that the Minister again will rise and say that he is giving this the consideration necessary in his new legislation.

But besides the inequity in the method of voting, as has been pointed out, we also have the unfair allowance of intimidation by an employer who is determined he is going to do everything to win the vote. It is not all of them, but some of them who really make up their minds that they will do everything to block and win the vote in the plant when it comes to a vote, through the procedures. This should be looked at very seriously, too.

**Mr. Chairman:** Does this reflect on the board?

**Mr. Gisborn:** Yes, this is under the procedures of obtaining certification.

**Mr. Chairman:** We were told a moment ago that what the member for Oshawa was speaking about related to the board, and it turned out that he was, in fact, speaking to the statute.

**Mr. J. Renwick (Riverdale):** Oh no, he was talking about the certification.

**Mr. Chairman:** He was talking about the statute itself.

Interjections by hon. members.

**Mr. Gisborn:** It is regulations under the board.



**Mr. Chairman:** Are you reflecting upon the board itself?

**Mr. Gisborn:** Yes; well no, I was not. It is the regulations that the board has to operate under.

**Mr. Chairman:** Yes, but is the board itself not operating properly, is my question? That is what we are dealing with under this item I thought.

**Mr. Gisborn:** I will be brief. We have dealt with it every session that I have known of under the estimates and we have to keep driving it home. But we will find that in particular cases, where the employer makes up his mind to do everything in his power to block certification, he will put out leaflets to try to intimidate the employee. He will place a foreman at the ballot box standing there with his arms folded.

All this sort of thing that tends to intimidate the employee from casting his ballot, to keep him away from the ballot box so that the absent vote will count on behalf of the employer. I think we draw these things to the attention of the Minister so that he can use his influence to change these regulations.

Vote 1005 agreed to.

On vote 1006:

**Mr. Pilkey:** Mr. Chairman, under the industrial safety branch, I just wanted to make a short comment on the need for safety measures in this province. I did make some comments in my opening remarks, but it takes me back to the time that there was a collapse of that bridge in Ottawa, where a number of people lost their lives. If there was ever an incident that showed the necessity of our industrial safety branches to provide safe conditions for workers, that situation was more pronounced than any other situation that I can recall.

Although there have been a number of incidents in the province of Ontario where workmen have lost their lives because of unsafe conditions, I want to say, Mr. Chairman, to the Minister through you, that if there was ever something that cries for a remedy, it is this whole area of safety.

As far as industrial workers and construction workers and other types of workers that exist in this province, there is a real need for internal vigilance in this area of safety. As I pointed out, there have been a great number of lives that have been lost and

families and children left orphaned because of this question of injuries. Lives lost because of unsafe working conditions.

I cannot make that point strong enough, the necessity to update, if necessary, the safety measures in this province in guaranteeing that workers can work in a safe climate, in safe conditions.

**Mr. Gisborn:** Mr. Chairman, again I want to try to bring to the attention of the Minister and his department that section of The Industrial Safety Act that we had so much concern about when it was brought into force in 1964. I refer the Minister to section 22, which reads:

No person who has reasonable cause to believe that any machine, device or thing, in or about an industrial establishment, is unsafe, or in contravention of this Act, or the regulations, shall use, or operate, or cause, or permit it, to be used or to be operated.

If I recall, when we dealt in committee with that lengthy Act, that was one of the most contentious sections and we did not think that it had any teeth in it at all, inasmuch as there was no protection for the employee if he tried to use that section of the Act.

I remember quite clearly that we had quite an agreement from the officers of the department that it might need reviewing quite soon, and that they would give it consideration when dealing with the regulations that referred to the section and maybe tighten up on it.

Now, there are two things that are happening. We have had cases where employees have attempted to use that section of the Act, who have gone to arbitration; simply taking their right under that section, and saying to their supervisor that their jobs are unsafe and they are not going to operate them. Workers have been discharged and the courts have upheld the discharge.

Since that time, I have received a request from the Brantford labour council to raise this question after reports they are getting from delegates which question the effectiveness of this section.

It has another import. The people in the plant are not working as a team because of the failure to provide any teeth in this section. We have discussed it with local unions and we cannot give them any answers as to the protection provided by the Act. We would like to tell them, "Oh yes, if the foreman tells the employee to go ahead and operate the



machine, if he considers it to be unsafe, then report it to the steward. The steward will get back to his grievance committee who will get an inspector in."

But you cannot do this, you do not have time. You have to go and operate the machine and lay your grievance later on.

Under this kind of situation, machines are being operated. In the opinion of the employee-operator they are not safe, but they have just given up trying to make that section effective.

I would ask the Minister to take a real good look at this section and do something about putting teeth in it so that the employee has the right to refuse to operate the equipment. You will have to consider allowing a penalty if no fault is found with the machine.

At least the Act will have to be changed to be effective, because it does not mean anything now as far as the people in the plants are concerned with trying to make the section work for them. It is the most important safety section in the Act. If one reads it, he will soon realize that our concern is very factual.

**Hon. Mr. Bales:** Mr. Chairman, I would like to say that we have had discussions with reference to this particular section earlier this year. We endeavoured to find a different situation that would meet the requirements, but there was no unanimity of opinion. I may say that it has been agreed with the safety committee of the OFL that this particular section will be referred to the labour safety council for discussion and detailed consideration. I would point out to the hon. member for Oshawa, and I am sure that he appreciates that safety as far as both myself and department is concerned is extremely important. We have done a great deal of work on this and we will continue to do so. We are trying to find new ways, and we appreciate the very great problem in this regard, and we attach great significance to it.

Vote 1006 agreed to.

On vote 1007.

**Mr. Gisborn:** On vote 1007, Mr. Chairman, I assume that the Minister is well aware of two cases that I would like to raise with him tonight. This is the Miss Britnell vs. the Michael Brent Personnel Placement Services.

**Mr. Chairman:** I do not believe that since we are dealing with the estimates, general principles, and the operation of the human rights commission, that the member should bring up individual cases.

**Hon. Mr. Bales:** Mr. Chairman, I would like to make some comments on the first case raised by the hon. member. I am sure that he appreciates that it is presently before a board of enquiry.

**Mr. Gisborn:** I did not know that.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, I would like some indication of the number of inspectors presently operating in the branch, and as to whether they are itinerant, or what number of inspectors are fixed in Toronto. Under item 4, as a second question, would the Minister give some indication as to what he means by the education programme studies and conferences mentioned there? Precisely what is taking place under that item?

**Hon. Mr. Bales:** I wonder if the member would clarify what he is referring to? We do not call them inspectors; we call them officers. Perhaps it is the same category? We have eight officers all together in the human rights branch of the department. They are located in a number of places throughout the province.

**Mr. Lawlor:** Can they move from Toronto to other places too?

**Hon. Mr. Bales:** There are a number of them that are located here, of course, one is in northern Ontario, one is located at Windsor, and one will be located at Ottawa. They have a large area to cover, and we feel that if they all had to come out of Toronto, this would not be the best arrangement. Certain areas have particular problems, and we try to select an officer who is best able to deal with the particular problems of an area. We feel that he should remain in the particular area.

**Mr. Chairman:** Will the human rights commission not be appearing before the standing committee on government commissions?

**Hon. Mr. Bales:** Not normally.

**Mr. Stokes:** I wonder if the Minister would advise us if they have an officer in northern Ontario. I am given to understand that there is one in Kenora.

**Hon. Mr. Bales:** Mr. McPhee is the officer who is located in northern Ontario.

**Mr. Stokes:** Port Arthur?

**Hon. Mr. Bales:** At the Lakehead, yes.

**Mr. Lawlor:** Mr. Chairman, I do not believe that the hon. Minister has replied to my sec-

ond question. I had asked that he give the House some indication of what is contained in the education programme.

**Hon. Mr. Bales:** The education programme; do you wish to deal in fact here, or in general terms?

**Mr. Lawlor:** In fact.

**Hon. Mr. Bales:** For example, in the education field, we publish the human rights bulletin, which is published throughout the year, normally twice a year, and made available on a very wide distribution basis. That has had a good effect in the province. We use films, advertise very extensively, and in addition, the director of the human rights commission, Dr. Hill, is carrying on a very active speaking programme along with the other officers.

May I say that the effectiveness of the commission can be measured by the constant increase in the number of complaints, and enquiries coming to it year by year. The number has doubled almost consistently year by year, and we are dealing with these matters. Today, we are finding acceptance of both principles are the services of that commission are on a much broader basis than ever before.

**Mr. Lawlor:** I understand that you have a rather unique conciliatory procedure, in approaching people who have apparently offended against the Act itself, and negotiating with them. After you have finished that, suppose that they are still recalcitrant. You bring them before a board. What are the penalties and how is that done?

**Hon. Mr. Bales:** We believe that the conciliatory approach is the better one in the long run, if and only if, we can get a fair and reasonable solution. If it can be done on a conciliatory basis, perhaps people on both sides will understand the merit of the commission and the principles behind it against discrimination.

We do not want to embitter people. We think it is much better to have it on a positive basis. But let me make it very clear to the hon. member and other members of the House: If we do not get the desired results on a conciliatory basis, we have no hesitation in appointing a fact-finding board and if necessary, bringing in prosecution.

But we endeavour first to educate people and to make them understand the reasons behind our concern about discrimination and why we want it ended. In that regard we have found much broader and greater accept-

ance of those principles, rather than by merely and firstly bringing a person before a fact-finding board and charging him before the courts.

**Mr. Lawlor:** Could the hon. Minister give some idea what percentage of cases are settled by the conciliation method and, therefore, what percentage are sent to prosecution?

**Hon. Mr. Bales:** I would say to the hon. member that my information would be about 90 per cent or even a little higher. It takes longer, it takes more time, but I think it is much better.

**Mr. Lawlor:** One final question: What studies has the Minister underway; what is he studying and what is it all about?

**Hon. Mr. Bales:** There are a number of studies going forward at the present time, particularly in reference to Indian affairs and in reference to other matters. We are carrying on research with The Department of Education, for example. The commission is co-sponsoring research projects with the Ontario institute for studies in education, there is a two-year project going on concerning some other matters of the new Canadian arrangements. There is a whole broad field here that we are endeavouring to deal with and to expand.

**Mr. Lawlor:** Who is the department working with on that two-year project on new Canadians?

**Hon. Mr. Bales:** I beg your pardon?

**Mr. Lawlor:** Who is doing the studying on that project?

**Hon. Mr. Bales:** It is being done within our branch, by people on our own staff in co-operation with the Ontario institute for studies in education.

**Mr. Bullbrook:** Mr. Chairman, recognizing your restrictions somewhat in discussing specific cases, if you would permit me, sir, to relate slightly to a specific matter as a preliminary to a general question.

I had recently brought to the attention of the hon. Minister a complaint from a constituent of mine, in connection with his desire to run for office in the labourers' union in Sarnia. He has been here about four and three-quarter years and has applied for Canadian citizenship and he was told by the trade union that he could not—although they would accept his dues and they have for some four years, and those of other people of Italian



background—become a member of the union. I brought this to the attention of the Minister and the Minister kindly replied that there is a possibility of contravention of the human rights code here and recommended the lodging of a complaint.

Now, if this came to prosecution—and this is the kernel of my question, Mr. Chairman—who do you prosecute? Does the Minister feel under this section he can prosecute the trade union successfully?

**Hon. Mr. Bales:** We would be prosecuting the union in this particular instance which the hon. member and I have discussed in correspondence.

**Mr. Pilkey:** Mr. Chairman, if I am permitted, I want to make just a very brief comment on the point that the hon. member raised. I want to say this, that everything is not all a bed of roses in the labour movement. And I want to point out that in my opinion—and I am sure in this party's opinion—that anyone inside of a trade union ought to have the right to run for office if he is there for a short period of time. We do not think that length of time—four and a half years or the number of years—should deny anyone the right to participate in an office as far as the trade union is concerned.

As I said before, every union's constitution is not perfect and I want to make the point that this party is not going to be identified, although we are identified with trade unions, with some of the things that are prevalent and ought to be corrected. If the government, through this human rights commission, can make it so that this person can run for office inside his union, then I think it ought to take that challenge and meet it head-on. If that kind of thing goes on inside the labour movement it should be changed.

**Mr. B. Newman:** Mr. Chairman, may I ask the Minister of the outcome of his investigations concerning the request for the use of the coloured community in the city of Windsor? The Minister knows the problem to which I am referring.

**Hon. Mr. Bales:** That is a question which was raised in the House with me and which the member has raised in correspondence with me as well. I may say that it has not been finally resolved as yet, but I would perhaps be able to bring the member up to date on it at the present time and for the benefit of all the members I think I might just make a statement here.

This concerns a parade which normally would take place in Windsor in August, I believe is the date, and a complaint was filed with the human rights commission concerning the alleged refusal of the Windsor authorities to allow the annual emancipation day celebration. The commission has used its good offices to seek a solution in reference to this matter, as the member knows.

I would say to the House that the parade has been authorized, the city council has voted to allow the use of the city parks but the board of police commissioners, which issues carnival permits, has refused to authorize a carnival. This is now the nub of the complaint. The police commission has stated that its refusal to grant such a permit is not related to racial discrimination but is related rather to apprehension about civic disorder in the community. This questions the legal jurisdiction of the human rights commission in connection with the matter of the issuance of the permit. And I would say that the legal point has been referred to counsel for an opinion by my department, or by the commission itself.

I might also say to you—and this is my information, it is not of my personal knowledge—that the complainant has applied to the Supreme Court for an order compelling the police commission to issue a permit. I understand the matter has not yet been finalized. That is the information I had up to this afternoon.

**Mr. B. Newman:** Thank you, Mr. Chairman.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, last year the Minister was asked about the fact that many large families were having difficulty in getting apartment accommodation and, at that time, the Minister indicated that the government did not feel it should take any action.

I am wondering if the Minister has had any change of heart in view of the tight accommodation situation that we find in Metropolitan Toronto and other large areas. I am wondering if the Minister might, at this time, be able to tell the House that he has considered or is considering legislation to bar discrimination against large families in the renting of accommodation?

**Hon. Mr. Bales:** You recall, Mr. Chairman, that we introduced a further amendment last year in reference to the broadening of human rights legislation in regard to housing, but I made a statement at that time as to the suggestion that had been submitted. It was



considered then, and it has had further consideration since, that we do not look upon it as a practical solution and I do not anticipate other legislation at this time in reference to that particular point.

**Mr. Braithwaite:** If I may follow that up for just a moment, Mr. Chairman. Has the Minister been in receipt of briefs or other communications from interested parties on this? Have there been any requests for changes from the public?

**Hon. Mr. Bales:** Not in the last year, no. Vote 1007 agreed to.

On vote 1008.

**Mr. B. Newman:** On vote 1008, Mr. Chairman, if I may ask the Minister, has he undertaken any studies concerning employment opportunities for school students during the summer months? We know the situation, this year especially, is extremely acute. Students attending our high schools and universities are finding a most difficult time in the obtaining of employment, and I just wondered if under the research branch the department had undertaken studies, contacted industries and so forth, with the hope of—in the future—saying that there are X number of jobs available in the various industries in the province and X number of students could obtain employment.

**Hon. Mr. Bales:** Yes, Mr. Chairman, we took this under consideration, but we really came to the conclusion that the Canada manpower centres were much the better source and agency to do this. We felt that this was a much more practical approach since the summer was so closely upon us. It was discussed in some considerable detail and we are working with them in reference to that matter. That is, I think, a much better approach to the whole thing.

**Mr. B. Newman:** Then next summer the students would obtain information from Canada manpower rather than from your department?

**Hon. Mr. Bales:** Yes.

**Mr. B. Newman:** Fine. Thank you, Mr. Chairman.

**Mr. Sopha:** We have left the research branch—

**Mr. Chairman:** The member for Oshawa is on his feet.

**Mr. Pilkey:** I just wanted to ask a question. I understand, Mr. Chairman, that there have been considerable improvements in the research branch of The Department of Labour, but I would like to ask what is under study at the moment and what is contemplated as far as the research branch is concerned in The Department of Labour.

**Hon. Mr. Bales:** Well the research branch, and I have referred to it, has been in charge of the study in reference to wages and other similar labour standards conditions throughout this province. It has been a very extensive study and is not yet complete. I may say that that research area has been expanded rapidly in these last few years and, for example, it is that group which collected the very large number of collective bargaining agreements throughout this province and made them available to unions and management as a reference source. They have done extensive work in the field of private training in industry and surveys in that regard and surveys as to the requirements in industry for future training.

Special studies have proceeded in reference to construction industry as regards wages and we are gaining the continued assistance of the universities in reference to other similar projects. It is a busy branch and it has done a rather large amount of work over a short period of time.

**Mr. Pilkey:** I understand that you are researching the need for upgrading in training because of the technological change in industry. Has the Minister any projected figures, or projected needs in terms of industry because of the technological change; if you have these projected needs, what are they?

What I am trying to say is this. Obviously there is going to be tremendous change in the auto industry, as an example. Are you suggesting to me that this research branch will be able to tell the auto industry that five years from now, you are going to need X number of this trade and X number of that trade so we ought to be starting to find ways and means of training these people so that they can meet the technological change that is taking place in industry? Is this the type of research that this department will be undertaking?

**Hon. Mr. Bales:** Really, that kind of information would be obtained through the Canada manpower offices rather than through

ours because it is on a broader Canada-wide basis and not just that.

**Mr. Pilkey:** Mr. Chairman, could I follow up on these points—

**Mr. Chairman:** No, the member for Sudbury was next.

**Mr. Sopha:** No, it is perfectly all right.

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** Yes, Mr. Chairman, east it is—almost to Montreal. If I could follow up on the point made by my colleague from Windsor-Walkerville about the summer work for students. For the sake of clarification I would like to ask the Minister this question. He mentioned that in his view it was the federal department of manpower which would assume the responsibility of advising students about summer work. I presume they would be senior high school students, university students, and past students. Does the department of manpower in Ottawa know that this is your view of the division of responsibility between your department and their department?

**Hon. Mr. Bales:** The federal department, and particularly the one in Ontario—the division in Ontario; we have discussed this with them so that we are in accord. We want to work with them so it is to the best advantage of the young people in finding summer jobs.

**Mr. T. Reid:** Mr. Chairman, another question. Does the Minister have an inventory of job opportunities for students with the provincial government? In other words, do you have a list, a comprehensive list, of the jobs available in the provincial government for students?

**Hon. Mr. Bales:** The recruitment branch of the civil service is the one that has that. We refer all our inquiries directly to them because they have the information from all departments and it works out better in that way. We do not act as the employment agency. The civil service commission does that and it is better that inquiries should be given over to them.

**Mr. T. Reid:** Do they just rely on the various departments of government to let them know about specific jobs available for students, or do they actually try to do some research in this? In other words, take the initiative in finding out from the various departments of government? The reason I ask this,

Mr. Chairman, is that this could be a function of the research division of The Department of Labour.

**Hon. Mr. Bales:** I think, with respect, it would have to be asked of The Treasury Department when their estimates are forward. Certainly they knew of whatever requirements we had in The Department of Labour. I can tell you that.

**Mr. T. Reid:** Thank you, Mr. Minister. Mr. Chairman, another question. Does the Minister consider working in co-operation in various areas of research with such groups as the labour college of Canada? Or is the research you perform internal to the department as opposed to either commissioning university people to do some sort of research? In particular, have you made a special effort to work with the labour college of Canada in various research projects or their Ontario people, at least?

**Hon. Mr. Bales:** I will inquire into this specific question, but I would say to you that we work with the universities and with other groups. As to that particular one, I quite frankly do not know the answer at the moment, but I will endeavour to find it out and drop you a note about it.

**Mr. T. Reid:** I would like to thank the Minister for that. The reason I ask is that I think the labour college of Canada should receive as much assistance as it can from the various governments in Canada, both provincial and federal in order to strengthen it particularly in the research area. I appreciate the Minister stating he will look into this and I hope that he will be able to work something out.

**Hon. Mr. Bales:** It is located in Montreal, is it not?

**Mr. T. Reid:** Yes, it is. It is a natural organization but it has very good people in Ontario as well.

**Hon. Mr. Bales:** Well, I will take a look at it. I just do not know at the moment.

**Mr. Pilkey:** Mr. Chairman, could I ask one question please? Under the research branch, I notice that you said the principal functions are to develop information necessary for policy decision and legislation. I would like to ask the Minister—he has had a number of representations from professional groups for collective bargaining rights—has this research branch or your department made any study in that regard?

**Hon. Mr. Bales:** Yes, we have made studies and they have given us some statistical advice and I think will be providing us with additional information in reference to that. I had some discussion recently about that matter.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Getting back to the research vote insofar as students' employment is concerned, I understand that there were some 2,000 applications to The Department of Highways this year—they could not look after for jobs for students. Now the Minister shakes his head. I got this from the information branch—

**Hon. Mr. Bales:** I am not denying it, I just was not aware of it.

**Mr. Sargent:** More and more this current problem is becoming worse because we have more students. It is a serious situation and most of you will have had scores of calls from your different ridings about getting employment for students in the summer. It is a serious situation. I think that in many of the United States they have overseas courses. They give courses overseas to students making application during the summer months.

But every time that we discuss things like these that are urgent problems for our people here, the Minister in charge of the vote we are talking about says that is somebody else's responsibility. We are talking to the Treasury bench now and somebody should accept the responsibility, because you must realize over 60 per cent of the people in this nation are under 30 and they are a big part of our economy, of our lives. It is a serious situation that we do not have anything to fill this gap.

Our students going back to university or high school in the fall need money. Right down the line, those who are fortunate enough to receive employment, receive a half of what they should be receiving, they are discriminated against by people in resort areas who take advantage of them because they are students. This is basically wrong. The Minister should see to it that students get a minimum wage. Further than that, a great section of our student unemployed section are girls, and girls are going out into life today and do not even know how to boil an egg. They are being married and—

**Mr. Chairman:** Order, please! Order! Order!

**Mr. Sargent:** All they can use—

**Mr. Chairman:** Order!

**Mr. Sargent:** Mr. Chairman, this is very important.

**Mr. Chairman:** Order!

**Mr. Sargent:** I am talking about—

**Mr. Chairman:** Order! Order!

Interjections by hon. members.

**Mr. Chairman:** Order!

Will the member take his seat? We are discussing—

**Mr. Sargent:** We are on research here.

**Mr. Chairman:** Will the member please take his seat!

We are speaking on the research branch on the estimates of vote 1008. The particular question raised by the hon. member has been directed to the Prime Minister on two or three occasions. Answers have been provided in full. The Minister has provided answers.

**Mr. Sargent:** I am going to ask the Minister—

**Mr. Chairman:** I would ask the member to stick to vote 1008.

**Mr. Sargent:** Mr. Chairman, through you, I would like to put to the Minister: Why cannot we have courses for the students, namely males and females, and teach the girls a career in homemaking and cooking and pay them during the summer months to give them employment? This is very important to many hundreds of thousands of people in Canada.

**Mr. Chairman:** Will the member relate it to the research branch?

**Hon. Mr. Bales:** My daughter learns home economics at school and I am sure that a lot of others do as well.

**Mr. Chairman:** Vote 1008 carried?

**Mr. Sargent:** Mr. Chairman—

**Mr. Chairman:** On vote 1008?

**Mr. Sargent:** Yes, sir—

Interjection by an hon. member.

**Another hon. member:** He is researching.

**Mr. Sargent:** I want to know why this economy of ours cannot provide summer courses—



Hon. Mr. Crossman: Tell him, Mr. Chairman.

Mr. Sargent: —provide work for students in the summertime. Why can we not do that?

Mr. Chairman: Order!

The question has been answered many times in the past.

Mr. Sargent: The Minister wants to answer the question. Let him run the show—

Mr. Chairman: I think the Minister is out of order if he does do it.

Mr. Sargent: It is his vote, not your vote.

Mr. Chairman: I think he is out of order, too.

Hon. Mr. Bales: Mr. Chairman—

Mr. Sargent: I just want an answer, Mr. Chairman.

An hon. member: That is it.

Mr. Chairman: Will the Minister—

Hon. Mr. Bales: The hon. member has an important point that—

Mr. Sargent: You are damn right I have.

An hon. member: Watch your language.

Hon. Mr. Bales: May I say to you that the Canada manpower centres are—

Mr. Sargent: There you go, passing the buck again.

Hon. Mr. Bales: Now, just a minute; I believe that we should co-operate with all the agencies in government and the one that can do it best is the one that we should deal with. Now the Canada manpower centres have a far broader range of inquiries from industry at all levels. We are more than happy to work with them and my department does work with them, very closely. But—

Mr. Sargent: But still no jobs for them.

Hon. Mr. Bales: —but there is no point to our trying to duplicate the efforts of these people and thereby diluting the effectiveness of the whole programme.

Mr. Sargent: A lot of double talk.

Hon. Mr. Crossman: How many do you employ, Eddie?

Hon. Mr. Bales: I think the federal manpower centres are doing a good job and I will back them up any time I can.

Mr. Sopha: The Minister emphasizes the functions of the Canada manpower centre in locating jobs for individuals and I want to suggest to him that perhaps the research branch could implement some kind of a project to determine once and for all, whether we have come to a point in the development of our society where the hiring of, and interim mural right of unions to determine who shall be employed in a specific enterprise, has become obsolescent, because two things impress me very greatly. One is that the Canada manpower centre has become very greatly expanded, much more dynamic, and has been separated in its functions from the other aspects of labour which it formerly had; namely, unemployment insurance, that is one thing.

The second is, that in training people in technical skills, society now has a tremendous monetary interest. We are putting a lot of money into it, and really, I do not see that society can surrender its interest in the mobility of skills to a private group who determine who shall be employed.

We are all aware of the individual who comes to the office and tells you that he has a certain developed skill—bricklaying or electrical or plumbing—and he cannot get a job because he cannot get membership in a union; he cannot get the *fiat* of the local union to allow him to take the job that is available. And frequently, the individual has exercised the initiative in going to seek out the job himself only to discover complete frustration that he cannot have the job because he cannot have the *fiat*.

Now, the system, as it presently is, just opens itself to too many abuses of favouritism and nepotism and forms of embranchery that are no longer consonant with a progressive society. Now I merely invite the Minister of Labour to have his research branch have a look at this problem, to see whether we have developed to the point where we say to these old institutions exercising these very old, but what may be archaic powers, we say, "the interests of society are just too great in the mobility of labour to permit you to continue the vested interest that you exercise in it."

Hon. Mr. Bales: Mr. Chairman, the hon. member makes a good point and I would say to him that we have already had this somewhat under study, particularly in reference to the construction industry. It is not complete, it will take a good deal of work yet, but I appreciate your suggestion; we are going on with it.

**Mr. Pilkey:** Could I just follow up on that point, just for a moment? I think there is really a reflection here that, in particular, the construction industry is wielding great powers in terms of hiring procedures. Now, just a moment—just a moment. I do not want to say that everything within the building trades industries—their unions in the building trade industries—is all perfect. But I think I should come to their defence on this point that it is fine for an individual to go out and say under his initiative that he found a job and that under society's rules he should have the job, but the facts are that, because the union is the hiring hall in that situation, he would be circumventing somebody's seniority rights by taking the job. This is no different from industrial unions where the lay-offs are on the basis of seniority. No, they—

**Mr. Sopha:** Entirely out of—

**Mr. Pilkey:** No, they are not any different because what happens is that if, in the electrical industry or the electrical union as an illustration, they have 20 or 30 people laid off from their industry, obviously they are going to insist that those 30 people have prior right to jobs in the province before they take on new staff. I think that formula has been accepted generally by society throughout the whole province, that those people who have the greater number of years in the trade ought to have the jobs first, and this is what happens. I am not suggesting for a moment that if there are any underhanded deals where people are denied jobs, that that should continue. All I am saying is that if there are people laid off from that specific trade those people ought to have prior preference to the job; they have been journeymen longer, they have been with the organization longer and that should be the criterion of determining whether they should have prior rights to jobs. If the hon. member for Sudbury could quote some underhanded methods that are being used to hire these people then I think that they should be explained and I think that the Minister of Labour and his department should get into that kind of a situation.

**Mr. Chairman:** The member for Scarborough East.

**Mr. T. Reid:** Mr. Chairman, I would like to ask the Minister whether the research division of his department is carrying on research in the following areas or whether he might look into the possibilities of doing research in that area. It has to do with research into the job opportunities for persons leaving various

provincial government institutions, for institutions financed by the Ontario government.

For example, take reform institutions: What are the job opportunities available for people leaving juvenile detention homes, people leaving industrial farms, even the neuropsychiatric clinic, the Hendrie forestry camp, and the Millbrook reformatory, just to mention a few. The reason I mention this is that I have heard from various sources that these people do have difficulty in getting jobs in the regular labour force in Ontario, and I would like to know actually what types of job opportunities there are in a quantifiable sense. I suspect it might be tied up also, Mr. Chairman, with some of the problems that might come under the human rights commission. I recommend this area of research to the Minister for those two reasons. One is, a lot of these people do need job opportunities, and secondly there may be a problem, an infringement within the jurisdiction of the human rights commission.

Votes 1008 to 1010, inclusive, agreed to.

**Mr. Chairman:** This concludes the estimates of The Department of Labour.

**Mr. Pilkey:** Mr. Chairman, on vote 1010, I just wanted to ask—

**Mr. Chairman:** Vote 1010 was carried.

Interjections by hon. members.

**Mr. Chairman:** Order! Did the member have a specific question at any great length about vote 1010?

**Mr. Shulman:** Can I ask: Did the Minister not say that at the end of his estimates we will discuss workmen's compensation?

**Mr. Chairman:** Well, we have finished the estimates for The Department of Labour. I may say that I was not in the chair at the time, but I understand that the Minister did state that we would entertain general discussion on the workmen's compensation board. So if the Minister wishes to proceed with general questions on the workmen's compensation board we will do so.

Interjections by hon. members.

**Mr. Chairman:** I am guided by what the Minister indicated. I understand at this point it is not in the estimates.

**Hon. Mr. Bales:** The workmen's compensation board comes at the end of the Department of Labour, and I am prepared to—

**Mr. Chairman:** With great respect, there is nothing in the estimates for the workmen's compensation board.

**Hon. Mr. Bales:** I appreciate that, but I said yesterday, and this was the practice that I followed last year, I am quite prepared to deal with it at the end of the votes in reference to The Department of Labour, whether it be now or at other times—

**Mr. Chairman:** That is exactly what I wanted to find out. Workmen's compensation board—general principles on the operation of the workmen's compensation board.

**Mr. J. Renwick:** Mr. Chairman, I would suggest, on a point of order, that we not attempt at this hour of the night to deal with the proceedings of the workmen's compensation board. There are many areas that require consideration in the work of that board, and to start at this hour of the night under the threat of continuing either to a late hour or under the threat that we must complete tonight, would be quite, in my judgment, useless. In the interests of the orderly procedure of the business of the House, I would ask the House leader if he would ask the committee to rise and report progress and let us know what the business of the House will be tomorrow.

**Mr. Chairman:** Yes, but may I say as Chairman that it is not within my authority to adjourn the proceedings. If there is a motion to rise and report, I will—

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Chairman, I suggest that you pursue this particular subject. The Minister has given a commitment to discuss it, we can pursue it for a while and see how it gets along. We can adjourn the House at a reasonable hour and still get some work done.

**Mr. Nixon:** Mr. Chairman, this was raised as a point of order a moment ago and I cannot help but identify myself with the views expressed by the hon. member for Riverdale. There has been an undertaking that we would consider this matter of the workmen's compensation board. I would heartily recommend to the House leader that an orderly discussion of this could take place

at the next time, or at a further convenient time when the House is in committee.

**Hon. Mr. MacNaughton** moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed: **Mr. Speaker** in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. C. S. MacNaughton** (Provincial Treasurer): Mr. Speaker, tomorrow, time permitting, we will deal with certain matters on the order paper, continue some work on the estimates, again time permitting, and at 12 o'clock, the private members' hour.

**Mr. R. F. Nixon:** (Leader of the Opposition): It is not the intention to call the order for the Budget debate?

**Hon. Mr. MacNaughton:** No, I think not. I think certain matters on the order paper, if they can be dealt with tomorrow. Then, if time permits, further on the estimates, and then the private members' hour.

**Mr. J. E. Stokes** (Thunder Bay): Does the House leader mean the work on the estimates—would that be the workmen's compensation board?

**Hon. Mr. MacNaughton:** No, not necessarily; probably The Department of Social and Family Services. We can come back to the workmen's compensation board any time. The Prime Minister will decide tomorrow which it will likely be.

**Mr. M. Shulman** (High Park): Will we be given notice when we are coming back to workmen's compensation board?

**Hon. Mr. MacNaughton:** Oh yes, the House will be advised.

**Hon. Mr. MacNaughton** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:20 of the clock, p.m.





# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Friday, May 17, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 17, 1968

The House met at 10:30 o'clock a.m.

Prayers.

**Mr. Speaker:** As guests at this time this morning we have in the east gallery students from Adelaide Hoodless public school in Hamilton; and in the west gallery from the Dr. G. W. Williams secondary school in Aurora.

Later this morning we will be joined in the galleries by students from Scarlett Heights collegiate institute in Weston, Oakdale junior high school in Downsview, Wallace public school in Gowanstown, R. H. Murray public school in White Fish and St. John's separate school in Weston.

I am sure we welcome the young people who are here with us this morning.

Petitions.

Presenting reports.

Introduction of bills.

## THE BUSINESS CORPORATIONS ACT, 1968

**Hon. J. P. Robarts** (Prime Minister) moves first reading of bill intituled, The Business Corporations Act, 1968.

Motion agreed to; first reading of the bill.

**Hon. Mr. Robarts:** Mr. Speaker, I have another bill which is complementary and I will speak to both of them.

## THE BUSINESS CORPORATIONS INFORMATION ACT, 1968

**Hon. Mr. Robarts** moves first reading of bill intituled, The Business Corporations Information Act, 1968.

Motion agreed to; first reading of the bill.

**Hon. Mr. Robarts:** Mr. Speaker, hon. members will recall that during the final session of the last Legislature the government announced its intention to introduce at this session a completely updated and revised Corporations Act.

At that time a bill was introduced to amend The Corporations Act. It was based upon

four chapters of the report of the select committee on company law. These chapters dealt with the duties and responsibilities of directors, the rights of shareholders, the role of the auditor and the role of trustees under trust indentures. As I stated when introducing that bill, the provisions of the amendments constituted a shareholders' bill of rights and a directors' code of ethics.

Mr. Speaker, you will also recall that the bill to amend The Corporations Act was only introduced and given first reading last year. As I stated at that time, it was not proposed to proceed with it at the last session. Because of the unique and far-reaching principles embodied in the amendments, we wanted to give wide distribution to the bill. In this manner we sought to generate discussion, study and suggestions by the legal and accounting professions and other interested groups in the financial and commercial communities. This was done and the government received a great deal of excellent and useful advice.

An interdepartmental committee consisting of officials of The Departments of the Provincial Secretary and Citizenship, Financial and Commercial Affairs and the Attorney General was also established. This committee has drafted two bills which it introduced here which implement many of the recommendations of the report of the select committee on company law and reflect the suggestions and advice received since the amendments were put forward last June.

I am pleased today to introduce The Business Corporations Act, 1968 and The Business Corporations Information Act, 1968. These bills form a complete revision and updating of The Corporations Act and The Corporations Information Act. They deal with the incorporation, operation, management and dissolution of corporations with share capital.

I might point out to the hon. members that these bills do not deal with special types of corporations, such as corporations without share capital, co-operatives, insurance corporations, loan and trust corporations, credit unions, financial and acceptance corporations, and companies incorporated outside Ontario. The select committee on company law will be



reconstituted to study and make recommendations concerning these specialized types of corporations. The basic philosophy underlying the new legislation is to allow simplified methods of incorporation and to raise the standards of protection for shareholders and creditors.

The conduct of business in corporate form is so widespread and firmly established that the select committee on company law found, in its interim report, that "modern public policy no longer requires that a corporation can come into being only by Ministerial Act". The new legislation will permit incorporation as a matter of right rather than privilege. Under the proposed legislation, incorporation will be possible by the filing of articles of incorporation in compliance with the Act. This method will replace the present system of incorporation by letters patent in the discretion of the Provincial Secretary. The principle of right rather than privilege is also reflected in the provision that all decisions of the Minister under the new legislation can be appealed to the Ontario court of appeal.

Coupled with this right of incorporation, the new legislation imposes a high standard of accountability for the actions and inactions of all persons who assume positions of authority in a corporation, whether as directors, officers, auditors or trustees under corporate trust indentures. This accountability is to the shareholders of the corporation, to its creditors and to the public, either directly or through the courts.

I should like to describe in more specific terms a number of the provisions of The Business Corporations Act, 1968. Together they constitute a new charter of rights for the shareholders of business corporations:

1. When a corporation refuses to bring action to enforce any right that the corporation has under the law, shareholders will have the right, with the permission of the court, to bring representative actions on behalf of the corporation.

2. Dissenting shareholders in any corporation will be able to require the corporation to buy them out, if the corporation sells its undertakings, amalgamates with another corporation or undergoes other fundamental corporate changes.

3. Holders of 10 per cent of the voting shares of a corporation will be given the right to requisition a meeting of shareholders to pass specific bylaws where the directors refuse to pass them.

4. Meetings of shareholders for other purposes may be requisitioned by the holders of

5 per cent of the voting shares rather than 10 per cent as previously required. A meeting of shareholders may also be requisitioned upon the application of any one shareholder if the court so orders.

5. The shareholders will be given a statutory right to remove any director from office at any time by a simple majority vote of the shareholders.

6. The percentage necessary to remove an auditor during his term of office will be reduced to a simple majority of the votes cast at a meeting of shareholders from the present two-thirds vote required.

7. Any shareholder will be able to require the attendance of the auditor at any shareholders' meeting at the expense of the corporation.

8. The rights of shareholders in a corporation, the securities of which are held by the public, to obtain information with respect to the financial affairs of the corporation, will be increased. Such corporations will no longer be able to omit from their annual audited financial statements or from their semi-annual interim financial statements the comparative statement for the corresponding previous period or the statements of source and application of funds. A shareholder of a holding corporation will have the right to examine true copies of financial statements of its subsidiaries where the holding corporation consolidates its accounts, as well as in the present case where the holding corporation does not consolidate its accounts.

9. The present right of the holders of 10 per cent of the issued capital of a corporation, to apply to the courts for the appointment of an inspector to investigate the affairs and management of a corporation, will be conferred upon any shareholder. The courts will also be able to offer the investigation of the affairs and management of any affiliate of the corporation. The powers of the inspector in conducting his investigation are greatly extended.

10. The present right of a shareholder or creditor to apply to the Ontario Supreme Court for an order to require a corporation or any director or officer to comply with any provision of the Act will be extended. It will now cover an application for an order for compliance with any provision of the articles—which in effect is the charter of the corporation—and the bylaws of the corporation.

Under the new legislation, the status of the auditor is strengthened and his independence in his dealing with the corporation is ensured. This is accomplished by prohibiting

the auditor from having any financial interest in the corporation.

The new legislation also raises the standard of conduct required of directors and officers and trustees under trust indentures. It increases the rights of creditors against the corporation and its directors and, in certain cases, against the shareholders. The responsibility of directors and officers to the public is enhanced by increasing substantially the penalties for non-compliance with the requirements of the Acts.

The new legislation also recognizes the change in modern business techniques and practices. Corporations will be permitted to make full use of the relevant advances of technology and methodology of sound business practice.

**Mr. E. Sargent (Grey-Bruce):** Will the government make this retroactive?

**Hon. Mr. Robarts:** Mr. Speaker, that is an indication of the hon. member's knowledge of corporation law.

**Hon. A. Grossman (Minister of Reform Institutions):** His interruptions are retroactive.

**Hon. Mr. Robarts:** Negotiability of corporate securities is recognized and provision is made for a statutory code defining the rights and obligations of issuers, transfer agents, transferors and transferees with respect to the issue, registration and transfer of all corporate securities.

Provision is made for the establishment of a central clearing corporation, whereby transfers of corporate securities can be effected merely by appropriate entry on the records of the corporation. This eliminates the necessity for physical delivery of the actual certificates and all the attendant paper work the present law and procedures require.

A corporation need have only one shareholder if all its shares are in fact owned by one person. A director need no longer be a shareholder, unless the bylaws otherwise provide.

The select committee on company law recommended that a central registry be established in Ontario for the registration of all business names, whether the businesses are carried on by individuals, partnerships or corporations. The committee also advocated that the Provincial Secretary be given the same power to refuse registration of business names of individuals and partnerships as he now has with respect to corporate names. The new

legislation provides the first step required to implement these recommendations. It provides that no corporation shall carry on business in Ontario in a name other than its corporate name unless the other name is first registered with the Provincial Secretary. This requirement of registration will permit the public to determine the identity of the corporations carrying on business or otherwise identifying themselves to the public under trade or other names that are not their corporate names.

Mr. Speaker, from this brief description of the two bills which I am placing before the House, you will appreciate that there will be many major changes in the laws affecting business corporations operating in this province. It will also be apparent that this new legislation contains many provisions which are quite different from the laws under which corporations have been operating. Many of these provisions break new ground in the field of corporation law in Ontario. In fact, there are some 50 major changes in principle.

Corporation law is an extremely complex field. This legislation which I place before the House today has been prepared with care and is the result of much study and consideration. The government believes it to be a realistic appraisal of business practices today. The new legislation embodies substantially the recommendations of the report of the select committee on company law. It also reflects the day-to-day experience of The Department of the Provincial Secretary and Citizenship in administering the existing Corporations Act as well as the many suggestions received by the government since the amendments to The Corporations Act were introduced last session.

I want to assure the House that the government remains flexible. To ensure fullest possible considerations of this far-reaching legislation, it is our intention to place these bills before the House but not go beyond the introductory stage during this session. The government believes that full opportunity must be given for a thorough study of the principles and details of these two bills. Widespread distribution will be given to the printed copies of these two bills, as was done when the amendments to The Corporations Act were introduced last session. It is the hope of the government that all interested citizens and organizations will present their views before the standing committee on legal bills at the next session of the Legislature. No doubt we will be here in the fall and probably it can be dealt with at that time and in the interim all those interested, of

course, will have ample opportunity to acquaint themselves completely with what is contained in the bills plus the ramifications leading therefrom.

The government is confident that the procedure for considering the proposed legislation in an open forum will ensure that this legislation will have been brought forward in the most equitable manner possible.

The Business Corporations Act, 1968, and The Business Corporations Information Act, 1968, are of fundamental significance to the future operation of our business community. The constitute immensely progressive legislation.

They represent novel solutions to many of the complex problems inherent in corporation law. They are in keeping with the policy of the government of Ontario to remain in the forefront of progressive evolution in the field of securities and corporation law. I recommend them to this Legislature for consideration.

They represent the dawn of a new era in our business community, for the corporations, shareholders and creditors.

**Mr. Speaker:** The member for York South has a question from yesterday for the Prime Minister.

**Mr. D. C. MacDonald (York South):** Yes, Mr. Speaker, my question to the Prime Minister is this: Is the Prime Minister in a position to report on the investigations which he launched into the Cara Villa nursing home situations? If not, when can the report be expected?

**Hon. Mr. Roberts:** Mr. Speaker, the investigation is not yet complete. Unfortunately, I cannot give the hon. member a date but I can give him the assurance that I am as anxious to make it public as he is and as soon as I have the information I will bring it here to the House.

**Mr. Speaker:** The member for Grey-Bruce has two questions from yesterday.

**Mr. Sargent:** Mr. Speaker, before my questions, the last two bills do nothing for the hundreds of men—

**Mr. Speaker:** Order, order! The member has the floor to ask questions.

**Mr. Sargent:** A question to the hon. Prime Minister: In view of the fact that farmers are allowed to borrow money at the rate of 5 per cent, does the Prime Minister consider

the high rates of interest for housing and mortgages serious enough to subsidize loans for housing at the same rate of interest as granted to farmers?

**Hon. Mr. Roberts:** Mr. Speaker, these are not comparable situations. The grants and loans that we make to farmers are designed to assist them to acquire the means of production in the industry in which they make their living. I just simply say there is no comparison.

**Mr. Sargent:** That is par for the course there. The animals are more important than people.

**Mr. Speaker:** Order!

**Mr. Sargent:** Another question to the hon. Prime Minister: In view of the fact that current fiscal policies had an increase in debt of over \$450 million last year to a gross debt of over \$3.5 billion, and that our outgo exceeds our income by \$1.5 million per day, will the Premier advise:

1. What cutbacks in spending are planned?
2. What plans does he have to finance the increasing deficit?

**Hon. Mr. Roberts:** Mr. Speaker, I suggest that the hon. member read the Budget statement the Provincial Treasurer (Mr. MacNaughton) delivered in this House on March 12.

**Mr. Sargent:** That is a good way of dodging that one.

**Mr. Speaker:** The member for Scarborough.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I would be delighted to be the member for all of Scarborough. I have a question for the Minister of Health, notice of which has been given. In view of the reported statement in the *Toronto Daily Star*, May 16, 1968, by Dr. James Collyer, chairman of the committee of research for the Canadian college of family physicians, that Canada is 15 years behind Britain and Australia in research into family health care, does the Minister of Health for the province of Ontario intend to create a realistic incentive programme to encourage Ontario's doctors in general practice to undertake research in important areas of family health, such as the effect of drugs used on a long term basis, which could not be done in hospitals?



Would the Minister consider, specifically, financial stipends as part of the research incentive programme, that is, a payment in place of normal income which would release a family doctor from the portion of the regular practice to pursue research?

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, I will take the question as notice.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Speaker, I have a question for the Minister of Reform Institutions. How many discharged prisoners were assisted by the rehabilitation office in Windsor during its first 12 months of operation?

**Hon. Mr. Grossman:** Mr. Speaker, this requires a certain amount of research, and I am sorry, but I will have to take this as notice. I will hope to have it very early next week.

**Mr. Speaker:** The member for Cochrane South.

**Mr. W. Ferrier** (Cochrane South): Mr. Speaker, I have a question for the Minister of Mines. Does The Ontario Department of Mines issue export permits to Ecstall Mines Limited enabling them to export ores out of Ontario and Canada to be smelted? If not, who is responsible for issuing such export permits?

**Hon. A. F. Lawrence** (Minister of Mines): Mr. Speaker, the answer to this is that The Ontario Department of Mines does not issue export permits to Ecstall Mines Limited. There is no statutory requirement that requires The Department of Mines to intervene in the case of those particular lands under the control of that particular company.

Export permits, as such, are the prerogative of the federal government and are handled by The Department of Trade and Commerce. In the case of radio-active material an export permit is also required from the atomic energy control board. I think that the hon. member may be somewhat confused. There are statutory requirements of this province in the case of requiring the refining in Canada of ores from certain lands in Canada. But that does not cover Ecstall Mining Corp. or the lands controlled by them, because their lands were patented prior to April 12, 1917.

**Mr. Speaker:** The member for Kitchener.

**Mr. J. R. Breithaupt** (Kitchener): Mr. Speaker, I have several questions for the Minister of Financial and Commercial Affairs, notice of which has been given.

The following questions pertain to The Used Car Dealers Act 1964. First, in the context of section 4 subsection 1, and section 5. What is the meaning of the term public interest? Second, with respect to section 4, subsection 3, how many hearings has the registrar held since the inception of the Act? How many of these hearings have resulted in the refusal to register, refusal to renew registration or in the cancellation or suspension of the registration in the case of, separately, dealers and salesmen, as the case may be? Third, how many 1967 registrations have not been renewed when the applicant has made application for such renewal, and has not been given an opportunity to be heard, or been advised that his application for renewal has been refused?

Four, with respect to section 16, subsection 1, how many decisions of the registrar have been reviewed by the director where the decision of the registrar has been either overruled or upheld? Fifth, with respect to section 16, subsection 2, the director must review decisions of the registrar, except at the request of the person who requested the review, within 30 days. Should there not be a limited amount of time within which the director must make his decision?

Sixth, how many of the registrar's decisions are now before the director for hearing and review? And seventh, in the case of Madell Motors, of 1624 Eglinton Avenue West, Toronto, Ontario, where the hearing and the review of the registrar's decision before the director was held in December, 1967, why has the decision of the director not yet been rendered?

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I will take the question as notice, and may I take this opportunity to give an answer to the hon. member for Kitchener with respect to used cars, asked some three days ago?

The question has to do with hearings before the registrar as to whether the reviews and hearings were considered administrative or judicial in nature. I would say, Mr. Speaker, that the question which has been asked by the hon. member for Kitchener reflects that consideration which that member must have given not only to this particular Act, but also to the whole subject of administrative law. For the questions which he has raised are

difficult to answer and perhaps may best be answered by the context of some of the comments which have been made by the hon. J. C. McRuer in his recent report.

In reply to the first question, I would point out that to the best of my information the specific question has not been reviewed by the courts, and my answer must therefore represent my own opinion. It is that the hearing before the registrar, as well as the hearing and review by the director, are administrative functions. In answer to the second question, I would express the opinion that these powers exercised by the registrar and director are administrative in nature, since the decisions arrived at are subjective in nature, and are based primarily upon matters of policy as related to the public interest.

Powers, in my own opinion, would not become judicial powers until the decisions rendered had to be based upon rules of law rather than subjective and policy matters. The hon. member will realize immediately that I am following the distinction that has been drawn by Mr. McRuer who has provided us with a very lucid and helpful review on this particular subject.

In answer to the third question, Mr. Speaker, I would say that in my opinion, the onus rests upon the applicant when he appears upon the hearing which must be held before the registrar may refuse to grant or refuse to renew a registration. As the hon. member is obviously already aware, the applicant files his application with the registrar, who considers the matter in detail. The registrar may then grant the registration if, in the language of the Act, it is not against the public interest. No hearing may be necessary or desirable up to that point but the hearing, of course, becomes a necessity and a condition precedent to the refusal of such an application, and in such a case the applicant would have to be informed as to the facts upon which his application might be refused in order that he might then produce evidence to establish the merits of his application. In the same sense, Mr. Speaker, it is my opinion that registration under this statute is a privilege which should only be granted where it is in the public interest for the purpose of the legislation is to maintain a standard of integrity within this industry sufficient to protect the members of the public while at the same time permitting the efficient operation of the used car business.

**Mr. Speaker:** The member for High Park?

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a question for the Minister of Financial and Commercial Affairs. Will the Minister order the Ontario securities commission to investigate to determine the source of the rumour reported in the *Globe and Mail* of May 16 of a Massey-Ferguson take-over which has caused the wild gyrations in the stock?

**Hon. Mr. Rowntree:** Mr. Speaker, I am informed that the Ontario securities commission has no present evidence that there has been any breach of either The Securities Act or of the criminal code, with respect to the matter referred to by the hon. member. Their surveillance over the matter will continue.

**Mr. Shulman:** The matter is under surveillance, did the Minister say?

**Hon. Mr. Rowntree:** Their surveillance in this matter will continue.

**Mr. Shulman:** Thank you. I have two questions for the Minister of Reform Institutions. To which county jail would go the 34 prisoners transferred from Guelph—and a breakdown is not necessary, just the names of the county jails—and second, how many ex-convicts have been hired by The Department of Reform Institutions for their own staff as per the advice given other employers in this province?

**Hon. Mr. Grossman:** Mr. Speaker, I presume the hon. member is referring to the 33 prisoners I referred to yesterday, just in the interest of accuracy. It is deemed not in the interest of public security, Mr. Speaker, to divulge this information the hon. member has asked for.

In respect of the matter of how many ex-convicts have been hired by the departments, as I just received notice of this, this morning it would be most difficult to answer the hon. member this morning. I should have that early next week.

**Mr. Shulman:** Is the Minister refusing to answer the first question?

**Hon. Mr. Grossman:** I say it is not in the public interest.

**Hon. W. A. Stewart (Minister of Agriculture and Food):** Before the orders of the day, I would like to announce the approval of an ARDA project that will prove to be of considerable benefit to the members of the Sheguiandah Indian reserve on Manitoulin Island.

Under the terms of the federal-provincial ARDA agreement, approval has been granted to a community pasture project that will eventually see a total of 5,000 acres of good grazing land opened up and developed for commercial use.

Initially, the project calls for the cutting of fence posts, the building of a corral and the fertilizing and seeding of 2,500 acres of this pasture by members of the band on the reserve. It is expected that about 300 head of cattle will be pastured there this year and the revenue from these animals will be retained by the all-Indian pasture board for purposes of developing the additional 2,500 acres in the very near future.

In the long term, this project is seen as having a twofold benefit for the area, firstly as a source of revenue for the Indian band and, secondly, as a much-needed managed community pasture for the non-Indian farmers in the area. A \$10,000 investment in this project will be shared equally by the federal and provincial governments under the ARDA agreement.

**Mr. Speaker:** Orders of the day.

### THIRD READINGS

The following bills were given third reading upon motions:

Bill 36, The Conservation Authorities Act, 1968.

Bill 51, An Act to establish the Ontario economic council.

Bill 67, An Act to amend The Motor Vehicle Accident Claims Act, 1961-1962.

Bill 88, An Act respecting motorized snow vehicles.

Bill 98, An Act to amend The Provincial Parks Act.

Bill 99, An Act to provide for the establishment and functions of the Ontario geographic names board.

Bill 100, An Act to amend The Crown Timber Act.

Bill 101, An Act to amend The Railway Fire Charge Act.

Bill 102, An Act to amend The Department of Agriculture and Food Act.

Bill 104, An Act to amend The Industrial Safety Act, 1964.

Bill 106, An Act to amend The Line Fences Act.

Bill 114, An Act to amend The Surveys Act.

Bill 115, An Act to amend The Public Lands Act.

Bill 116, An Act to amend The Dog Tax and Livestock and Poultry Protection Act.

**Clerk of the House:** The 17th order, committee of the whole House; Mr. A. E. Reuter in the chair.

### THE PRIVATE HOSPITALS ACT

House in committee on Bill 93, An Act to amend The Private Hospitals Act.

Sections 1 to 4, inclusive, agreed to.

Bill 93 reported.

### THE MEDICAL SERVICES INSURANCE ACT, 1965

House in committee on Bill 94, An Act to amend The Medical Services Insurance Act, 1965.

Sections 1 to 4, inclusive, agreed to.

Bill 94 reported.

### THE HIGHWAY IMPROVEMENT ACT

House in committee on Bill 108, An Act to amend The Highway Improvement Act.

Sections 1 to 6, inclusive, agreed to.

Bill 108 reported.

### THE LOCAL ROADS BOARDS ACT, 1964

House in committee on Bill 109, An Act to amend The Local Roads Boards Act, 1964.

Sections 1 to 6, inclusive, agreed to.

Bill 109 reported.

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs) moves that the committee of the whole House rise and report certain bills without amendment and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report certain bills without amendment and asks for leave to sit again.

Report agreed to.



## THE SECURITIES ACT, 1966

Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs) moves second reading of Bill 50, An Act to amend The Securities Act, 1966.

Mr. E. W. Sopha (Sudbury): Mr. Speaker, it occurred to me that this bill is little more than a series of housekeeping amendments. One is forced to the conclusion that having passed this Act two years ago, and The Department of Financial and Commercial Affairs having to work under it, that the department is not content with the Act as it was sent to them from this Legislature, and that the department wants it reconstituted to handle this important sector of the economy.

Therefore, as a matter of principle, I would expect that when this bill goes to the committee that the committee will have the responsibility of determining from the Minister and the appropriate officials just what was wrong with the original bill so that it is now found unsuitable.

In making any general statement, one cannot see a consistent theme running through the bill to establish any new direction that the control of the securities legislation is going to take. For example, on section 3, subsection 2, it makes me wonder as a matter of principle whether the securities commission wishes the Legislature to give it power to handle people like David Rush. Maybe Rush was too much for the director of the commission, and the director is going to ask us to give him more specific power for use in situations such as that.

I wonder, as a matter of the draftsmanship of the legislation, whether this is the proper way to treat a matter of contempt in the face of the commission, and I am very puzzled as to know—in the way it is expressed—how the matter of contempt gets before the Supreme Court, for the section speaks of the Supreme Court and attempts to analogize the procedure that is used in that court.

For example, you will see it says that failure or refusal of the person to attend or answer questions, produce such documents, records, and so on—things that are in his custody and possession—make a person liable to be committed for contempt, by a judge of the Supreme Court as if in breach of the order or judgment of the Supreme Court.

But the section is vacant in telling us how the commission puts the matter before the court. What is the form of application? Is it

by originating notice? Is it by simple notice of motion? What are the rights of the accused?

The whole law of contempt in *facia curia* is in an unsatisfactory state, and many calls have been made for its reform. For example, the appeal procedure from contempt committed in the face of the court, it is said by lawyers learned in that part of the law, is totally unsatisfactory and inadequate.

So even when the bill gets to the committee we will not know just what is in the mind of the draftsmen, let alone in the minds of people like Rush who come up against the director of the securities commission which might be little more than a meeting of two abrasive personalities for all we know. I was not there. I only read in the public print that Mr. Rush and Mr. Bray did not get along when they met.

I hold no brief for Mr. Rush, of course, and Mr. Bray is carrying out public responsibilities. But as any objective observer, I wonder just where the fault lay. Mr. Rush, a citizen like anyone else, is entitled to the protection of his rights and those fundamental liberties that anybody else has in a court of law, and as a matter of principle, in looking at this, I would be very much against the framing of this section in that way.

I would much prefer that in the interval before this bill goes to the committee that perhaps the draftsman might look at that subsection and re-write it from the point of view of saying just what the procedure will be, and concerning the person against whom it is sought to have a contempt declaration, just what rights he will have in answering the allegations against him.

For example, the question of notice. That is a very important one. The person ought to know long before or within an adequate time before the Supreme Court hears the application, he ought to know just what his contempt is, so that when he arrives he is ready to purge it, to make apologies and give undertakings or to resist on the basis that he committed no contempt.

These are important matters, because once it gets before a judge of the Supreme Court, the person accused of contempt can go to jail. The judge has power to commit him to jail until such time as he purges his contempt. If it is a matter of refusing to answer questions, then as I comprehend the law—I have never been in contempt myself although I narrowly escaped a few times—but as I understand it the judge has power to continue to commit to jail every time the person comes before him and refuses to purge

his contempt. So it is with newspaper people asked to disclose their sources of information. Indeed, Blair Fraser, who recently came to his untimely death, was in that position in British Columbia.

This is a very serious matter from the point of view of the public, of course. As a matter of principle, you will know, Mr. Speaker, that we have to inhibit the powers of quasi-judicial tribunals to the extent that we do not let them—to borrow a phrase from my rural friends—“get too big for their britches”—and assume unto themselves powers, or the use of powers that they really ought not to have.

I am one who is perfectly aware that the securities commission has important responsibilities. But I can think of no commission that has been more under-reviewed in the journals of opinion than the securities commission on the exercise of its powers. It has been called a “star chamber”, and various other epithets have been hurled at it. The intimate and intensive nature in which it gathers information has been under serious question.

Who knows more than you, Mr. Speaker, that one of the chief complaints of Mr. Landreville was that the securities commission exercised its powers under The Securities Act to elicit information from him which later formed the basis of a criminal charge. He always held that this was an abuse of its power, and the information ought to have been used only in connection with enforcement of The Securities Act, and for no other purpose. There might have been a great deal of merit in what he said. Mr. Rand did not deal with that in his report. But I am seeking here to portray the possibility of doing great harm in the use of wide powers, and I do not want to give that commission power to make an expedient application to the court to descend punishment on any young individual who may at the time happen to fall out with Mr. Bray. There is a vital matter of principle here, of the protection of the rights of the subject.

The Securities Act itself emerged as a result of a very careful scrutiny. We must remember its genesis; it started with an Attorney General's committee; that committee was probably appointed by yourself, sir. And it held a good many public hearings and made a report to the Attorney General. Eventually a draft bill was prepared, and that draft bill was analyzed and scrutinized by a committee in which there was great interest, not only by the members of this House, but

by people from the financial and business community.

The bill in its final form, so to speak, was handed to the Minister of Financial and Commercial Affairs, and he has said: “Well, here it is, here is your legislation, under which you will operate.” So, two years later, he is back here and he has before the House 40 sections—yes, 40 sections—of an Act which demonstrates dissatisfaction with the way that it is operated. As I say, in reading through it—I studied it; many of them are very minor changes, except that where they change the name from registrar to director, it anticipates for one from the outside, a rearrangement of responsibilities within the commission which we shall like to hear about; and we should like an explanation why the work that people do shall be reorganized; the director in many instances is taking over responsibilities heretofore exercised by the registrar.

All I am saying, really—and I feel I am saying it on behalf of the Liberal Party, and specifically, I know that I speak for the hon. member for Downsview (Mr. Singer) who shared with me the responsibility of reviewing the statute—is that at this point we reserve judgment on this. When the bill goes to committee, we shall have an opportunity in an informal atmosphere to ask the necessary questions, and to find out just what are the intentions of the Minister and the department. So, other than that, I do not think, Mr. Speaker, that I can add anything useful to the discussion.

**Mr. Speaker:** Perhaps the members would allow me to draw to the attention of the House, as the member for Essex-Kent (Mr. Ruston) has drawn to my attention, that in the west gallery are students from Essex public school who were omitted in my original introduction. I am sure we are glad that these young people are here to hear some of the oratory in this House.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, with regard to The Securities Act amendment, I have a few points that I wanted to raise in addition to those that my colleague has already mentioned. I concur with him that the matter of the main amount of the bill is concerned with the changing over of responsibility indirectly from the registrar to his superior who is the director, and who is termed by some people in the city as a “dictator”, not a director. But it is a necessary change and I can understand why he is doing that, to clear up confusion as to who has the basic responsibility for the operation of the Ontario securities commission.

In connection with his responsibilities, though, we have to be sure that there is a provision for justice against arbitrary actions on his part, and I know there is a constant weighing, and a necessity to weigh the matter between the harassment that some professionals in the field can provide in the carrying out of the protection of the public in the investors' safety, and the matter of justice to those who might arbitrarily be not particularly popular with the man who holds the responsible office of director. I can sympathize with the wish of the government to relieve the director from harassment of this kind but I still think that we cannot eliminate, basically, the rights of appeal against arbitrary decisions.

There are several provisions in the Act which concern me in this matter; one, in connection with approval, or withholding of a receipt for any issue, can be carried out or can be withheld by the director, and there is no provision for appeal in this case. If a corporation is offering a security, and it cannot get approval from the director, there is no basis provided here, that I can see, for them to take the issue before a higher authority. After all, I think this is where they should have the ability, through the provisions of the Ontario securities commission, to do this. The stock exchange has quite arbitrary powers but it, after all, is a voluntary, not a compulsory organization. It has powers, and because of that it can hold powers that permit it to take much more arbitrary action, and, therefore, much speedier action in dealing with what it might feel to be contraventions of the public good. In the case of the director, I think it is very important that there be protection through appeal.

One matter in this Act which I am pleased to see is the spelling out of codes and symbols being approved, and the enabling of the commission to mechanize more fully its records. This is terribly important. I was shocked, in the case of the Wee Gee Mines, that it took the commission seven weeks to decide whether or not it would hold a hearing in this matter. During that seven weeks, there was a great deal of activity in the security. It certainly should not normally take any more than a matter of a very few days to analyze the activity and relative concentration of trading that took place in this security. A lot of public investors could have been caught up in that swirl. Fortunately there was no great harm done in this case but in other cases, such as Windfall, a great deal of harm has resulted from the lack of rapid action on the part of the commission. So I am hoping that we will see, through these cogent symbols, much

faster reports and decisions by the commission when action on their part is required, in the way of an investigation.

I also think this mechanization should be carried over into the matter of registration of salesmen. A few years ago there was a bulletin issued which stated that no longer would salesmen be advised when their registration expired. It was up to them to keep their licences in good order. Now, even drivers in the province are notified as their licences expire. It is not as if, even in the case of salesmen, they come up at regular dates. It depends on when they were first registered. I do feel that the commission should be able to notify, as it formerly did, salesmen when their registrations are expiring.

I also feel that it should—and maybe not so much in connection with the principle of speed—but I feel that in connection with salesmen's registrations we should make it automatic regardless of whether a salesman is moving from one house to another, that their licences be continued in good force, rather than their having to get the approval of the house to which they are going. There is too much power vested in the employers of the security houses with regard to salesmen. I think they need to have more protection for their own status as qualified people if they have been acting well and there is nothing against their record, they should know that they are licenced and will continue to be licenced, regardless of by whom they are employed.

Another section is dealing with mutual funds and reporting of mutual funds. I am at a loss to understand why we are putting in these changes in the reporting that mutual funds should make, prior to receiving the report of the Canadian mutual funds committee on the way they feel legislation should be designed for their own particular requirements. I understood from the Minister, Mr. Speaker, that he was putting in arbitrary requirements—we saw them introduced—concerning the amount of fee that management of mutual funds could charge prior to the Canadian mutual fund committee making a report. Why should not the whole matter be held over as far as these registrations are concerned and get a good, thorough investigation and have well-informed opinion as to how this reporting should be done.

The basic item that a holder of a mutual fund security wants to know is what the security's net value was at the beginning of the year and what it is at the end of the year. They want to know the change in the



net value per share of the security, that is the main item. There is an awful lot more detail required here in this new reporting that I do not think is really going to help, basically, the security holder in his analysis of what he has got.

The mutual funds hold a tremendous cross-section of securities. There is no breaking down of what they are holding—they do not have to disclose it in this Act at all. People judge the merits of the fund by its performance and that really is the only information that I feel should be required. I feel that the sections 31 and 32 are not particularly helpful.

Now there is one clause down farther that concerned me—regarding extensions of restrictions on trading. The 15-day periods are mentioned, but it does not say for how many 15-day periods they can be extended. Is it not important that there be some time limit or some number of periods in which the commission can do this arbitrarily? It seems to me that it should be possible for the commission to come to a decision, or have a hearing on the matter, and not have this arbitrary power of extending the restrictions on trading indefinitely, which virtually they have as it now stands.

These are the main points and the principles of the bill I have commented on, Mr. Speaker. I feel it is, on the whole, tidying up and making a little clearer in areas other than those I draw attention to. It is a very important Act.

**Mr. Speaker:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, speaking on behalf of our group, we have perused this bill and have come to the conclusion that to save the time of the House, since it is fundamentally a housekeeping measure, we can quite adequately deal with the points we wish to raise in the legal bills committee.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, that is the best speech the hon. member for Lakeshore ever made.

**Mr. Speaker:** I would hope other members would emulate him.

**Mr. Singer:** Mr. Speaker, notwithstanding the comments of several members in regard to this bill, there are things that my colleague from Sudbury touched on that cause us concern. I look particularly at section 7, which is a very broad section giving to the commission the power to, by order, appoint any

person to make any kind of investigation it deems expedient for the due administration of the Act into any matter relating to the trading of securities and in such order shall determine and prescribe the scope of the investigation. It is a blank cheque of investigatory powers.

What appeared in the 1966 Act was a similar power with the approval of the Minister. We are now taking away the discretionary approval of the Minister, and what concerns me in this day and age of McRuer, and what concerns me again generally about Ministerial responsibility, is the Ministerial responsibility is gone. So the commission, on its own, can embark on any kind of investigation it sees fits without even referring it to the Minister, and without asking for his approval. I am very concerned.

**An hon. member:** That is good!

**Mr. Singer:** No, I do not think it is good. I am very concerned that this kind of power could be exercised in a manner that would be wrong for a number of reasons. This kind of power is a very broad power and could be badly exercised. The Minister could come into the House and say, "I am sorry. I know nothing about it. That terrible commission just went off and did something they should not have done".

The whole question of accountability is gone. Now I have a very strong fear, as many members of this House have, as Mr. McRuer had, of giving unbridled discretion to an appointed body to do as they see fit within their field of investigation. This concerns me very much and it may be that the Minister can explain the reason for this. On principle, I am opposed to this. We will argue it a little more thoroughly, certainly, in the legal bills committee and in committee of the whole House. But on the face of it, this kind of principle, I think, is a very bad one and should not be put in any new Act.

**Mr. Speaker:** Is there any further member who wishes to speak to this before the Minister? The Minister has the floor.

**Hon. Mr. Rowntree:** Thank you, Mr. Speaker.

I do not think that I could get into any serious argument with some of the comments that have been made, particularly those from the hon. member for Sudbury. I think when we go to committee—I think his suggestion was a good one that we might have a look at certain aspects of the amending bill and

be prepared, at that time, to discuss the adequacy of it or otherwise. I do not think we are at loggerheads on this matter at all.

I would only comment with respect to the hon. member for Downsview's comment about the powers of investigation without the Minister's approval. The question there is one of principle. I think that you could argue it on either side of the coin. Last year we discussed the question of the independence of the commission in some detail, and pursuant to the thoughts and the debate at that time on that point, this is a removal of the Minister, no question of it, from the commission. They can go ahead, and they can conduct their investigation independently; they are not dependent on the Minister. This question of independence of the commission—the Minister and the government do not intend to abdicate our responsibility, but we think that there is another matter about the independence of the operation of the commission.

I recognize the points that have been made—

Interjections by hon. members.

**Hon. Mr. Rowntree:** I think that the policy of leaving them without interference is a pretty important one.

I would like to make a reference to the Rush matter. In that situation the director disqualified himself, and I think properly so. The matter was then taken on by the commission itself. I am not sure whether that final decision has been handed down, and I think that I should withhold my comments until after. I will have some comments at an appropriate time on the situation. I think that it should be noted here that I do not think that the office of the director will ever be regarded as qualifying the director for any popularity contest prize. Because of the situation, it is a very difficult office, and frankly, there are problems but I would have to tell you that I have a very high regard for the personal integrity of Mr. Bray.

I make this comment, and I think that I am in a good position to make it after a year and a half of observing closely. I think that Ontario is fortunate to have a man like Harry Bray available to us. It is a very difficult job that he has got.

**Mr. Sopha:** He deals with difficult people.

**Hon. Mr. Rowntree:** Exactly, this is it. And after all, let us face it, the policy of the government in securities matters and of the

commission itself has certainly changed in the last two years because it had to be changed. So, if we change for a more rigid approach to some of these things, then we automatically put ourselves in a position where people can say, "Well, you are too tough on me." Somebody will try to say, "You are interfering with my civil rights."

We are not trying to be unfair, and I do not think that any of us here are. But we always have to remember that it is the public interest that must be protected. If that means being firm and strict, and maybe a little bit difficult at times, that may be the way that it has to be.

Mr. Speaker, I am interested in the observations that have been made. I think that it is proper that this commission should be present at the committee. I shall arrange that and I think that we will put ourselves in the position of having a healthy discussion at that time.

Motion agreed to; second reading of the bill.

## THE LOAN AND TRUST CORPORATIONS ACT

**Hon. Mr. Rowntree** moves second reading of Bill 59, An Act to amend The Loan and Trust Corporations Act.

**Mr. M. Shulman (High Park):** Looking at this bill, Mr. Speaker, one almost thinks that there was not an Atlantic Acceptance collapse in this country. This bill will allow lines of credit in charter banks to be included in the reserve required of trust companies, subject to the approval of the registrar.

The cause of the collapse which brought on the financial disaster of Atlantic Acceptance was, of course, the loss of certain credits which had been held by this corporation at a bank, and one day a \$5 million credit which the corporation thought was there disappeared. This was the trigger that caused the collapse of the corporation. It might have ultimately collapsed in any case, but this was the final blow that brought it down.

To change the law so that reserves will include a line of credit which can disappear with no notice is foolish. You can have a line of credit today at noon and at one o'clock this afternoon that line of credit can be gone. The banks do not have to give notice of something like this. You are just

inviting another collapse, another Atlantic Acceptance.

**Mr. Sopha:** That is what Sinclair Stevens said.

**Mr. Shulman:** Exactly, and this is such a retrograde step that I am amazed to find the Minister introducing a bill of this nature. I suggest to him through you, sir, most strongly that this is a very serious mistake, and that this particular portion of the principle of the bill should be deleted.

**Mr. Deacon:** Mr. Speaker, another item in this Act which concerns me is the principle of requiring provisions to prove public necessity in the organization or the approval of the incorporation of trust or loan companies. I feel that we should be very careful about introducing this type of legislation which is quite prevalent in the United States, and has been applied to keep corporations on a very local basis. It can also mean a reduction in competitive factors which help to produce better service and more convenience to customers.

In my view it is important that we have very strict requirements for capital and maintenance of capital and the types of securities and the division and balance of securities that are held by trust and loan companies, to be sure that they have sufficient underlying resources to meet their obligations. But I do not believe that it is a sound practice for us to get or set up legislation which will require the onus or the proving of public convenience in necessity the same way that we do in dealing with utilities.

This is not transgressing public lands or involving expropriation, it is involving free enterprise, and the essence of free enterprise is good competition. As long as we have provision in this Act for ample resources, and being sure that we do not have fly-by-nighters establishing themselves who do not have the resources to meet their obligations to those who do business with them, then I do not think that we have any right to get into this whole principle of requiring public necessity. We might go at it the other way, by having the ability to prove that there is no need, and, therefore, that would be the onus of the government to indicate and to show the reason why there is no need for the establishing of a company.

But it should be in reverse, not putting the onus on that company which is seeking to obtain incorporation.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, on the principle of this bill, may I say very briefly, that this bill has wide powers to investigate any company in this province, except the one big company that should be investigated, and that is the government.

**Mr. Speaker:** Is there any other member who wishes to speak to this? The Minister has the floor.

**Hon. Mr. Rowntree:** Mr. Speaker, a question was raised by the hon. member for High Park on an interpretation. I think we can clear this up before the House now. The intention is, with respect to taking into account those bank accommodations, that it is against an irrevocable credit in writing for a minimum of three years.

**Mr. Shulman:** Well, that should be in the bill.

**Hon. Mr. Rowntree:** But there are many powers that the registrar exercises. I will not say they are limitless, but he has a very strong and wide authority when taking the reports of their audits and of the information they secure, calling for high standards of conduct in these operations leading up to the actual licence itself.

**Mr. Shulman:** But you may have a different Minister and a different registrar around here—

**Hon. Mr. Rowntree:** Well, it could be.

Interjections by hon. members.

**Hon. Mr. Rowntree:** This will be set out very clearly and this is the condition under which this was advanced, that it is an irrevocable line of credit for a three-year period. Now, as to the question of the public necessity aspect. This has been in effect for trust companies for some time and it is now being proposed for loan companies. I do not think that it is the kind of operation that—reference has been made to the free-enterprise system—I do not think that we want to put ourselves in the position where anybody can open up a trust company. I think the whole situation of an application for a trust or loan company should be looked at and scrutinized very closely, having in mind—

**Mr. J. E. Bullbrook (Sarnia):** That is not what he said.

**Hon. Mr. Rowntree:** I think he will have an opportunity with respect to this bill to express



those views directly to us in the committee. This bill will go as well.

**Mr. Speaker:** The motion is for second reading of Bill 59.

Motion agreed to; second reading of the bill.

**Mr. Speaker:** May I interrupt and point out that it being now 12 of the clock, we have moved into another area, with the consent of the government.

Resolution No. 3 is the notice I have.

**Hon. Mr. Rowntree:** This is the private members' hour, Mr. Speaker, and we call on resolution No. 3, appearing on page 7 of the order paper.

### NOTICE OF MOTION

**Clerk of the House:** Notice of motion No. 3, by Mr. Trotter.

#### RESOLUTION:

That, in the opinion of this House:

(a) The Department of Education should make grants available, for the purpose of furthering immigrant students' command of the English language, to any board of education which undertakes to set up facilities for this purpose; and

(b) that the department make available its technical staffs to advise on the setting up and purchase of language laboratories and teaching aids for this purpose.

**Mr. J. B. Trotter (Parkdale):** Mr. Speaker, I move, seconded by the hon. member for Huron-Bruce (Mr. Gaunt), resolution No. 3 standing in my name, which has just been read.

Mr. Speaker, in this matter of teaching immigrants, particularly the children of immigrant families, teaching of English, I think, is of the utmost importance not only to the immigrants themselves but particularly to this country and particularly to the parts of this country where there are a large number of immigrants who do not understand the English language. Because of the complexity of our society, because of the importance of education, this matter of having a grasp of the language that is being used in this country, and particularly in English-speaking Canada, is of the utmost importance.

The same thing holds for the teaching of French. If the immigrant has settled in Mon-

treuil or Quebec City, the same argument holds. But I have in mind, of course, particularly the province of Ontario, and especially Metropolitan Toronto.

Now, there have been demands made from time to time by various municipalities, and various boards of education—particularly the board of education for the city of Toronto—for more help. The grants have been niggardly, to say the least. Last March 6 the Minister of Education (Mr. Davis) got on his feet and announced in the House that there would be an increase of grants. I could not gather how much those grants were, but when we read the press release there was an indication that the grants might be as much as an increase of 35 per cent. This is the kind of announcement that is often misleading. The size of these grants depends on the type of municipality in which you live. I find that in the city of Toronto the increase amounts not to 35 per cent but 5 per cent, which is a \$100,000 increase over what we are receiving now. Now, to give you some indication—I might interject, Mr. Speaker, that this is the best-looking Speaker we have ever had in the chair.

Interjections by hon. members.

**Mr. Trotter:** Fortunately, we are not discussing subways in Toronto. Mr. Speaker, since the end of World War II approximately 250,000 people have come to Metropolitan Toronto from southern Europe, and most of them have a very difficult time learning to grasp the English language. It stands to reason that those of us who have been trying to learn the French language in the special classes set up would have a very difficult time if we had to go to school in Paris and try to learn about mathematics or any subject. It is not a question of intelligence, it is a question of what facility and opportunity people have to learn.

The present chairman of the board of education of the city of Toronto tells us that just over \$3 million is being spent by the Toronto board this year in attempting to teach immigrants English. It is predicted that by 1972 it is going to cost \$10 million. Even today, with the courses that are available, they teach approximately 10,000 children to improve their speaking of English. Yet I am told—and these figures come from different newspaper reports of what the chairman of the Toronto board says—that there are really 30,000 children who should be receiving training in the English language. There are 94 classes held in 59 schools in the city of

Toronto, teaching children English, and yet many of the estimates show that we really need four or five times that many classes.

I do not intend to bore the House, Mr. Speaker, with a lot of figures, but just to give you some indication of the problem that we have here, it is estimated that this year in the city of Toronto, in day schools, the pupils receiving special English instruction from grades 2 to 13 total 3,654; and in kindergarten, 2,351. Then the pupils with accents or faulty concepts presently receiving help in regular classrooms, from kindergarten to grade 8, total 4,069. In other words, there are a little over 10,000 pupils in our schools receiving these classes. The total of pupils in night school programmes is just over 13,600.

I realize, Mr. Speaker, that in the way the provincial government gives grants for the training of people in grade schools, the money comes from the board of education, and for training in the night schools most of the grants come from The Department of the Provincial Secretary. But, for the purposes of this resolution, I want to treat this problem as one because it is my view that instruction in the English language, in fact anything to do with education, should be under The Department of Education. I think this is where the responsibility lies.

To show you how updated our attitude is in supplying the necessary financial support to programmes for teaching people English, I will use the rates that we give at night schools. For example, in 1959 the federal and provincial governments began to give grants to boards of education in order to teach people English and also for other forms of training at night schools. The provincial and federal governments said—and it was done through the provincial government—that they would pay 90 per cent of the cost. This was back in 1959, and in those days it cost \$6.75 per pupil for a teaching hour.

In 1960, the provincial government changed the rules of the game and said, "Instead of paying 90 per cent of the cost, we will set a limit and the limit will be \$6 per pupil per teaching hour, and we will pay 90 per cent of that". Of course, the price of everything has changed and instead of the costs being \$6 an hour as it was back in 1960, it is now \$11 an hour, but the government still pays 90 per cent of \$6. So that today, despite the fact that the provincial government said they were going to pay 90 per cent of the cost of these night schools, they are in effect paying less than 50 per cent.

These grants, Mr. Speaker, make no allowance for the cost of supervision or the administration of these classes. Of course, like everything else, it costs a great deal of money. As I said, the budget in the city of Toronto alone is over \$3 million.

We have to take a hard look at our way of financing, certainly, the programme at night schools. And it is even more important for the day schools because it is the children who must be reached, who must be given the opportunity. You know, Mr. Speaker, if a young man comes with his family from, let us say, Italy—and this is one case I know of—he has had a classical education; he has the equivalent of a pass BA, he is fluent in French, Italian and in Spanish, yet he cannot speak English and he cannot get into a high school in East York. Yet there is a man with a classical education.

If we are going to give these people the opportunity that they should have, that they are entitled to, we simply have to completely change our entire approach. We know now that to some extent 10,000 students are receiving help. We figure, and we are not sure of the amount, but we know it is large, that there are about 20,000 untouched. How many dropouts are there as a result of children not knowing the English language?

The figures are in the hundreds, and yet if you go to a board of education it is very difficult to find out exactly what the figures are. I know one board reported about three years ago it was approximately 500, but I cannot prove it. This is something that our Department of Education should examine thoroughly, because the cost in the loss of human opportunity is a tremendous loss to Canada as a whole.

The provincial government today pays about 13 per cent of the cost of teaching students English in the Toronto schools. It is higher in some other districts. With the system of grants for smaller communities they get more money, and this is under almost any grant system that is sponsored by the province of Ontario. But let us bear in mind, Mr. Speaker, that the main problem is in our large urban centres, particularly in the cities of Toronto, Hamilton, and in Sault Ste. Marie to some extent.

We have been tremendously fortunate in the immigrants who have come to Canada. Often we are on the winning side as far as getting the educated immigrant, because so many people say, "Well, why bother educating them? Why spend the money? After all,

my grandfather came; he did not have much education, he went to work at an early age."

This argument is thrown up time and time again, but we must remember today that without a good education, no matter what a person's background is, the odds are that he is placed at a tremendous disadvantage in the society, as we know it, of 1968.

The one man I specified, who had a classical education and cannot get into a high school in one of the boroughs here in Metro, is doing construction work. This is wasting his time and we, as a society, are losing a good individual. When we look at the unemployment rates, bear in mind that approximately 75 per cent of the people who are unemployed have an education of grade 8 or less.

This government has tremendous facilities if it wanted to use them. You know, I am probably accused sometimes of being rather cheap when I criticize the government for spending money on the byline ball. Last year we paid \$14,000 to the Canadian bar association for their convention, for a banquet. I keep saying that this is a waste when I see that money cannot be obtained for purposes that are so essential, because eventually, if these people do not have the opportunity, they are going to be the first who are unemployed or they are going to be in an economic ghetto.

You and I know that, regardless of a person's background, if they have an opportunity they prosper and become part of the society. In the United States you do not hear them talking of the late Wendell Wilkie as a German-American or Eisenhower as a German-American, or part of an ethnic group. You do not hear them talking about Diefenbaker or Wintermeyer or Governor-General Michener, or even the Breithaupts, as part of an ethnic group, as something apart.

They have had the opportunity. They may have been here earlier and have had the opportunity and have made a tremendous contribution to our society. Now in this day and age we have a new group coming and they, too, are every bit as able and capable if they are given the opportunity. Yet we have a system in this province that if a child, say, age 13 is in grade 4 at that age he ends up in one of what we call our terminal schools.

A tremendous number of the people in our terminal schools are new Canadians and are

there simply because they do not have a grasp of the language. This is why trained carpenters, trained artisans, are washing dishes in this community, because this government refuses to take the action that is necessary.

We could set up language laboratories if we wished, but we just do not seem to make the effort. The assumption of provincial responsibility in the field of immigrant English education will involve, Mr. Speaker, the full use of our technical resources and believe me, we have them here. There are many people in this province who are eager; for example the metropolitan education television association of Toronto are people who are trained and capable and eager to help the government in training these people.

I must say that I was extremely distressed by the Minister of Education's answer to the member for Peterborough (Mr. Pitman) on Thursday, May 2. Although that question was phrased in terms of educational television in the broad sense, it had great relevance for the teaching of language. With the coming of false code modulation, we are moving into the same kind of recording equipment for both sound and picture. Where language laboratories end and television begins is becoming harder and harder to determine and so, the Minister must face up to his responsibility. Again, I emphasize it is with the Minister of Education and not the Provincial Secretary (Mr. Welch). He must face up to the responsibility to permit grants in aid for all this new kind of equipment that will permit our immigrants to learn more English through sound or visual means. The same thing that we, in our French lessons, are using here today, only it is far more important for the immigrant to have this opportunity than it is for ourselves.

Mr. Speaker, this is a long subject and I intend to give others, on this short hour, the opportunity to say more on this, but I believe that it is good business to see to it that we give the individuals that come to this country, every possible opportunity to develop themselves and to contribute to our society.

After all, as a result of the immigrants coming to this country since World War II it has meant more to our economy and trade per year than all our trade with Europe and the British Isles put together. That is what it means in the purposes of our economy, to say nothing of the tremendous effect the immigration since World War II has had in giving Canada a sense of identity of its own.



These people who come to Canada are anxious to be Canadians and I just want to give you an example of this, going back to a language class. We were learning to say are you English or are you French and one thing and another, and it was the two in our class who had non-English speaking backgrounds who said, I am a Canadian. Most of us said we were either English or Scots.

This is something that is most important to the development of our country, particularly it is most important to the development of Metropolitan Toronto, to Hamilton and to these large centres where hundreds of thousands of people are coming.

It is true that in parts, for example in southern Italy, to have a grade 4 or grade 6 education is a good education because they are rural people, they are farming people. In the state of society in some parts of Europe that is good enough, but it is not good enough, literally, in any place in the world today and certainly not in our society.

But, this government has a blind eye. It refuses to see. It tries to weasel out of this very major issue. It wants to blame the federal government. It says this is the responsibility of the municipalities, but constitutionally and morally, the responsibility of educating our people is with this government. It is with the government of the province of Ontario, and it is with the Minister, and he is not measuring up to his job.

What is going to happen is that these economic ghettos are bound to happen unless we see to it that we have opportunity for all, and this is a practical way, a practical way, Mr. Speaker, in giving immigrants this opportunity and saying this is a just society.

**Mr. G. A. Kerr** (Halton West): Mr. Speaker, I would first of all like to say that I am in complete agreement with the intent and objective of the hon. member for Parkdale's resolution. It is very important in Ontario that immigrant children and adults speak English fluently.

The learning of English is a *sine qua non* of integration in this province both at the social and economic levels. It is impossible, for example, to work at the level of one's capacity to learn a new skill if necessary, to exercise one's rights and duties as a citizen, or to be an effective neighbour without a command of the English language.

The immigrant child is doomed to a sub-standard education, substandard employment and substandard citizenship if a lack of

knowledge of English interferes with his progress in the school system. The consequences of language inadequacy are not only personal or local, they are provincial and national.

I agree with the hon. member for Parkdale's remarks in this regard, and there is no question, Mr. Speaker, that personnel officers and employers judge applicants by how fluent they are in the English language. This is always an important consideration in obtaining employment.

I would like to say however, Mr. Speaker, that in respect to part (a) of the resolution that grants are available. The hon. member for Parkdale did refer to this briefly. He also referred to the Minister of Education's announcement last March that special help to classes for children to learn English would be increased from \$3,400 to \$5,000 per class to local schoolboards. I would say, Mr. Speaker, that this is at least 35 per cent.

The Minister has been attempting to get the federal government more involved in immigrant student language courses. The federal Minister takes the stand that this would be constitutionally improper. Up to the present day, the federal government has readily co-operated with respect to programmes of instruction, textbooks, experimental programmes and things in this nature. Research is included in this, conferences that had to do with adult immigrants but carefully avoided any commitment or form of involvement, including financial assistance in programmes involving children.

I disagree with the hon. member for Parkdale in this regard. It seems poor logic to me, Mr. Speaker, that a federal government invoked The BNA Act with regard to educational responsibilities, particularly that of supporting language classes for immigrant children, while at the same time accepting its responsibility for language in citizenship programmes for adults who are recruited as immigrants to Canada with their offspring.

Neither the provincial government nor the local school boards would suffer any loss of their respective educational autonomy if the federal government were to provide some financial assistance to enable local school boards to give the best possible assistance to immigrant children in their problems of language learning, which must be solved if the immigrant child is to absorb all the education of which he is capable.

For this reason, it makes little sense to me to draw legal distinctions between immigrant adults and immigrant children.

I would like, Mr. Speaker, to mention briefly what is being done in the field of adult language instruction and education in this province. In my opinion, when the hon. member for Parkdale strayed into this sphere he was a little too critical. As most members know, instruction for adult immigrants in language and citizenship has been quite extensive. Local school boards receive some grants in this sphere, the same grants in this sphere as the boards receive for any class.

Under a federal-provincial agreement, the federal government reimbursed the province for 50 per cent of what it paid to boards for adult newcomers. Shortly after the agreement was made The Department of Education provided in its regulations that for classes in language and citizenship for newcomers, it would pay the local school board 90 per cent of the approved teaching cost, without any limit being set on the hourly rate.

However, the hon. member for Parkdale was correct in his remarks regarding the change from 90 per cent of the \$6 hourly rate, because it costs approximately \$12 per pupil for adult evening classes. This in effect reduced both the federal and provincial grants to about 50 per cent of what they were after 1954.

**Mr. Trotter:** Does the hon. member think that is a good idea?

**Mr. Kerr:** No. But in 1961, Mr. Speaker, a new federal-provincial agreement was reached with respect to text books which provided for straight money grants. These grants were based on a five-year moving average of actual expenditures on language text books incurred by the provincial government. Thus, the amount of the payment in any one year was based on the average annual expenditure over the previous five years.

This arrangement, Mr. Speaker, made it possible for the provincial authorities, in consultation with local boards, to provide schools with the choice of four or five different language texts and to select the text books found most satisfactory.

The citizenship branch, and its former counterpart, the community programmes branch of The Department of Education, did not become involved in programmes for immigrant children except through teacher-training, and providing consultative services on request. One exception was an experimental six months' programme of full time language

classes for Italian immigrant children at COSTI, the Italian education centre in Toronto which was conducted by the citizenship branch in co-operation with a number of Toronto school boards and the Ontario department.

The results of the COSTI programme were sufficiently successful that it led to the citizenship branch submitting a brief, with respect to the immigrant child, to the select committee on youth, 1965. The brief entitled, "The Immigrant Child and the Canadian Community", made five main recommendations:

1. The federal-provincial assistance available to school boards in respect of teaching costs and provision of free text books for language and citizenship classes for adult newcomers be extended to cover special classes for immigrant children attending day schools.

2. A broad province-wide approach should be taken to the whole problem of language training for immigrant children rather than the present piecemeal and unrelated efforts on the part of the local school boards, schools or individual teachers.

3. Teachers assigned to work in any language programme with immigrant children should be those with training in the specialized subject of teaching English as a second language, as well as a knowledge of the psychological, social and cultural adjustment problems of newcomer children and their parents.

4. School boards should be encouraged and assisted in the operation of summer programmes to which any immigrant child of school age applying should be admitted as is the practice with language classes for adult immigrants. To make this programme effective, liaison would need to be established between local school boards, immigration offices, ethnic organizations, social welfare agencies and church groups, to ensure that immigrant children arriving in Ontario during the spring and summer months are advised of, and directed to, the summer schools as well as those already registered in schools.

5. That local school boards be encouraged and assisted to experiment with a variety of complete or partial withdrawal programmes of language instruction to determine the most efficient method of integrating the non-English speaking immigrant child in the school academic programme.



What I am trying to point out, Mr. Speaker, is the necessity of involving the federal government. The Ontario Department of Education reacted promptly to this brief by making available "special incentive" grants to all Ontario school boards for special language classes for immigrant children in attendance at their day schools.

The following year, 1966, The Department of the Provincial Secretary and Citizenship, and The Department of Education submitted a memorandum to the former Department of Citizenship and Immigration in Ottawa requesting financial participation in all programmes relating to the education and integration of all adult newcomers, as well as the extension of the programme to include language classes for immigrant children. The former Department of Citizenship and Immigration did not agree to these requests. A new memorandum is presently being prepared for submission to The Department of the Secretary of State to which the federal citizenship branch was attached on the creation of a new Department of Manpower and Immigration from the defunct Department of Citizenship and Immigration.

As I mentioned, Mr. Speaker, in March of this year the Minister of Education announced that the incentive grants made to all local school boards for special language classes for immigrant children would be increased. The first newspaper report that followed this announcement used the figure of 50 per cent. However, I think it is closer to 35 per cent.

**Mr. Trotter:** Oh no, it depends on the area.

**Mr. Kerr:** It depends on the population of immigrant children, I think.

**Mr. Trotter:** No! No! That is nonsense, that 35 per cent.

**Mr. Kerr:** No doubt, Mr. Speaker, if the federal government continues to stay out of this programme the province will have to increase its assistance by way of grants, equipment and facilities, for the instruction of immigrant children.

I would like to deal briefly with section (b) of the hon. member's resolution that The Department of Education make its advisory staff available to local school boards to advise regarding language laboratories and other teaching aids. The citizenship branch is convinced that it is a mistaken notion to

oversimplify the role and potential of language laboratories in solving the problem of language training. A language laboratory is another teaching aid which should be acquired only if the situation warrants it and if there are competent teachers to use it. In all instances teacher training should precede the acquisition of costly equipment. It is only the trained teacher who will then know when and if repetition drills that can be carried out in a laboratory, will truly improve the quality of his or her teaching. It is only the trained teacher who can make the best use of equipment once he has decided that it can help.

Language laboratories are expensive; on the basis of 30 stations they can range in price between \$15,000 and \$30,000. You can train a lot of teachers for that kind of money. There is nothing that a laboratory can do that a trained teacher cannot do; in fact the laboratory can do nothing apart from gathering dust without a teacher who can effectively programme its use. The justification of a laboratory requires, in addition to qualified personnel, a certain minimum level of utilization, which is not likely in our schools outside major centres.

The citizenship branch of The Department of the Provincial Secretary and Citizenship is charged with the responsibility of providing advisory services to school boards for conducting language and citizenship classes for newcomers. In this connection, the branch operates summer courses; I have mentioned them. "Teaching English as a second language" for Ontario teachers, conducts seminars for both certificated and volunteer teachers, sponsors an annual one-day TESL conference, and provides teacher-training demonstration films which are available on loan to all schools or voluntary organizations holding language or citizenship classes in Ontario. In addition, in consultation with teachers across the province, it has produced its own language training materials, special text books known as "Introductions to Canadian English"—whatever that may be—which were specifically designed to meet the needs of Ontario teachers involved in these programmes with newcomers.

I am certain, Mr. Speaker, that if it is shown that language laboratories are superior teaching aids in this area, consistent with the government's excellent reputation and record in the whole field of education in



Ontario, such teaching aids will be used more extensively and the department will make its technical staffs available.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, from January 1, 1946, until December 31, 1965, that is in the 20-year period following World War II, 2,504,020 immigrants came to Canada. Since the end of the war, 1.5 million of these immigrants have settled in Ontario. About 60,000 immigrants came to Metro last year and a large percentage with no knowledge of English whatsoever, or a non-speaking knowledge of English.

As the predictions are that some immigration rules are being relaxed—it does not appear to be that way in the morning newspaper; it appears that because of our unemployment situation, they may be more restrictive—but in any event, the intent was that they would be relaxed—a greater number of people coming to Metro is expected from year to year and the predicted increase is about 15,000 making a total number of about 75,000 a year.

The Italian population of Toronto is now about 200,000, of whom about 40,000 were the old pre-war immigration families. There are about 25,000 Portuguese in Toronto; they have all basically arrived since 1953. The Greeks have about 35,000 to 40,000 residents in Toronto. About 15,000 new Canadian children in Metro are now enrolled in special crash courses in English, designed to enable them to join the other children in regular classes.

As the member for Parkdale has said, it is costing over \$3 million a year, and as Ying Hope has indicated, we are just scratching the surface. Less than one-quarter of these immigrant children in this city are being helped in such courses which they need if they are not to fall behind the other children and to become, as has been indicated, dropouts, and to be forced back into some ethnic ghetto, from which they will not emerge and would become a burden on the relief rolls of this province and particularly of the municipality.

In any event, if only one quarter of the children who need this help to come into the stream and even to the average of our own children—I am thinking of the Anglo-Saxon ones, and peculiarly, the Irish ones. No one could claim, for all the vaunted words over there, that this is equality, either of economics or of educational opportunity. The refusal to provide these funds in any adequate measure by this government and the conniving talk

about weaseling out of propositions, the role of the federal government, is to be stigmatized in this House in this regard, also.

As I said earlier this week, they are the people who brought these immigrants over; they have participated in many schemes down the years. To take up, as is being taken up by John Marchand, an asinine, idiotic, simplistic position on the constitution to escape these responsibilities is an abdication of responsibility on their part. I would argue in this very area a stigmatization of the whole Trudeau position on the constitution.

**Mr. E. W. Sopha (Sudbury):** The federal election campaign is here. Somebody go and get the Premier (Mr. Roberts)!

**Mr. Lawlor:** It ought to be somewhere and the truth ought to get out.

As it has been said by the hon. member for Parkdale, by 1972 a minimum of \$10 million per year will be necessary for these programmes. And Ying Hope said in this context, "In fact, we would use that much right now." They really need that much.

Fifty-four per cent of students attending public schools in the city of Toronto or Metro are of non-Anglo-Saxon background. Their future is our future. In the city of Toronto, 65 per cent of children in the junior grades know little or no English. At the Orde St. public school last fall there was only one English-speaking pupil in the kindergarten class; the rest spoke only Chinese. At the King Edward school 12 new students registered a few weeks ago and 10 students of the 12 spoke no English.

The situation in the school is that there are 26 different countries, with Portuguese as the majority language. About 600 of the 1,130 students were born outside of Canada and besides there is a large number born in Canada but of immigrant parents who cannot speak good English. But only 200 of these children are enrolled in the special English withdrawal or reception classes.

The city of Toronto has 172 language classes. The cost of operation of these classes was \$2,000,014 last year but the increased provincial grants, even after equalization, contribute only \$220,000 towards the cost.

There are 59 public schools, again as has been indicated, which have withdrawal classes—that is, students who are taken from the regular classroom during the day, one or more times a day, either for private or for small group instruction in English. Within

these 59 schools, there are 94 withdrawal classes. Twelve other schools have reception centres in which students receive full-time instruction in special English.

The average student after one year in the reception class can usually take his place in a regular classroom. But many thousands of other students need withdrawal or reception classes and they are not receiving them. Only the critical cases at the present time are being attended to.

While the hon. Minister of Education has at a subsequent date to what I want to refer to, made further grants, I agree with the hon. member for Parkdale that these grants are based upon an equalization formula within Metro and the city of Toronto. Precisely how they come out is in no way tied to or proportioned to the needs.

I want to make mention of St. Christopher house. These are pre-school children, really. It is a nursery school where children of immigrants can get a head start and they begin young. Wilfred Meehan, executive director, fears the nursery school may be closed because of new provincial regulations which require immigrant parents to fill in a means test before registering their child. Then, without going into this deeply, the last clause said:

Meehan says the nursery school programme was enormously successful. They had taken children out of Ryerson and King Edward public schools, who had referred 30 immigrant children four and five years old to this school and were looking after them.

He said the nursery school programme was enormously successful until the centre's annual \$25,000 operating grant was sliced after The Day Nurseries Act was approved last summer at Queen's Park. That is the kind of contribution made at this particular level to the immigrant population of this province.

We know, too, and I will not get off onto it, of the niggling role that the federal government in co-operation with The Department of Labour of this province and with The Department of Education play in programme 5 for unemployed people. The terms and restrictions include having to be out of school for one year on one side of the fence in order to receive grants to obtain training. Again, the rather simple-minded interpretation of the constitution which, in order for the federal government to bring itself into this field, relies upon the word "training" as against the word

"education"; they will not trespass on education but training is a great thing.

We look to the south and see the role of the American federal government, the necessity role in order to stimulate and maintain their educational system on any scale. We cannot help but know and must agree that whatever arrangements may be reached between the provinces, that the federal government must participate in the area. Not only of university education by grants, but in this area of education we are the ones who induce the basic situation.

As far as adults are concerned, in February of this year, 6,200 adults were enrolled in the English evening classes sponsored by the Toronto board of education. They varied from 14 to 70 years of age, with an average age of 39. These classes are held in Toronto on two nights a week for two hours at seven schools, and at four nights per week for six hours.

We have our French instruction at the Legislature, four nights a week, and two hour sessions for six others. I trust they do as well as we do.

In any event, there are numerous problems arising out of these, while the government has done a little better than five or six years ago. Previously they had these schools concentrated in certain areas. A labouring man of Italian extraction would come home; it would be a long distance to travel, he would be tired. They were not providing the facilities within reach of his domicile, and they were not providing them at times which were appropriate to his needs.

Therefore, he simply did not go. They are still not doing so on any scale. They have the locations in the east and west ends and in the central area now, but they are considerable distances from many ethnic communities. We know where the concentrations of ethnic populations are; is there any reason why the elementary schools in those areas could not be utilized for this purpose in an extensive way?

Also, there is that deep family feeling among these immigrant people. If the child goes to the school up the street, there is far more possibility that the mother would be content to attend, and the father also. In this regard, I can only ask the government to go further than they have done, and follow what the international institute of Metro Toronto is advocating in this regard, in numerous proposals and recommendations down through the years.



I would like to talk about some of the problems that some of these people have. By and large, they come from village communities and as such they are, to a great extent, outside the technological age in which we live. As the hon. member indicated their educational qualifications are extremely low.

We have a large number of people coming from the Azores, and from Portugal, and from the outlying sections, particularly of western Macedonia in Greece. In the ways of communication and the habits and ways of life of these people, they learn by speech but they do not read widely. We must, therefore, make personal contact with them through the agencies and the devices of this government.

With that in mind, their basic problem is the lack of education as such, and the main difficulty is in communication. Both of these can only be solved by close liaison with them, particularly making use of the educational media of the verbal type, such as television and radio, and making use of the ethnic programmes on stations in this regard to communicate with them and show them the opportunities that are present for their continual education; to bring them into our sophisticated form of civilization.

One of the things that the metropolitan international institute is really worried about is that they tend to neglect the future of their children. That is to say, that if today is good, and being ignorant of the fluctuations of the business cycle that are generated in this society; coming from societies which are thousands of years old; ignorant of the kinds of movements that we experience all the time, upward and downward inflationary trends; they do not take adequate provision for the future of their children.

They think that to get a job and to get out into the market is enough. In a time of increasing automation, this is the thing that causes their downfall. It must be impressed upon them that education is crucial to the benefit, maintenance and growth of their own children, and, I might add, to their own future and possibilities.

This is not being done on any scale by the present government. They are negligent in bringing about this type of communication. So far as I can see nothing has been done on any scale, except for COSTI and the international institute in this province. There has been a lot of talk, but very little activity in this regard. They work long hours. Very often they are exploited and paid very poorly, and sometimes, regrettably, by their own people. Their relationships with their own children are

disrupted by our present menial stance. When a young child does learn English rather quickly, he has to conduct his parents through stores, and buy food for them, and attend the corner grocery and drug store, and interpret for his parents. There is a certain loss of rapport, a certain indignity, a loss of respect between parent and child is generated in these new generations. We should seek to rectify that by way of the schools, and bringing the parents into the educational environment that will teach them English.

Other problems arise in the upgrading of their present knowledge, and in the vocational spheres in which they are occupied. In other words, I can see a debate going on in the books between those who say that welding should be taught in English. I think that it is far more sensible that that sort of vocational training ought to be done in their native language. The government moved a few years ago, as I understand, in an encouraging direction in allowing them to write their examinations and qualifying tests in their own language, and not insisting on English. If I am correct in this, then I congratulate you. If I am mistaken, then do it.

We should keep that in mind, upgrading and occupational training that has been recommended and which should be open to these people.

Many of them come on what they think is a purely temporary basis, and this is one of the problems that has to be overcome, too. They could come and garner a little pelf and return to their native sod with more prestige than when they left it. But this never happens, or only very seldom. After a few years of life in our community, they seek to adapt themselves. In other words, there is a certain holding back. I mean, why learn the English language, or why adapt to other modes of life, if you are returning to your native sod in any event? One way or another that sort of mentality and approach is detrimental to their own interest, and certainly to the interest of this province.

The last thing that I wish to mention is that while we are seeking to instill the English language, and our modes of dress, we must remember the innumerable problems that they suffer from; the business of weights and measures, the counting of money, the looking up of street addresses, every miniscule thing that one can think of. Put yourself in their shoes for one moment, in a strange land and a foreign territory. Everything that you do is difficult. If one has spent any time out of this country in France or anywhere else for



that matter, where they quite rightly refuse to speak English, then you have some small experience of just what it feels like to be in their shoes.

The whole problem in this area is to try and get into the other guy's shoes for a few minutes, and try and understand his problems. One of the things that I want to mention in this regard is the retention of their own languages. There is no point in suppressing their own languages or bringing our education in the schools, with the effect of driving their language out.

We should do everything, I suggest, to encourage them to use to the greatest extent possible their own language while learning English. That aspect has been completely left out as far as I can see. The man who has two languages has two brains. Many of us who only have one have difficulty getting along with it. Therefore, I would comment to this House that these various proposals, and particularly the reports made through the international institute the past few years be taken under advisement.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, in the few moments that remain I would like to add a few comments to what the other hon. members have said. I think that the essential point that is being made is that homes where English is not the first language, and particularly in the homes of immigrants recently arrived in Ontario, that their development of linguistic skills is behind in terms of the English language. In this respect, one could say that they represent the problems of the English-speaking poverty homes in Ontario.

These children, the children of immigrants, have not had the opportunity or the encouragement to pick up the basic skill of communicating in the English language which is largely a prerequisite for success in grade 1. All later learning, as we all know, will be influenced by this lack of basic linguistic learning in the English language.

Having names for things, Mr. Speaker, is essential in the learning process. And a child from such a background will have difficulty and constant frustration from the demands of the typical elementary school programme in this province. He cannot cope with the language in the classroom and he gradually falls further and further behind.

No wonder the desire on the part of any immigrant children fades who cannot understand the English language used by the teacher in the classroom in grade 1, grade 2.

Such a child feels frustration and seeks eventually to get out of the school system. It makes them feel inadequate, they feel a failure.

Instead of eight or ten years of elementary school, the basic handicap of such a child in the use of the English language means this child has either left school for good or, if he lasts to secondary school, is likely reading at a level approximately five or three-and-a-half below the expected grade level in grade 9. His use of the English language in the classroom is about three years behind the average for grade 9.

The interesting point here, Mr. Speaker, is that that is the breaking point in our education system. Our intelligence test, so called, would classify that child who cannot use the English language in the normal way in a classroom, as somehow the lower quality intellectually in terms of his learning capability compared with a child from a strictly WASP background.

What happens too often, Mr. Speaker, is that this child from an immigrant family feels he is inadequate; and starts believing what people tell him, that he is more stupid than the others. By his own choice, he steps out of many of the fields that lead to post-secondary school education.

I think this is a point we must remember. It is not fair to these children. It is not fair, in a sense, to economic development, because we waste a lot of resources. How many Einsteins are there sweeping streets in Toronto because they did not have the opportunity of learning English before grade 1, or in grade 1?

Mr. Speaker, I submit this is—

Interjection by an hon. member.

**Mr. V. M. Singer** (Downsview): Very few in that group.

**Mr. T. Reid:** Mr. Speaker, I would conclude by saying—if the hon. member would allow me to conclude my remarks, so we can get home to lunch, those of us living in Toronto at least—that on humanitarian grounds, we must provide proper opportunities for the children of immigrants from countries other than the English-speaking countries of the world, to be able to acquire the intelligence, if you like, which they can acquire by learning the English language. On humanitarian grounds we must do that. On economic grounds I think there is tremendous wastage of our manpower resources in this province because this government has

failed to take the necessary leadership in this most important area.

Therefore, Mr. Speaker, I would like to support the motion put by my colleague from Parkdale.

Hon. J. P. Robarts (Prime Minister): Mr. Speaker, before moving the adjournment of the House, I would like to say that, first of all, we will not be sitting on Monday.

I would like to deal on Tuesday with the second reading of Bill 118 in order that it

may get to committee—that is the amendment for The Mining Act. Then we will deal with the estimates of The Department of Social and Family Services. And we will sit on Wednesday night next week as per agreement.

Hon. Mr. Robarts moves adjournment of the House.

Motion agreed to.

The House adjourned at 1:05 of the clock, p.m.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, May 21, 1968

Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 21, 1968

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We start this week with many visitors again in our galleries.

In the east gallery we have the North Peel women's Liberal association, together with students from Our Lady of Mercy separate school in Coniston; and in the west gallery students from Parkside high school in Dundas; and in both galleries from Brockville collegiate and vocational school in Brockville.

Later this afternoon, in the east gallery, there will be students from St. Anne school, Windsor; and in the west gallery from Lewis S. Beattie vocational school, Willowdale, and St. Andrew Catholic school in Welland.

We welcome these visitors here today.

Petitions.

Presenting reports.

**Mr. J. Jessiman** from the standing committee on highways and transport, presented the committee's first report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 66, An Act to amend The Public Commercial Vehicles Act.

**Mr. Speaker:** Presenting reports.

Motions.

Introduction of bills.

**Hon. J. P. Robarts** (Prime Minister): **Mr. Speaker**, before the orders of the day: In the latter part of last week, I believe on Thursday night when the estimates of The Department of Labour were being discussed, I was not in the House, but there was some discussion about the discussion about the workmen's compensation board, Ontario.

Now the estimates of The Department of Labour have been completed there is therefore no vote left before this House upon which such discussion can take place. So in line with the practice of former years I would propose to place the annual report of the

workmen's compensation board, Ontario, on the order paper. It could be called as an order of business. If any member has any comment to make about the workmen's compensation board they would have an opportunity to do so at that time. We presently have the reports of the liquor control board and the liquor licence board on the order paper, so that comments may be made about those reports as well.

**Mr. M. Shulman** (High Park): Will we be given notice?

**Hon. Mr. Robarts:** It will be on the order paper.

**Mr. R. F. Nixon** (Leader of the Opposition): **Mr. Speaker**, I have a question of the Minister of Education.

Since this is the first year that secondary schools will not be administering departmental examinations for grade 13, can the Minister advise when the regular attendance of classes will end in the secondary school system this June, and for those students under 60 per cent, when will be the last day for examinations?

**Hon. W. G. Davis** (Minister of Education and University Affairs): **Mr. Speaker**, the department sent out a memo on June 5 advising that final examinations from grades 9 to 13 may be written after June 3. The same memo suggested that students not writing the final exams could be released after June 3.

The examinations need not necessarily start on June 4. Our information is that this will vary across the province, perhaps by two or three days, but that the majority of students who have to write their final examinations should finish by June 17 or 18.

**Mr. Nixon:** I believe the Minister mistakenly said that the memo went out June 5.

**Hon. Mr. Davis:** Oh no, December 5, 1967.

**Mr. Nixon:** December 5. Then we would conclude that all instruction would have ended by the end of May then? Is that so?

**Hon. Mr. Davis:** Certainly, by June 3 at the latest.

**Mr. D. C. MacDonald** (York South): My question is to the Minister of Energy and Resources Management. In view of the conviction in the United States of top electrical companies for conspiracy to rig prices, and the resultant court action of many American cities to recover excessive outlays through those rigged prices, would the Minister indicate what action the Ontario Hydro Electric Commission intends to take to reclaim for the people of Ontario excess expenditures that were made on their behalf in purchase of electrical equipment from these companies over a period of many years?

**Hon. J. R. Simonett** (Minister of Energy and Resources Management): Mr. Speaker, since the companies mentioned in the question were not identified, nor the equipment, it is not possible to give an answer immediately and I will take the question as notice.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Energy and Resources Management, a copy of which was submitted to him. With reference to the resolution passed by the council of the city of Kitchener, and I may add, adopted by the city of Windsor, pertaining to no-return disposable glass beverage bottles, what action does the government contemplate taking with regard to the use of such bottles?

**Hon. Mr. Simonett**: Mr. Speaker, first might I say that I have not seen the resolution from the council of the city of Kitchener, and again, I do not think this comes under my department, but I would doubt very much if the government would have any use for the bottles; that was a part of your question.

I will admit that I think these are a nuisance and giving a lot of trouble to everybody, especially those who are near the tourist areas. We do not only have disposable bottles giving trouble but we have glass bottles; I happened to be home over the weekend, calling on many tourist operators when they were raking broken glass bottles out of the lake. Some of them are returnable and this is a problem.

I think, perhaps, if we could educate our people or put out garbage cans or something in which they could dispose of them they might not be the nuisance that they are around our public beaches.

**Mr. B. Newman**: Mr. Speaker, if I may, for a point of clarification, the resolution mentioned disposable glass bottles.

I have another question for the Minister of Labour. He is not in his seat but he could answer it later.

**Mr. Speaker**: If the member will please retain that question until the Minister is in his seat. That is the custom. The member for Sudbury East.

**Mr. E. W. Martel** (Sudbury East): I have a question for the Minister of Education. There is a slight error in it. I would like to substitute the "x" for the "v" in 13.

Why are there two French examinations for grade 13 students, the one for the English-speaking students being easier than the one for French-speaking students; and yet both groups of students write the same English examination, making it harder for the French-speaking student in both cases. Why is the English examination for French-speaking students not comparable to the French examination for English-speaking students?

**Hon. Mr. Davis**: Mr. Speaker, I am not sure that the question cannot be misconstrued slightly but I think I know what the hon. member is asking. I am not sure really that it makes it more difficult for the French-speaking students in both cases. I think it could, in the case of writing the English examination. As the hon. member well knows the department does not set the examinations. This is entirely up to the local school authorities. The department has been considering this now for about a year and a half—and we think it will take perhaps another four or five months to complete—a study to recommend a special programme of English for French-speaking students right from kindergarten through grade 13.

We recognize that this is a problem area that must be resolved and I think, Mr. Speaker, we should keep in mind, too, the factors that must be considered; that is, the length of time the students have studied any particular language and perhaps the environment in which the students were living so that even when this new programme is developed, it may not, shall we say, have uniform application in all sections of the province. The factors, in my view, probably will vary from board area to board area, and I would suggest that if the hon. member has a particular instance in the Sudbury area he might discuss it with the local superintendent of the separate school system.

**Mr. Speaker**: The member for Windsor-Walkerville may now place his question.

**Mr. B. Newman:** Mr. Speaker, the question is to the Minister of Labour. What steps is the Minister taking to assist in the solution of the strike of local 278, united brewery workers' union and brewers' warehousing in the city of Windsor?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the question from the hon. member for Windsor-Walkerville: As members may be aware a strike is not legal in Ontario until conciliation processes have been exhausted. At the present time the union and the company are in conciliation. As I understand it, the current work stoppage relates to a grievance, but I am not sure of the actual details. The union, or the company, would presumably have a remedy, either in the grievance procedure or in the provisions of The Labour Relations Act, relating to the work stoppages during the life of the collective agreement. The latter provisions require an application to be made to the labour relations board by the aggrieved party. The matter stands at that point at the present time.

**Mr. W. Ferrier (Cochrane South):** I have a question, Mr. Speaker, of the Minister of Mines.

Will the Minister amend section 106 of The Mining Act to make all lands, claims or mining rights leased, patented or otherwise disposed of prior to April 12, 1917, also subject to the condition that all ores or minerals raised or removed therefrom shall be treated and refined in Canada, so that the Ontario government will be in a position to exercise proper control over the processing of all the ores mined in this province to ensure that the public interest of Ontario is properly protected?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, this question is under the continuing active consideration of the government, and if and when a policy change is made it will be announced in due course in the proper place and at the proper time.

**Mr. Ferrier:** I wonder if the Minister would accept a supplementary question?

Without such an amendment, does the Minister have sufficient power to act in the public interest in the location and building of the smelter for the Ecstall mining ores?

**Hon. A. F. Lawrence:** No, Mr. Speaker.

**Mr. Speaker:** The member has a further question of another Minister, which he might put.

**Mr. Ferrier:** I have a question of the Minister of Highways.

What plans has The Department of Highways for rebuilding or paving Highway 577, which links Val Gagne with Ansonville?

**Hon. G. E. Gomme (Minister of Highways):** Mr. Speaker, I will have to take this question as notice.

**Mr. Speaker:** The member for Lakeshore has a question from May 13.

**Mr. P. D. Lawlor (Lakeshore):** It is a requested question, Mr. Speaker, it is a week old, to the hon. Attorney General.

Does the Attorney General intend to introduce a bill soon so that work may get started in the 1970 revision of the statutes of Ontario?

**Hon. A. A. Wishart (Attorney General):** I regret, Mr. Speaker, I have been away from the House for almost a week, but I can assure the hon. member that this matter is under progress, and the bill to provide for the revision of the statutes for 1970 will be introduced in due course.

**Mr. I. Deans (Wentworth):** Mr. Speaker, I have four questions, two of which I cannot ask at this time.

To the Minister of Reform Institutions: In light of the article in the *Hamilton Spectator* of May 18, will the Minister order an investigation into conditions at Halton county jail? If the Minister has not seen the article, I would be happy to send it over to him.

**Hon. A. Grossman (Minister of Reform Institutions):** I would be very pleased to have that, Mr. Speaker, and take the question as notice.

**Mr. Deans:** To the Minister of Highways, can the Minister advise the House why it would require 14 Department of Highways employees and two members of the Ontario Provincial Police to lay one strip of asphalt, one lane wide, 15 feet long, on the QEW just west of No. 27 highway interchange?

**Hon. Mr. Gomme:** Mr. Speaker, as this question will take some investigation, I will take it as notice.

**Mr. Shulman:** Mr. Speaker, I have a question of the Minister of Reform Institutions; two questions in fact.

What was the cause of the sit-down strike in Nos. 2 and 3 wings at Millbrook reformatory two weeks ago?



What was the cause of the hunger strike in No. 4 wing of Millbrook reformatory two weeks ago?

**Hon. Mr. Grossman:** Well, Mr. Speaker, on the advice of one of my colleagues behind me, I will not say that the cause of the so-called strike was because of dissatisfaction of being incarcerated.

And the same answer to question No. 554: "What was the cause of the sit-down strike?"

I am informed that the so-called sit-down strike was certainly the refusal of 22 inmates on May 7, 1968, at 10:20 a.m. to return to work after having completed their 15-minute smoke break in the yard. Twenty-two men involved were all behaviour problems, transferred to Millbrook because of their disruptive influence in other institutions. They were led by two or three inmates with well established records of assault, hostile actions and inciting.

Obviously, the incident can only be attributed to a small group of our most difficult inmates in the entire system, following their usual disruptive behaviour patterns.

After two hours they made the following three demands of the superintendent:

1. Extension of the morning and afternoon smoke breaks from 15 minutes each to one hour each;

2. They demanded better rehabilitation—

Interjections by hon. members.

**Hon. Mr. Grossman:** I would point out, Mr. Speaker, to the hon. member that all inmates have an opportunity for vocational and/or academic training if they so desire. These men refused to take advantage—

**Mr. Lawlor:** Little or no rehabilitation at Millbrook!

**Hon. Mr. Grossman:** Well, if the hon. member would like to answer his own question, I will sit down.

These men refused to take advantage of the opportunities in other institutions and, therefore, for the safety of society as well as other prisoners, were transferred to Millbrook. However, despite this the inmates at Millbrook do have opportunities for training. In fact, one of the inmates involved was attending academic school on a full-time basis, and it is interesting to note that one of the ring leaders has written the administrator from the jail to which he was transferred, requesting that he be permitted to return to Millbrook in order that he may

take advantage of the educational facilities available there; the sports programme and the good food.

One of the other demands, Mr. Speaker, was for better meals. As in all of our institutions, we operate on a—

**Mr. Lawlor:** They do not stick to the menus.

**Hon. Mr. Grossman:** —we operate on a six-week rotary menu in order to avoid monotony. I have a copy of this menu here. I will not take the time of this House to read the entire menu. Perhaps I should read the menu as it pertains to the date in question, May 7, 1968.

For breakfast: tomato juice, cereal, three pancakes and syrup, toast and butter, marmalade and coffee.

**Mr. Martel:** Better than what they serve here.

**Hon. Mr. Grossman:** It is all right, Mr. Speaker, I am quite prepared for what will happen tomorrow. There will be some articles in the press which will say, no wonder you get so many people in your institutions, you treat them too well. The hon. member for High Park will have to take his responsibility for that.

For lunch: vegetable soup, roast pork, gravy, roast potatoes, green beans, prunes, bread and tea.

For dinner: oven baked beans, three slices of grilled bacon, cabbage and carrot salad, apple pie, bread and butter and tea.

**An hon. member:** I am hungry!

**Hon. Mr. Grossman:** Now do not go away. At 9 p.m., tea and cookies.

Question No. 2, Mr. Speaker, "What was the cause of the hunger strike in No. 4 wing at Millbrook reformatory two weeks ago?"

Mr. Speaker, I am advised that there was no hunger strike at Millbrook reformatory. There were approximately 25 supporters of this core of difficult inmates who refused to eat lunch and supper that day. This was the end of the so-called hunger strike.

Mr. Speaker, while I am on my feet, if I may be permitted. On Friday last, I took as notice a question from the hon. member for Sandwich-Riverside (Mr. Burr). He asked: "How many discharged prisoners were assisted by the rehabilitation office in Windsor during its first 12 months of operation?"

The answer is: the rehabilitation office in Windsor was opened on August 1, 1967. There are two rehabilitation officers working there. Mr. H. G. MacDonald being responsible for all male cases, juvenile and adult, in the county of Essex; Miss Carol Court for the female cases in the counties of Essex and Kent. During the eight months of the last fiscal year, the daily average number of cases under supervision was 70, male and female.

The following is a breakdown of the types of services provided by the rehabilitation officer in Windsor: Community investigations and home contacts, 234; employer contacts, 60; contacts with community schools, 105; visits to wards of parolees under supervision, 503; referrals to community agencies and services, 113; material assistance given—room and board, clothing, and so on, 84. I should also add, Mr. Speaker, that an additional officer has been appointed for the Windsor office and he will commence his duties today.

Also on that day, Mr. Speaker, I had a question from the hon. member for High Park, question number 538: "How many ex-convicts have been hired by The Department of Reform Institutions for their own staff, as per the advice given to other employers in this province?"

The personnel director of the department can recall from memory that the department has hired at least six inmates during the last two years. There could be and probably are more, but obviously it would be an almost impossible task to go into the records of all the employees who have worked with this department since 1946.

I might also add to that, Mr. Speaker, that there would be other implications in going through all of these files to find those who have been ex-inmates.

**Mr. Shulman:** Mr. Speaker, will the Minister allow a supplementary question to my first question?

**Hon. Mr. Grossman:** No, Mr. Speaker, my estimates will be up in a day or two, I imagine. The hon. member can ask questions to his heart's content at that time.

**Mr. MacDonald:** The Minister is like De Gaulle. The situation will blow up under him while he is pretending all is well.

**Mr. Speaker:** Order! The member has a further question?

**Mr. Shulman:** I have a question for the Attorney General. In view of the attitude of magistrate Tupper Bigelow towards those charged persons who appear before him, as revealed in excerpts of proceedings of his courts as printed in the *Globe and Mail* of May 20, does the Attorney General intend to properly instruct this magistrate in his duties or does he intend to remove this magistrate?

**Hon. Mr. Wishart:** Mr. Speaker, magistrate Bigelow dealt with these cases, using his judicial discretion, on the evidence which was before him. Where a magistrate exercises his judicial discretion, I would have no intentions of interfering or instructing him how to exercise it. If I am dissatisfied I would proceed in the proper way, by way of appeal against the decision, which right is also open to the defendant or the accused.

Now, Mr. Speaker, I would say this. While the article was simply a factual transcript, there was no background shown and no editorial comment. I have no background knowledge, having had no opportunity to look into the background of the persons who came before the magistrate. It may very well be that there was a very considerable background of previous appearances. Now, this I do not know, but it is not so much the decision which is the subject of this question, but the refusal of time to pay.

There are many factors there, if there is background, which may relate to it. I do not know that. I merely point out that possibly there is a lot of background, and I might very well disagree with the magistrate's approach.

But, I have no intention, and nor would I be right or justified in interfering, and allowing this, in any instance, would create an intolerable situation.

Further, I would say that in the new Act which I introduced into the House a very short time ago, The Provincial Courts Act, there is provision for the establishment of a judicial council which has to do with the review of the magistrate's conduct.

In saying that, Mr. Speaker, I wish to make it very clear that I am not for one moment suggesting that this would be the type of matter which that council would review. I do, however, point out to the hon. members that under the new Act, the judicial council is established which will have, as the Act says, certain fairly wide powers of review of the conduct of magistrates, both on the bench and off.

**Mr. V. M. Singer (Downsview):** They have no disciplinary powers.

**Hon. Mr. Wishart:** I am not for the moment suggesting that this is the type of thing that this judicial council would be reviewing. Certainly I have no intention, and I am sure that the hon. member is aware when he asks of the Attorney General: "Does he intend to remove the magistrate?" Certainly not.

**Mr. Shulman:** Would the Minister permit a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Shulman:** Does the Minister intend to look into the background material of these cases to see if the refusal to allow time was justified?

**Hon. Mr. Wishart:** That matter, Mr. Speaker, I had under way before I received the question.

**Mr. Singer:** In each of those cases, the Crown attorney said that the accused had no record.

**Mr. Speaker:** Before the orders of the day, I would like to draw to the attention of the members, and especially the new members, the meeting tomorrow in committee room No. 1 to discuss the procedures under the aegis of the Clerk. In order that the members will be able to have lunch as well as to go to the meeting, we have arranged that light refreshments will be served, and we would expect that perhaps the French class who have been enjoying the similar sort of thing, would all be at the meeting tomorrow noon.

Would the members please remember this, because the Clerk informs me there have been some very good discussions, and I am sure it would do everyone good to attend these little meetings.

**Hon. Mr. Wishart:** Mr. Speaker, before the orders of the day, I note that on May 14, a question was asked by the hon. member for Essex South (Mr. Paterson). The question was:

Will the Attorney General conduct an investigation into the extraordinary discourtesy and lack of hospitality displayed by the Ontario Provincial Police, and reported in the *London Free Press* of April 24, toward Randy Parke of Nova Scotia, whose car was confiscated by the police at Napanee because the police refused to verify with the Nova Scotia authorities of the legality of his licence plates?

Would the Attorney General apologize to Mr. Parke and further, why were the police reluctant to assist a stranger and force him to submit to a number of inconveniences as reported in the above mentioned article?

**Mr. Speaker,** I have had this matter investigated, and have received a report from the Ontario Provincial Police, and I would like to make these comments now.

On April 1, at approximately 7:15 in the morning, three miles west of Highway 41, on Highway 401, a vehicle was stopped by an Ontario Provincial Police officer bearing 1967 Nova Scotia licence plates. The officer was of the belief that the licence plates had expired as of midnight of March 31, 1968. From the point where the vehicle was intercepted, it was towed to Pringle's Garage at Napanee.

The driver of the vehicle, Randolph Parke, stated that the 1967 Nova Scotia plates were still valid. However, when the Ontario Provincial Police checked with the Ontario Department of Transport, they were advised that the Nova Scotia authorities had not advised them of any period of extension of their 1967 licence plates.

Subsequent to this information from the Department of Transport, a charge was laid pursuant to The Highway Traffic Act, section 8, subsection 1, having no plates for the current year. The Ontario Provincial Police made no other checks at that time.

The vehicle was permitted to leave around noon. A subsequent check with the Nova Scotia authorities indicated that an extension of the 1967 licence plates had in fact occurred, and that the vehicle was, therefore, on the highway. The charge was then withdrawn.

**Mr. Speaker,** I think that this was a most unfortunate incident. However, there was a breakdown in communications with the Nova Scotia authorities, and I do not know whose fault that may have been. The Ontario Provincial Police did endeavour to verify the facts through their normal procedures.

Nevertheless, there was much inconvenience to Mr. Parke and I am certainly prepared to say that this is greatly regretted. I would say further that I think further efforts, quite frankly, might have been made, although normal procedures were followed, to get this information and to assist him. While I am not, in a word apologizing, because I think that the officers carried out their normal procedures, I intend to take further steps to express our regret, and perhaps to encourage further



endeavours to get this information when a situation of this nature arises.

**Mr. Speaker:** Orders of the day.

## THE MINING ACT

**Hon. A. F. Lawrence** (Minister of Mines) moves second reading of Bill 118, An Act to amend The Mining Act.

**Mr. W. Ferrier** (Cochrane South): Mr. Speaker, I rise to speak on this bill. I wish to say that in certain respects, I agree with the principle enunciated herein. I think that it is very important that all those lands that have potential mines on them must be developed in the interest of the mining community and the interest of the province as a whole.

While extra revenue will be received from this section of the bill, as stated by the Minister it is not the prime consideration in introducing these amendments. I rather feel that these amendments raising the annual rent on the renewals of 21-year leases from 25 cents for both surface and mining rights to \$1 per year per acre and for the mining rights only from 10 cents per acre per year to 50 cents per acre per year will probably not do the job adequately.

I feel that the large mining companies are in possession of sufficient funds to carry on the way they are doing if they so desire, and that it will not hurt the larger mining companies who I think are very often the delinquent ones as far as this section of the Act is concerned. It will probably make it more difficult for the small prospector and one who holds small claims perhaps to continue to hold his lands. Perhaps it will be an incentive for him to negotiate to have his lands sold so that someone else might develop mines on them.

I think sometimes the large mining companies have conducted investigations of claims at the request of smaller prospectors, have gone in and made these investigations and seen that there is some potential ore there, have told the man there is really nothing worthwhile doing, wait till his claim comes open and send their own men in to stake these claims.

I know this happened in our area with International Nickel, whose men who staked the claims were going out while this man was going in to renew his claims.

I think in northern Ontario where there is something of a crisis going on, particularly in our own area where the gold is being depleted and, of course, mining is not a renewable

resource, that the communities surrounding these mines find themselves in a very difficult position. We have seen one mine close, Hollinger mine close and the Preston East Dome is going to close in a month or two. As a result of these closings, we have had, in the last year, something like 1,500 or so people move out; there is high unemployment in the area.

The danger is of assessment falling overnight; the values going away down. There is an anxiety amongst the business community as to whether they wish to invest more money in expanding their businesses. On top of that, for the residents in mining communities there is the high debenture debt that they have to carry. Very often we feel that there are mines, operable mines, that could be developed in our immediate area if these larger mining companies were not sitting on these claims and doing very little about them.

I feel that the Minister is moving in the right direction in this bill; I do not think he has gone far enough. I think if he had put on a five-year limit for development on these claims, along with the increase in the rentals, that he might accomplish what he is setting out to do with a lot more effectiveness.

I think the principle of our depending on big mining companies to exploit our resources and do what they like is a very deplorable thing and one which causes a lot of thinking people a great deal of concern.

In our own area, three or four years ago we had the finding of the Ecstall Mine, a big ore body of over \$2 billion ore reserve, by Texas Gulf Sulphur Co. I notice in the 1966-67 mineral production as outlined by The Department of Mines that the value of zinc has gone up from \$24,883,265 to something like \$79,039,259. Copper has jumped from about \$181 million to \$256 million, and I suspect that the Texas Gulf discovery is the reason for this big jump.

This mining company is operating on lands patented before April 12, 1917 and therefore they are not subject to the same regulations as land that has been patented after that date. So the government is not in a sufficient position to exercise power, as the Minister has said today, for the benefit of processing those ores in Ontario. We see these ores presently going to the United States and western Canada, to Quebec, and at the same time our own area is going downhill. We are concerned about unemployment; we are concerned about people moving away and lack of opportunity for our young people.

A lot of people have been pressing this government to take action in the interest of this mining camp. We have been assured that the Prime Minister (Mr. Robarts) is the chairman of a committee within Cabinet seeking to negotiate the location of this smelter. But it appears from what the Minister of Mines has said today that this committee has not too much power nor too much teeth to act in negotiation. Perhaps there is good reason why this government has waffled so much on this issue of the smelter in our area.

I can assure the hon. Minister and the hon. Prime Minister in this House, Mr. Speaker, that our area is growing more and more impatient and the need for this smelter is becoming more and more acute. I feel that if the government is not going to operate in the best wishes of the people under the present policy they need to adopt a new policy. I think that under this bill, while it is going to open up new lands for staking and new lands for development so that other companies might move in and develop these lands, the government might also take under consideration the setting up of some kind of government agency to do exploration work and development work.

Perhaps this sounds a bit extreme but I would think that the government might very well take under its own consideration the development of some Crown corporations to develop and operate these mines. Ecstall mining has jumped the value of its production about \$54 or \$55 million in a year. They are still on their three-year tax exempt period; they are making huge profits and they are paying very little back to the government.

I fail to see why the government agency could not operate a mine such as this and why the profits that are being accrued to outside interests could not be used to the benefit of the people in this province and enable us to cut down something on our taxation and raise the standard of living of our people.

I would like to speak in favour, then, of the principle of this bill but I regret that it does not go far enough. This department has not got sufficient powers, it seems, to act fully in the interests of the people of this province. Especially speaking of my own area, I feel very disappointed that something has not developed; that the company has not been forced to make a decision previous to this about the location of the smelter. I feel that it should be, and it must be, in the

interests of the people of Ontario—and especially our area—located in the Porcupine area. I would call upon this Minister and this government to do something constructive to help our area of the province. Thank you, Mr. Speaker.

**Mr. Speaker:** Is there any other member who wishes to speak to this bill? The member for Thunder Bay.

**Mr. J. E. Stokes (Thunder Bay):** Mr. Speaker, I would like to speak just briefly to the principle of this bill and I would like to heartily endorse the sentiments as expressed by my colleague from Cochrane South. In the bill itself, I see no reference to land reserves that have been set aside for use of mining companies—in particular, Anaconda, where they have a land reserve two miles wide and 140 miles long, if and when they choose to exploit the huge potential they have up in the northern part of Thunder Bay riding.

Another aspect that I would like the Minister to comment on is companies such as Can-Fer, who turn their rights to certain properties over to primary producers, such as producers of steel, like Algoma. Then it is not incumbent upon them to do anything in a definite period of time, so consequently we have mining towns like Beardmore that have gone downhill as a result of the loss of their gold mines—Leach gold mines—and Burchell Lake, that closed down completely with the closing of North Coldstream copper; and Geraldton, where in the next two or three years the only mine will be phasing out. They are feeling the pinch now, and there is really no assurance given to the people that the huge potential that is known in that area will be exploited within a reasonable length of time so that people living in the area will be able to remain there.

As a result of the announcement made in the House by the hon. Minister of Agriculture and Food (Mr. Stewart) a short time ago, it would appear that we are going to get a comprehensive study and a complete inventory of all the resource potential in northern Ontario, and we certainly welcome that. We have made representations to the hon. Minister to have top priority given those areas in the province where the studies will be taken, to take care of the people who are concerned about the loss of their only industry.

I would like the Minister to intercede, on our behalf, with the people who will be conducting that survey, to pay particular attention to the towns whose economy is based



on the mining industry. I would like them to see that all possible is being done to develop the mining potential in those areas, to sustain the economy of existing towns, rather than let them die and have new towns spring up 100 or 150 miles away. With the cost of servicing as it is today, and the burden on the provincial coffers, I think it is much more advisable to maintain our present towns, rather than build new ones.

So, I would like the Minister, if he would, in commenting on the bill, to give me some assurance that pressure will be put on mining companies who hold known huge reserves to exploit them over a reasonable period of time, rather than sit on them for some 10, 20 or 30 years with no thought of developing them. This works to the detriment of people in the northern part of our province.

I could be wrong, but in reading this bill I do not see where a price tag is put on the huge land reserves—I am not talking about the mining claims, but the huge land reserves that extended to the mining companies for the operation of pipe lines or railways or highways, or whatever they intend to do, some time in 20 or 30 years. I am given to understand that it costs them not a penny and I would like some assurance from the Minister that this is either going to be changed or, in fact, that this is just not the case.

**Mr. Speaker** Is there any other member? The member for Timiskaming.

**Mr. D. Jackson (Timiskaming):** Mr. Speaker, I too speak in favour of the bill, but I also feel that it has not gone far enough. The fact that we have raised the rental and lease fees only means that the smaller prospector, or the smaller claims holder, is going to be harder hit than the big corporations. I believe that if this government is going to do something to move the mining industry that it has to be done on the development end of it, rather than on bringing claims back to the government.

Right at this moment there are, sitting in Ontario, many proven ore reserves that have not been touched. They are being held by such companies as International Nickel, Kerr Addison mines, Upper Canada mines. These are proven ore reserves and I believe that if this government is going to move the mining industry into development of these reserves, it is going to have to take much bolder and more drastic steps.

I feel, too, that this fee, added on to such things as the moving of mine recording offices

into other areas, so that the prospector has a greater distance to travel to record claims, the increase in fees the smaller prospector must pay, and, as I say, the added fees now on leases and on rental fees—they are just going to mean that the smaller developer and the smaller prospector are going to be out of business.

The government has said that it is necessary for us to give tax concessions and tax incentives to encourage the smaller mining companies to grow and to develop. Yet, by bringing in this bill they have done just the opposite to what they have claimed that they wanted to do.

It is my feeling, Mr. Speaker, that if we are going to do anything in Ontario to encourage developments, then the government has to take a very bold and drastic stand and, if necessary, aid through financial assistance and through practical assistance the smaller developer to develop mines. Thank you.

**Mr. S. Farquhar (Algoma-Manitoulin):** Mr. Speaker, since you seem to be allowing some latitude in this discussion, it occurs to me that I should say something, coming from the uranium capital of the world, and with particular reference to the very interesting time at which the Minister was present during the staking rushes at Elliot Lake. Recently I have noticed—and I would like to have the Minister comment in this regard—recently I have noticed that, first of all, not everybody in Elliot Lake was happy with respect to the activity there on that wonderful weekend. He might like to comment on this.

I also notice that there is some suggestion that the province is considering taking a little bit more responsibility with respect to the sale and the promotion of the sale of uranium. I gather that this Minister was in Ottawa discussing this particular matter and I would like to know if there were any developments in that regard. It is very possible that the time has now arrived when the Ontario government should be taking a little bit more responsibility and a little bit more authority and a little bit more participation with respect to this tremendous sale of this most important product. Although it must be remembered also that there was a day when it would have been completely impossible for the province to have very much to do with this particular activity, thinking back into the days when it took a \$50 million stockpiling programme, and so on, to keep this industry alive. This particular programme did not find favour



completely through the country either, but I think it has been proved it was a good policy.

As far as this bill goes the effect that it can have on staking procedures, I think, is fairly innocuous; but I would say that we are prepared to support it. I would like to hear any comments that the Minister might have with respect particularly to the uranium activity.

**Mr. R. G. Hodgson (Victoria-Haliburton):** Mr. Speaker, as a member of the select committee on mining of this House, I feel quite gratified to say that The Department of Mines and the new Minister have seen fit to follow some of our suggestions in this legislation. I believe also the Minister has followed some of the Smith committee report in this legislation. I am sure it is a great deal of pleasure to both me and the member for Hastings (Mr. Rollins), to see some of our work come into action.

**Mr. Speaker:** Is there any further debate before the Minister closes the debate?

The Minister of Mines has the floor.

**Hon. A. F. Lawrence:** Mr. Speaker, I did not want to interrupt the hon. member for Cochrane South in the full spate of his oratorical powers, in respect to the exemption question, but this really is a matter that does not fall within the purview of these particular amendments.

In respect of the comments from the hon. member for Thunder Bay, I think the land reserve problem that he was talking about are the deals or the transactions which the government makes with exploration companies for extremely large tracts of land. There is no reference in these particular amendments to that situation, because they are a matter of negotiation at the time and do depend on the possible potential of the land involved. They are, in effect, a special deal, a special transaction which does not fall within the normal acreage tax or lease rental programme of the department and of the government.

I listened quite carefully, and I may say that I agree with his comments in respect to the northwestern Ontario land use survey which was announced in this House a little while ago by the hon. Minister of Agriculture and Food, and I do agree with his comments and those comments will be brought to the attention of that particular Minister.

In respect to the comments of the hon. member for Timiskaming, respecting perhaps a discrimination between the small prospector

and the large corporation. This matter does cause concern in the government and in The Department of Mines, but so far, to be perfectly frank with the House, Mr. Speaker, we have not hit upon a scheme which can differentiate in respect of these matters between a small prospector and a large corporation. I am not so sure that there should be that discrimination in any event.

But it would be a particularly difficult matter to formulate; a difficult programme to formulate as far as legislation is concerned, and perhaps, it would be even more difficult to administer. I am sure that it would not be the intention of the hon. member to discriminate against a large corporation solely and simply because it was a large corporation, and as you know, these leases and patents can be held and are held sometimes, in the names of nominees and in trust in any event. It would be an extremely difficult matter to discriminate in that fashion.

In regard to the kind words of the hon. member for Algoma-Manitoulin, again the question of the uranium rush at Elliot Lake. The sale of uranium does not fall particularly within the purview of these amendments. If he does not mind I would like to postpone discussion of that matter until the estimates of the department come up.

In the meantime, in respect of these particular amendments from which we have strayed pretty far, I would like to mention to the House that I believe that they will be coming before the committee on natural resources this week, I hope, possibly on Thursday morning.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 21st order; the House in committee of supply; Mr. A. E. Reuter in the chair.

#### ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES

**Hon. J. Yaremko (Minister of Social and Family Services):** Mr. Chairman, The Department of Social and Family Services during the course of a year handles tens of hundreds of thousands of pieces of paper. A goodly number of them are letters, and a goodly number of those letters are letters of problems and difficulties and some of complaints.

My secretary's niece refers to an item as being a "happy-you-up" item, so my secretary puts on top of my mail letters which she calls

"happy-you-up letters." Those are the letters that are good to read in the morning, they start you off with the right attitude on the day.

**Mr. R. F. Nixon** (Leader of the Opposition): Why do you not just take a pill?

**Hon. Mr. Yaremko:** I have one here, one of those "happy-you-up" letters. It is written by a woman who has two children. I do not know, and I did not check, her personal circumstances, but it is a letter of thanks. It was written on October 1, 1967, and I shall just extract short items:

**Mr. V. M. Singer** (Downsview): Read it all; read it all!

**Hon. Mr. Yaremko:** To quote some portions then:

As I write this it gives me a very warm hearted feeling to let you know that my daughter is in her fourth year honour chemistry at University of Toronto. Son age 18 is in his first year of honour geography, faculty of arts course, at Waterloo University. To me it was a sort of trust to see that I did the best I could for my children, home life, discipline, church, school and the very best of schooling to bring out their talents in whatever field they lay in.

I refer to the opening paragraph of the letter:

With Thanksgiving coming on, it is only right that I now write this letter to your Department of Social and Family Services. Your department has had more than its share of complaints and abuse from people that your department deals with I imagine.

On behalf of my two children and myself, I want to thank you.

Then she takes a six page letter to do so.

**Mr. Chairman,** that letter of thanks is not owing to me, it is owing primarily to the people of the province of Ontario who supply the dollars, to the government that initiates the programmes, to the Provincial Treasurer (Mr. MacNaughton) who allots moneys to this Legislature—

**Mr. Singer:** Okay, now let us get down to business.

**Hon. Mr. Yaremko:** —and to this Legislature, which includes all members of the House, for passing the legislation and the programme. **Mr. Chairman,** thanks is due to that large group of unsung heroes within

the civil service who form part of our department, and in this connection I should like to single out one particular individual who is known to all of us and say a word of appreciation to him, that it may be recorded in the records of this House. That is, the person of the Deputy Minister of the department, Doctor James S. Band, who has gone through a period of extremely difficult and dangerous illness. I am glad to advise that he is regaining his health and strength.

Dr. Band has been in the public service of Ontario for 35 years. He joined in 1933, soon after its formation, and gained a fine reputation. By 1944 he was director of the unemployment relief branch, by 1952 acting Deputy Minister and officially confirmed in January, 1953. Under his imaginative and capable direction, the department grew, and grows, from strength to strength, as the legislation was extended and the programmes progressively transformed.

He started as the youngest Deputy Minister and today in terms of length of service in office he is the dean of Deputy Ministers.

Last spring, his contribution to human wellbeing in this province was recognized when Laurentian University conferred upon him the honorary degree of Doctor of Laws. We have missed him in the department since his illness in December, but the House will be pleased to know that he is now able to come into his office for several hours every day and is on the way to a full recovery. In fact, it took no little persuasion to convince him that he should not make his usual appearance in the House during these estimates. He is presently behind the scenes, I am sure with his mind with all of us.

Such is the loyalty to his job and his sense of duty. I know that all of you would want me to convey to him, a welcome back and wish him Godspeed to a full recovery. His job has been very capably handled in his absence by someone who not only had to do his own onerous duties, but in addition, those of acting Deputy Minister, Mr. Merian Borczak.

**Mr. Chairman,** I am asking the House today to approve the estimates of the department in the sum of \$227,090,000, the highest sum in the history of the department. Now, over a period of years, successive Ministers have been able to say this, but I can say that the rate of growth in the past three years has been unsurpassed. Since the fiscal year ending March 1967, the expenditures of this department in the field of social betterment have risen by nearly 50 per cent.



Now, the number of dollars spent should not be the sole yardstick, and is not necessarily the best yardstick, of programmes. It is, Mr. Chairman, one indicator, and it is significant that when the people of the province have been going through a period, generally, of unprecedented prosperity that this should also have been measured step-by-step by this rapid expansion of dollars spent and programmes instituted that all might share in this.

The programmes in the past three years have grown at a rate that is tremendous and unprecedented. Of the 15 pieces of legislation we administer, almost all have been re-enacted or improved in some significant measure within that period. Mr. Chairman, the list is large and very, very impressive indeed.

It started out with the marking of change in philosophy and a change in direction with the passing, a year ago, of The Department of Social and Family Services Act; and that was the beacon to which our steps would be directed. Mr. Chairman, that enabled us to enter into agreements under the Canada assistance plan, agreements which have been consummated, agreements which have now been implemented. Recent increases in actual expenditures have been as follows: up \$47 million, 45 per cent in the 1966-over-the-1965-period; \$46 million, an increase of 30 per cent in the 1967-68 fiscal year; and \$30 million, 15 per cent increase in the current year. A 90 per cent increase in this respect in the last three years.

Then the other main feature, the passing of The Family Benefits Act, only last year but now a part of the historical development of social services in our department. The translation of categorical programmes to a needs test basis; the widening of eligibility for provincial acceptance of most long-term cases. Over 47,000 cases converted from former allowances to the present one; and over 22,000 cases accepted, involving some 70,000 cases. Municipalities relieved of up to 25 per cent of their case load and provincial expenditures in this area alone increased by over 75 per cent from \$63 million in 1966 to \$111 million for 1968. Medical and hospital insurance on premium free basis granted to an additional 48,000 persons.

Here, Mr. Chairman, I refer to the fact that this particular branch in 1968 was charged with a great job under the leadership of the director, Mr. Groom, that occupied night after night, weekend after weekend, during the

course of the year, so that this transformation might take place.

Then, Mr. Chairman, under The General Welfare Assistance Act; a new needs test approach was established. The rate of allowances was equated to provincial allowances; 50 per cent subsidy on items of special assistance, 50 per cent subsidy on municipal welfare administration.

Under The Child Welfare Act, provincial subsidy to children's aid societies was raised from 50 per cent to 60 per cent. That was following an assumption by the province of 100 per cent of the costs for Indian children and an assumption of 100 per cent of the cost for unmarried mothers, in effect raising the overall provincial subsidy to an average of 80 per cent. Increase in subsidies in the past two years was from \$16 million in 1966 to \$30 million in 1968.

Then a tremendous advance under The Day Nurseries Act. Increases in provincial subsidy from 50 per cent to 80 per cent, subsidies for certain private day nursery care, regulations were rewritten only recently for a more generous needs test. Expenditures increased by 250 per cent, as you will see in the 1966 estimates, \$500,000; in 1968, almost \$2 million.

Under The Children's Institutions amendment Act, operating subsidies raised to 80 per cent. Under The Homes for the Aged Act, provision made for municipal rest homes for physically and mentally handicapped persons needing nursing care, authorization of a provincial grant of 50 per cent on capital costs, 70 per cent on operating costs.

Under The Charitable Institutions Act, capital grants increased from \$2,500 to \$5,000 per bed, operating subsidy increased to 80 per cent. Under the new Homes for Retarded Persons Act, restriction on age limit for residents of such homes removed; subsidy increased to 80 per cent; operating subsidy up 13 per cent. Under the new Vocational and Rehabilitation Services Act, an expansion of the total range of services occurred. There were increased living allowances for the trainees and capital and operating grants for sheltered workshops were introduced. Just under \$600,000 of payments have been made.

Under the new Elderly Persons Centres Act, a range of grants and subsidies has been extended to recreational and social services; and for the first time, an operating subsidy is available and has been paid.

This is a remarkable story in our department, Mr. Chairman.



Then, under the legal aid plan outside our department, with our department assuming the responsibility for the assessment, and in the past year, we have processed the assessment of 58,000 persons under the plan. It has been stated that the legal aid plan is one of the finest in the world.

This is the social services programme of one department.

We have heard the Minister of Health, and we will hear the Minister of Reform Institutions, the Attorney General, and the other departments outline the social services of this government as the estimates for their own departments are discussed.

I suggest to you, Mr. Chairman, that this half a page on 121 of the estimate book, tells a remarkable story. Mr. Chairman, we implement these programmes by ourselves and in conjunction with other agencies such as municipal organizations, private agencies in the field. In this total picture we encompass the old, the blind, the young, the disabled, the incapacitated, the disabled, and the distressed.

**Mr. Nixon:** And other categories!

**Hon. Mr. Yaremko:** No, descriptive; no more categories, that is a thing of the past. We have only maintained those programmes where to change to the new programme would have injured the people. The age of the category is of the pre-Cambrian age, as the Minister of Mines would say.

Interjections by hon. members.

**Hon. Mr. Yaremko:** Mr. Chairman, I can only touch here on the broad range of services; the maintenance allowance, institutional care, senior citizens, child welfare, and preventative and rehabilitational services.

Our maintenance programmes have been extended, as I have outlined, so that whatever the case may be in other areas of Canada, we have come to grips in providing our people with the dollars so that they might be able to provide for themselves. We have been enabled, under the Canada assistance plan, to provide the additional assistance of dental care, drugs, optical, prosthetic devices, all the things which people need in addition to what they have.

Mr. Chairman, the dollars that have been handed out are not the only thing of prime importance. The services are also of very high importance. In conjunction with these, the means for giving out the two are very important. I state that in this regard, the municipalities are our right hand partners. But individually they often cannot do the job,

and we are intensifying our efforts so that their efforts may be unified on a county and district basis.

This will be one of the great challenges of the immediate future as we try to conclude these things that were initiated and found to be of value in the administration on regional basis.

The department has grave concern for the social welfare of a particular group which is of special interest and concern to the members of this House—the Indian people of Ontario, and particularly those of northern Ontario. This is something which has been of concern within this province within recent years. We passed The Indian Welfare Services Act of Ontario which brought into play the fact that all our Indian citizens were entitled, on an equal basis with other citizens of this province, to those services which were made available generally.

In more recent times, we in Ontario are the only province to have entered into an agreement with the federal government with respect to the provision of social services. Ontario is the only province to sign a community development agreement with the federal government. In consequence, we now have within our department an Indian development branch which has accepted a new philosophy, and in developing new techniques, not new in the fact that they have not been known, but new in the way that they are being applied in this important field.

We have within the complexities of government, the functions of interdepartmental committees, and I suggest that no interdepartmental committee has a greater role to play than this one which is made up of almost all of my colleagues here in the front row.

The Minister of Trade and Development (Mr. Randall), directly and through the Ontario housing corporation, the Minister of Education (Mr. Davis), the Minister of Health (Mr. Dymond), the Minister of Municipal Affairs (Mr. McKeough) and the Minister of Lands and Forests (Mr. Brunelle) and others—all of them attending to their duties—who form the subcommittee, and act through the interdepartmental committee, having accepted a philosophy of full co-operation between departments, and that every department has its role to play.

One department is carrying the ball. Within that one department there is a special estimate over and above the regular other department estimates, to look after this.

Mr. Chairman, we cannot and do not expect instantaneous and spectacular results, but we

can give it a real good honest-to-goodness try, and that we intend to do. It is understood that the federal government intends to introduce a new Indian Act. We hope and expect that this will open up certain wider approaches to programmes that will bring beneficial advancement to our Indian citizens in the years to come. It should also provide an opportunity for clarification as to the roles to be played by the levels of government.

Though the problems are not insurmountable, the situation of our Indian citizens is complex indeed. We must make use of new attitudes and approaches, and marshal all the efforts and resources and talent that we have—and we do have them—to join others, and particularly the Indians themselves, in coming to a successful grip with the challenges that lie ahead.

Mr. Chairman, I will not talk at this time, about our institutional care, such as the homes for the aged programmes, which is one of the most outstanding on the continent. I see that one of the members opposite salutes me, and he was, I hope, saluting the Provincial Treasurer, who provided the funds for the outstanding example on the continent; the Baycrest complex, Mr. Treasurer, that you and I had the pleasure and honour of opening. A jewel in the crown of homes for the aged across the province.

Mr. Nixon: Where is that jewel in the crown?

Hon. Mr. Yaremko: It is in Metropolitan Toronto, and it belongs to the people of the province.

Now, Mr. Chairman, as to the problems of child welfare. I have passed from the senior citizens to our very young. This is an area that continues to be of prime importance. Here again, to use the measure of dollars, compare our subsidies to children's aid societies in 1966 at about \$16.5 million, and in 1967 they were about \$23.5 million, and this year they are about \$30 million. This is the subsidy to children's aid alone. That is within the ambit of our child welfare branch.

Mr. Chairman, our programmes are not devised to add people to our maintenance roles, except where they have need of assistance. We have accomplished a great deal of that in the past two years.

There will be a shift in emphasis which has been coming, and will be coming, as we embark on a great rehabilitative and preventative role. This is where the great challenge of the future lies.

Our experience in the past and the experiments that we have gone through, lead us to believe that this is the next big look, the next giant step forward that we must take. The dollars that we invest in maintenance programmes form an investment because it does bring returns, to the individual, and to society as a whole. Investment in vocational and rehabilitation services is perhaps the greatest investment that we can make.

We have been building up this rehabilitation programme for the past 11 years, broadening the legislation year by year so that we have access to all the material and means necessary to accomplish the purpose. We can start with medical restoration, proceed to assessment of capability, counselling, training and education of every type, and onward to job placement and the follow up procedures.

Vocational rehabilitation within our own department has grown so that last year the branch served nearly 6,000 persons. I do not intend at this time to list all the doleful catalogue of human ills that can befall individuals, but I can tell you that our experience has shown, and we have met a sufficient number of these cases in our work dealing with thousands of individuals and families to be convinced, that counselling is a real rehabilitative technique, highly desirable, to add to the full range of public programmes, not just in the vocational rehabilitation areas.

So based on steps initiated a couple of years ago we will now pursue this to its broadest extent and with full vigour. We have included counselling among the staff services of municipalities that may be subsidized as part of our administration costs. The establishment within the department of a family services branch will be a great vehicle in our rehabilitative and preventative work. The new branch will operate, Mr. Chairman, in close co-ordination with the rehabilitation services branch, so that we are introducing what might be referred to as a dual programme of rehabilitation and counselling facilities. The director of rehabilitation, Mr. Jack Amos, has been named also as director of family services.

This relationship of the two branches under one head is the best arrangement, in our opinion, in view of their parallel aims and the fact that the proven and experienced rehabilitation services possesses a skilled counselling staff, well able to operate effectively in the two phases of vocational and social rehabilitation and we are fortunate, indeed, to have a man of the stature of Mr.



Jack Amos to assume this dual capacity. The new aspects of service thus inaugurated will be extensive and varied, including guidance and advice, employment placement, and treatment of such disruptive factors as marital discord, poor housekeeping, money management, and housing difficulties. This is one more area that we are entering into in the march of progress.

Mr. Chairman, as we assume the responsibilities, we realize that greater expectations are aroused and we shall soon encounter new demands, but this is a process of social evolution. We will welcome the interest, the concern, and even the controversy, that follows on the initiation and the step forward of each particular item. We attract this notice, commendary or critical, since we not only are where the action is, Mr. Chairman, we invariably are in on the action. Indeed, we often are the action.

Mr. Chairman, with confidence in the legislation, in the capabilities of the department staff, in the services we give and the progress we are making, and with confidence, too, in the fairmindedness of the members of the Legislature, I present these estimates for your approval. I am prepared to answer all questions—I hope I have the answers—to receive suggestions and criticisms and, perhaps—for one can always hope—to accept modestly gratuitous congratulations that members are basically eager, but sometimes hesitant to give.

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, it is rare that a member has an opportunity to stand up and follow an act like the hon. Minister has just put on, but I must say, if nothing else, the hon. Minister can take credit for being able to say that no one can claim he is a modest man.

With tears in my eyes, Mr. Chairman, I must say that I will carry on with this "happy-you-up" feeling that the Minister has started. I honestly have to say, Mr. Chairman, I have found the hon. Minister most agreeable and his staff, in particular, very, very obliging. They have done their best; we have not always been particularly satisfied with the results, but you cannot win them all. I can say, Mr. Chairman, in all fairness, that the Minister and his staff have tried.

Now if he only would not say so much about it I think, perhaps, the department might run a little better. But I must give him credit, Mr. Chairman, he has done a wonderful job of extolling the virtues, not

only of his staff, but also of the members of the Cabinet—not that they need it—and everybody else. He even included us, so we cannot really complain.

Mr. D. C. MacDonald (York South): And of himself!

Mr. Braithwaite: Oh, I forgot that!

Mr. Chairman, to continue with my remarks on The Department of Social and Family Services.

In my opening critique of the department, I want to take the opportunity, at the very beginning of my remarks, to review some of the factors of change that are now sweeping over North American society, and, indeed, the entire western world in varying degrees. Unless we understand the "cosmic" nature of these forces, we are, I feel, inclined to approach these key estimates in a mood of pin-pricking.

I want to stop here for a minute, Mr. Chairman, and just remark on the fact that we are talking in these estimates about something like \$227 million. The hon. Minister talks about the various ways that this money is being spent—yet, in all seriousness, I have the distinct impression that his department is still looking at the whole problem from the fragmented point of view of bits of expenditure here, bits of expenditure there.

Although the Minister talks about a shift in emphasis, if his department was as progressive as he thinks it is then, I think, and I submit, that his department would have considered, long ago, the question of the guaranteed income. By considering this, he might have taken some steps, or done some research, to determine how these vast expenditures and these vast administrative costs, and the general washing away of money could be reduced, so that eventually we could try to reduce taxes. And taxes are the most important thing that the average person is worried about in Ontario. When we are talking about \$227 million, Mr. Chairman, I am certain that the Minister would agree with me that we need a broad, concerted global approach.

I have had the opportunity of looking over some of the material which my colleague, the hon. member for Essex-Kent, will be presenting in his critique of The Department of Reform Institutions. I hope that my remarks and his will be listened to in the same global context, because the problem of welfare and that of reform are closely related. I know that he will have certain specific proposals



to lay before this House, and I want it to be known from the outset that I concur with his approach in these matters, as he will develop it in due course.

I just want the Ministers concerned to appreciate, Mr. Chairman, that this is a concerted approach to a problem with many faces—I will not use the word “attack”, because there is implied in that word a sense of destruction which we do not have in these benches. We will leave it to others to sharpen their knives. We are sincerely concerned with the present situation, and all we want to do is help. This estimate and the reform estimate which comes next are far too important to be allowed to degenerate into the occasion of personal attacks, and the official Opposition will have no part in that low level travesty of the parliamentary process. I know I speak for the majority of thinking voters in this province, Mr. Chairman, when I say that I am sick to death of sniping and of attempts to trip Ministers up. This critique will, I hope, be constructive and carried on a high plane, and I would solicit the co-operation of the Minister in reciprocating in the same vein; now that is going to be difficult after his opening speech, but I solicit it.

In the absence of the annual report of the department for this year, I have been forced to adopt a unique approach. I want, therefore, to take a number of separate documents, reports, excerpts from recent writing on the subject, press clippings and quotations, and use them to draw some broad conclusions in relation to the situation existing right here in Ontario.

Mr. Chairman, the hon. members will have heard of the recently completed family-centred project of London, Ontario. After four years of planning and three of field-work, and after an expenditure of \$190,000, the results of that project have been brought forward as a 234-page volume which is reviewed by Dr. Benjamin Schlesinger in the spring, 1968, issue of the *Ontario Welfare Reporter*.

The approach used was “family-centred treatment”, in which one caseworker was responsible for the work with all the members of the family and, in the jargon of the profession, “responsive to their problems in the various areas of social functioning”. This worker would take the responsibility for implementing and co-ordinating the different services being provided to the family by the various social agencies involved in their welfare. This approach was designed to avoid the multitude of workers and agencies fre-

quently found working with a multi-problem family in ignorance of each others' efforts.

Problem families studied in the report broke down as follows. There is of course, overlap and repetition of percentages: 40 per cent were headed by one parent, usually the mother. The father in these cases was not expected to return; 85 per cent of the families rented an apartment or a house; 60 per cent of the families had a weekly income of \$60; 21 per cent of the male heads were employed full time; 40 per cent of the families had seven or more children; all the families had a large number of children, many of them by a number of different natural parents, and between four and five of these children were still living at home; 40 per cent of the families had a husband and wife, married and living together at home.

The first finding of the report was that these people could not, in the main, relate to each other or to the community. The last finding revealed that, in spite of this tremendous organized effort, the experimental group showed only limited improvement over the untouched control group of families over the period of the study, and that there were no cases in either group which achieved an adequate level of overall functioning by the end of the service; that is, at the end of three years of social worker activity.

On page 389 of the report we read the statement and I quote:

Whatever was done by these trained caseworkers, under these conditions and in this setting, cannot be demonstrated to have an appreciable effect.

And so we are still left without an answer to the problem of what to do about the generational dependency pattern of this type of family whose members represent only a small percentage of Ontario families, yet who consume nearly one-half of the total welfare budgets of our metropolitan areas.

As Dr. Schlesinger points out, social workers alone cannot meet the problems of these families. They need more than casework. They need more than part-time efforts on their behalf. The total community will have to deploy all the forces at its command to break the repetitive cycle of misery.

At the same time we may have to recognize that there are families for whom concentrated efforts will be of no avail, and we may have to support them for life. There is no alternative. The only hope is to help their children emerge from the pattern—to

spin off positively into, literally, a new life, the life of the Canada that most of us know.

Now Mr. Chairman I would like to make a few comments on the credit squeeze. For some, I am personally convinced, there is hope through legislation lying beyond the immediate responsibility of this department, legislation which would break the cycle of viciously-extended credit. One magazine in the credit field recently had an article which was entitled "Bait the Hook with Merchandise", and that is, of course, the first step on the road to ruin for many families who would stay out of trouble in the conditions of former days. Today, there is one segment of society which seems organized to get people into debt and deeper and ever deeper into the serpent's coils.

We have to be prepared to come face to face with this, Mr. Chairman. we have to recognize that debt consolidation plans and so-called bill-payer loans with interest piled upon interest, are the beginning of the end for many. We are rightly concerned with television advertising which makes smoking attractive to the young, but I often think that some finance company advertising, especially in the Christmas and post-Christmas period, is morally far worse. We have all heard it: "Get the big O.K." the siren sings. It is almost as though the devil himself were using his most seductive tones to entice the weak into temptation.

The law does so very little to protect the inexperienced and the weak who often are the poor. The transferable note, which is discounted, and which passes from hand to hand, and ends up with the tough collection agency, can return to haunt the hapless victim of the mercenary system long after her untrained children have wrecked the shoddy goods for which the note was first endorsed. And then, once more, the song comes on again—"Never borrow money needlessly but when you must". I do not have to go on, Mr. Chairman, we all know it is quite legal—even though reprehensible.

I said, Mr. Chairman, that my topic would be global, and my approach to this is deliberate, because this estimate affords a rare opportunity to bring together many aspects of the problem of welfare. Of these, the existence of the slum landlord is a blot on the good name of Ontario. Already we have seen that some people have devised schemes to get around passing on the basic shelter exemption. This attitude, however legal it may prove to be is morally indefensible. It

shows callous disregard for the common weal.

Another factor we have to contend with, Mr. Chairman, is public attitude, and if I may, I will read into the record a report from the *Telegram* of May 15, datelined Hamilton (Staff) under the heading:

#### WELFARE TOPS POLICE PAY, PANEL TOLD

Some people receiving city welfare here have a bigger take-home pay than members of the Hamilton police force, a city detective said yesterday.

Acting Sergeant Clyde Paul told a panel of social workers discussing juvenile delinquents at McMaster University that some relief cases were paid as much as \$408 a month. This did not include rent money which sometimes was another \$80.

"I don't have that much money to spend myself, even on a sergeant's pay," he said.

Sgt. Paul said he thought it was time that people admitted that it was our present affluent society that was breeding many chronic welfare cases.

Now it is quite clear from this news report that we are a long way from public acceptance of the divorce of income and gainful employment. Yet all the experts are telling us that automation and, in particular, cybernation, which is automation with computer control, will, within a very few years, make it impracticable and uneconomical to offer jobs to large numbers of people. It will simply be more efficient to have them consume and not work.

Of course, if they stop consuming, then heaven help us all. The entire economy grinds to a halt. So they have to have money in their pockets, to keep the wheels of production turning and the gross national product going up and up.

From the welfare point of view, this means that the threshold of welfare cases is continually rising, lapping like a relentless tide at the necks of the blue-collar workers and the clerical staffs, and soon at the ranks of middle management.

And yet our attitudes to work and leisure are primeval. We cannot believe that work is not the supreme virtue. We have created conditions where work will soon be superfluous, where people will actually be in the way of precision, as they are now in military electronics and space circuits. And yet we cannot bear to see people walking along the street, taking in the sunshine, while we sit here and ponder the province's affairs.



Not all, but some of the resentment against so-called hippies is because these people have too readily come to terms with the new realities. The rest of us say, between our gritted teeth, "Why should we slave while they sit on the grass a quarter-mile from here, for all the world like Omar Khayyam?"

So we have a factual report here, Mr. Chairman, that says casework is not very effective, and a host of sociological works that confirm the inevitability of too little work for too many people. And we have the seeds of our own destruction in a public attitude which says work is a virtue—in a materialistic consumer economy—and in a climate which makes it easy for people to get over their heads in debt.

We have administrative expenditures for welfare that are out of all proportion to the benefits that are conferred upon the ultimate recipients. What does it all add up to? For reasons which are wholly non-political, it adds up to the new approach to welfare that goes by the name of the guaranteed income.

Now, the remarkable thing about this concept is that because people of so many different political views support it, often for quite different reasons, it has ceased to be a political issue along party lines and has come to be regarded as a socio-economic issue. So it does not faze me in the least that the concept appeals to Mr. Stanfield more than it appeals to Mr. Trudeau, or to Mr. MacEachen rather than to Mr. Diefenbaker, or to some in our own caucus more than to others. This is not a traditional political matter at all, but a gut issue, and I am quite sure that people are divided about this matter, if they have grasped its significance, along quite novel lines.

For example, the president of Ford, Arjay Miller, endorses it. The chairman of Xerox, Joseph C. Wilson, endorses it. And for a somewhat similar, but less "evolutionary" reason, Barry Goldwater's economic adviser in the 1964 campaign, Professor Milton Friedman, endorses it.

Some people have said that, because of this alignment, all those in favour of the welfare of the individual should immediately opt out. But this is one concept that does not work like that. In the *Globe and Mail* of Thursday, May 16, the concept is supported in the women's section for one reason—so that nursing home operators can be sure of their fees, and in the business section for quite another reason—that it will reduce bureaucratic costs. Listen to what I. H. Asper has

to say on this from the *Globe and Mail* of May 16:

At first blush, the plan sounds like another national handout programme. But taxpayers should give it a more searching examination because it may be a method of introducing a selective welfare programme while cutting government spending.

Oddly enough, the supporters of the scheme are associated with the conservative rather than the socialist side of the political spectrum. They reason that the present welfare plans require services to be rendered by governments. This is costly and builds bureaucracy.

Most health and welfare programmes are universal and compulsory, for example, medicare, family allowance and the Canada pension plan. Therefore, the services are rendered to many who do not need them.

Remember, I am quoting a right-wing opinion here.

One economist estimates that, as a result of these deficiencies, no more than \$1 in cash out of every \$5 of tax money allocated to welfare spending reaches the citizen who really needs help.

Without taking into account medicare—\$1 billion—and the Canada pension plan, the federal government is spending almost \$3 billion each year on its health and welfare programmes. When the amount spent by the provinces over and above this is added, it appears that about \$5 billion, or about one-quarter of public spending, is devoted to social health and welfare plans.

The question keeps recurring: Is this the most effective use of tax dollars?

Can the needy, the aged, the chronically ill and the economic casualties of the industrialized society be provided with a fair standard of living and spending reduced and taxes cut at the same time?

The answer appears to be yes, but only if guaranteed annual wage is introduced as a substitute for, and not in addition to, the present social programmes. For example, if government raises everyone above the poverty level by guaranteed annual wage, and still maintains family allowances at \$66 million yearly that would make a mockery of the objectives of the guaranteed annual wage.

The economists and statisticians have their work cut out for them. They must tell us how many Canadians need the health



and welfare services; how much is now being spent on administration and people who do not require assistance; how much of the nearly \$5 billion now being spent would be required for the guaranteed annual wage to those who need it; and how much would be left over for tax reduction.

Then the political leaders must tell us how they would use the money freed in this way. Let's say that of the \$5 billion being spent now, \$1.5 billion would be available. Even if half were needed to supplement the income of those below the acceptable level, this would still leave \$750 million for needed tax cuts.

Now, for much of this presentation, Mr. Chairman, which, I repeat relates directly to the major items of provincial expenditure in this departmental estimate, I am indebted to Mr. Robert Theobald, who is recognized as the North American expert in the guaranteed income concept. Mr. Theobald was in touch with us recently and he will be following this debate with interest, as will the centre for the study of democratic institutions in Santa Barbara, U.S.A.

Also of extreme relevance is the current issue of *Time* magazine, which contains an up-to-date collection of statistics on poverty in the United States. We can all draw the analogy for Canada, even though the locations change. For southern California read New Brunswick, for Chicago's north side, read Toronto's Spadina, and so on. This article has caught the mood of the moment very well. Surely we do not have to dramatize and localize it further by having the welfare recipients of Ontario erect on the green lawns of Queen's Park, a shanty town below the window of the Lieutenant-Governor?

Yet I am just afraid, Mr. Chairman, that in the broad picture I wish to paint at this stage of the debate on the estimates, voices will cry out "not our jurisdiction" or "outside this department's immediate area of interest" or "better said in the Budget debate". Because this whole argument is so intimately interwoven with the welfare votes of this department that thinking men of all parties must, after a pause for reflection, recognize that nowhere else in this session, at no other single time, will the issue be posed so relevantly as in this present context.

And so, Mr. Chairman, I beg your appreciation and indulgence. I am not straying from the votes in what I say. I am being extremely relevant. The poor and the

oppressed know that. The sick know that. The underprivileged know that. The white-collar workers who are beginning to feel the prickly sensation of fear around their collars know that. Yes, Mr. Chairman, the relevance is not in doubt. The substance is vital to this debate.

As Theobald has pointed out, throughout the centuries of western civilization, men have dreamed that it would one day be possible to achieve an overwhelming abundance of goods and services. They have also dreamed that it would be possible to approach nearer to our stated ideal of social justice and individual freedom for all without distinction of class, creed, or colour. The concept of a guaranteed income represents a convergence of both these dreams, for it would provide every individual with enough resources to enable him to live with dignity, in short a just society.

Mr. Chairman, I would now like to go back to the pre-industrial revolution era and make a few comments.

The dream of an overwhelming abundance of goods and services appeared incapable of realization until the beginning of the industrial age. Before the development of powered machinery, the hard physical labour of the vast majority of the population was required to produce enough for the mere survival of these individuals and the continuance of the social order. The thinking of the pre-industrial period was still apparent in Malthus' belief that the potential for population increase would inevitably ensure that men would always be in danger of starvation.

During the second half of the 19th century it became increasingly clear that in the future productivity and total production would rise so fast that an abundance of goods and services was certain. The dates predicted for reaching abundance varied, but as the decades passed, a growing number of economists and social critics came to agree about its inevitability. John Maynard Keynes, the influential 20th century economist, shared this viewpoint. He wrote, and I quote:

In the long run . . . mankind is solving its economic problem. The economic problem is not—if we look into the future—the permanent problem of the human race.

This certainty of abundance removes a hitherto impassable obstacle in our age-long drive towards social justice and individual freedom. Social philosophers and theologians have argued throughout the centuries that the ideal of justice and freedom could have no firm

basis until each individual enjoyed his natural right to resources sufficient for his subsistence; that every man needed to possess enough landed property to ensure his subsistence if he were not to be, in effect, a slave, both physically and mentally, in the service of his employer.

The emergent potential of abundance and the ideal of freedom and justice were brought together, perhaps for the first time, in Edward Bellamy's lastingly influential novel, *Looking Backward*, published in 1888. The central theme of Bellamy's book is the concept of an absolute "guarantee" to "abundant maintenance"; in other words, a guaranteed-income concept operating in a well-established society functioning on abundance economic principles and not according to the divisive economic theory of scarcity. Bellamy's book demonstrates the way in which a guaranteed income, coupled with other reforms, would lead to the elimination of many contemporary social evils.

Despite much initial enthusiasm following the publication of *Looking Backward*, the concept of a guaranteed income dropped out of discussion around the turn of the century and was rarely mentioned during the first six decades of our century. The imminent reality of abundance has led to a revival of interest in the concept during the 1960s, and it has been advanced as the most appropriate method available to prevent further encroachments on social justice and individual freedom and to serve as a first step toward the formation of new institutions appropriate to a society of abundance.

Two specific factors have been the most important stimuli to discussion about the guaranteed income and, indeed, to the whole subject of income distribution. First, a growing number of experts have concluded that the continuing impact of technological change will make it impossible to provide jobs for all who seek them. If this conclusion is correct, it will be necessary to carry through **fundamental alterations** in the present scarcity-organized system, which operates satisfactorily only if it is possible for the overwhelming proportion of those seeking jobs to find them and if the income received from these jobs will enable the jobholder to live with dignity as a full member of society.

The present Canadian system does not provide adequately for those who do not hold jobs, with the exception of the relatively small proportion of people who have accumu-

lated substantial capital or pension rights. If, therefore, low levels of employment are likely in coming years, new techniques of income distribution will have to be developed.

Concern about the job-displacing impact of technology has increased in recent years as disturbing evidence has accumulated showing that those with inadequate education and training will not find jobs in the future because their toil will not be economically competitive with that of the machine. Even more seriously, it now seems fully clear that in today's economy the children of the poor are almost inevitably condemned to poverty because they do not receive an education that would enable them to hold jobs in the future. It is still true that only the most exceptional child born and bred in a slum environment can hope to overcome the resulting limitations and participate in the new world.

Given the continued existence of surplus capacity and idle manpower, it would be possible to provide a minimum standard of living for everybody, simply by calling into use resources that are presently idle. While patterns of income distribution remain unchanged, these resources will remain unused and even be wasted. Lack of purchasing power will continue to be a brake on the emergence of abundance through the full use of productive potential. It is only comparatively recently that we ceased to regard poverty as a personal shame and began to see it as a social tragedy brought about by scarcity conditions. We have not yet understood that as the economy moves from a condition of scarcity to one of abundance, poverty becomes a social shame and a personal tragedy.

The discussion about income distribution has widened rapidly, not only because of the two factors mentioned above, but also because the only existing theory about income distribution—a theory developed by the economists of the late nineteenth century—is no longer accepted as adequate for its purpose. This theory "proved", on the basis of certain assumptions, that the working of market forces would ensure, not only that everybody's income matched his contribution to the productive process, but also that the total of everybody's income would match the total amount of goods and services available for purchase. Both economists and other social scientists tended, therefore, to abandon fundamental research on the real forces affecting income distribution.

Mr. Chairman, we have come to understand that our patterns of income distribution—in-



deed even our patterns of economic activity—are not the only possible ones. The ever-growing threat of unemployment resulting from advanced technology, the growing abundance made possible by this technology, and the faults in our income distribution, have made it inevitable that a wide range of new ideas on the subject of income distribution and organization of human activity would be advanced. These include the conventional idea of maintaining present work-organization within the framework of a shorter work-week or work-life; the substitution of periods of education for work on the job; the subsidization of certain types of jobs; the wider distribution of rights to capital; and the guaranteed income.

The kind of rethinking that has given rise to these concepts will result in the implementation of some kind of general reorganization of present patterns of work and pay. The question is whether this general reorganization will also be a profound one; whether it will be a transformation comparable to that preceding it, in technology, or a nation-wide complex of minor adjustments—of which our present consideration of the relevance of these estimates is an example.

Now some have suggested that we should continue direct payments to the poor but that the availability of payments should be based on a bureaucratic determination of the eligibility of the individual of such payments; in other words, a means test. Such an elimination of the guarantee destroys the crucial element in the proposal and would threaten ever greater intervention in the personal life of the individual.

The recognition of the need to provide guaranteed direct payments to the poor on the basis of their existing income levels must necessarily be shared by all the proponents of a guaranteed income. Their motivations for suggesting such a scheme may, however, be very different. Some see the fundamental economic problem as resulting from increasing government intervention in the economic system. They find this development deeply disturbing for they believe that the economic system can be expected to work effectively only if each individual is free to seek his own economic advantage.

Perceiving as they do that much of the increase in government intervention in the economy results from the fact that it is impossible for the rulers of a modern state to allow any group of citizens to starve, this group believes that we should devise measures that would ensure a minimum income for all and thus eliminate the major present cause

of government intervention in the economy. It is essential, in this view, that the level of income not be set so high that it would detract from the incentive to work. Now this has some merit, Mr. Chairman.

Those who hold this view hope that once such an allowance is available, society would not only cease to demand the introduction of further measures of government intervention, but would acquiesce in the dismantling of the vast majority of the measures already in existence that were passed to help those less able to help themselves.

They anticipate that as government measures are rescinded, and what they see as the barriers to "self-help" are removed, the country would benefit from an excess of the drives that made the 19th century so successful. They say that we should recreate the conditions in which the individual can strive to maximize his economic satisfaction with the greatest degree of freedom and the minimum outside intervention.

This is basically the Stanfield argument, as I understand it, and you will notice, Mr. Chairman, that I am avoiding party labels in this matter.

A more radical view is that the guaranteed income must provide a standard of living adequate for decency, but in a quite new kind of world.

In this view the guaranteed income represents the possibility of putting into effect the fundamental belief, which has recurred consistently in human history, that each individual has a right to a minimal share in the production of his society. The perennial shortage of almost all the necessities of life prevented the application of this belief until recent years: the coming of relative abundance in the rich countries gives man the power to achieve the goal of providing a minimum standard of living for all.

It is not enough, however, to state that it is possible for the society to provide a minimal standard of living for all. One should rather state that it is essential to do so. The present age is burdened with problems arising from a mismatch between the needs of the human society and the pressures exerted by an economic production, distribution and consumption system so complex and inter-related as to need the whole of the national culture to be organized around it. While we allow this process to continue, the economic system will increasingly become a drag on our lives. Nobody will be happy ever again if this high pressure way of life keeps up.



The current system, whether factory or farm, no longer needs many of the workers whose under-education previously served it. We now know that the economic tools developed by John Maynard Keynes make it possible for any society to keep demand growing as rapidly as available supply. In this sense, we might call Keynes the father of the "rat race".

The degree of aggressiveness that will be required in coming years to keep the economy growing is much greater than in the past—it is now clear that potential supply can rise this and every year by 5 per cent; this must be balanced by increases in demand of about 5 per cent if recessions and slumps are to be avoided.

Even when we are successful in balancing potential demand with available supply, it will still be impossible to employ all those with low skills and inadequate education.

Even substantial movements toward full employment are no longer effective in drawing all of the labour force into employment and it is the disadvantaged who suffer most severely.

A severe problem of unemployability appears to be emerging. Certain types of workers have insufficient inherent capacities to be worth employing at any job for the socially determined wage rate. In these circumstances, employers can be expected to claim that there is a severe shortage of workers even at times when large numbers of people assert that they cannot find jobs.

The available statistics understate the social crisis that is now upon us, for many other workers theoretically "at work" in "jobs" perform little activity and none that gives meaning to their lives.

Others still cling to the self-respect and esteem attached to their middle-income "skilled" or "management" job, but know that a machine-system or computer will shortly be ready to replace them. New tasks and new more complex processes that would never be accomplished by man are being assigned to the new, manless technology. In many areas man, the master, is less than technology, his servant.

We are witnessing a downgrading of human creativity as compared with that of machine systems. Somehow, in any given area where man and machine compete, the output of the computer is more "authoritative", more "correct" than man's, as anyone who has tried to stop a magazine subscription, or his OMSIP contribution, will testify.

So man's role is rapidly becoming that of obedient consumer, prompt obeyer of punch-card demands, apathetic observer of environmental abuse and human degradation, of water pollution, lethal air, the continuing waste of natural resources, the aimless misery of the unemployed and the underpaid, the neurotic defence mechanisms of the occupationally threatened middle class.

Man's structuring into the economic necessities of the present age cannot be reversed without the guaranteed income, which aims to provide rights to resources adequate for the dignified life. Today's economic system uses a very simple mechanism for distributing resources: it assumes that the overwhelming proportion of those seeking jobs can find them and that the incomes received will allow the job holder to live in dignity. Such a distribution mechanism requires that enough effective demand shall exist to take up all the goods and services that can be produced by all the capital and labour that can be effectively used.

Recent work, however, has confirmed that a new factor is entering into the consumption scene, and that is what doctors call sensory overload. Marshall McLuhan hinted at it in his book *Understanding Media*. Now it is with us in a big way. Mr. Chairman, ask your friends how much television they are watching lately, and they will tell you "less and less".

Biologists believe that man, in order to ensure his survival, is beginning to switch off some of his nerve-endings. Unfortunately, some of these may be directly related to intelligence. At least Lord Brain, the past-president of the British association for the advancement of science, thinks so. Our bodies may be doing a kind of chemical juggling trick, so that we really are becoming slightly different in a basic kind of way.

So the lotus-eating phase of evolution may be coming upon us, just at the very time that machines are taking over more and more routine functions and even intelligent functions. Fight it as we might, it is just possible that we will be as helpless to prevent what will happen as a spawning salmon is helpless. The salmon cannot say: "I will not make the long journey back up the river from the sea." We may not be able to say: "I will fight this increasing lethargy and lassitude." And certainly our children may find it much more difficult to apply themselves manfully to the task, and theirs more so again, and so on.

In the still larger picture, we are told that we cannot continue to change our surroundings at the rate that we have. Toronto is now largely paved and roofed over, so that rainfall runs directly off into Lake Ontario instead of soaking into the soil—and the water table falls.

On a larger scale, the Great Lakes have been turned into a huge septic tank. We pack people together in ghettos and they riot for lack of space and hope. We cannot go on behaving like this or we shall exterminate ourselves. So we have to start behaving differently. It is as simple as that. As usual, nature has told the children first, intuitively, through their bones.

I am not suggesting that any of us here are suddenly going to turn into flower children. But the genetic information being assembled on the chromosomes in our children's and grandchildren's bodies is certainly coded in a way sufficiently different from the pattern that determined our characters 30, 40 or 50 years ago, as to cause us to stop and think—what are we doing here as legislators? Are we approving the estimates for the real world that is to be, or are we approving the estimates to perpetuate a world in which people were a different kind of being?

I want to make it clear Mr. Chairman, that this is not a value judgment. If we are being changed by cosmic forces, as Lord Brain suggests we are, then the question of "right" and "wrong" does not enter into it. The Victorian morality was well suited to the conditions of the industrial revolution. It taught people to stay in their place when there was no hope of their improving themselves; or, alternatively, it taught them the virtues of self-help, competition and individual enterprise when these attributes were essential to individual betterment.

But that world has gone, and seemingly too many of us will not admit it, because we are afraid to admit it. We are afraid of what nature has in store for the human race, by way of change.

The guaranteed income is, therefore, essential for both short-run and long-run reasons. In the short-run, it is required because an ever-growing number of people—blue-collar, white-collar, middle-management and professional—cannot compete with machines; in the absence of the guaranteed income the number of people in hopeless, extreme poverty will increase.

In the long run, we will require a justification for the distribution of resources that is not based on job-holding, because this is the only way we can break the present necessity to ensure that supply and demand remain in balance; a necessity that we have just seen is incompatible with continued development of the individual and continued survival of the world.

The guaranteed-income proposal has two aspects that are necessary for a successful innovation. The first effect of a successfully adaptive innovation of any kind is to hold onto something tried and true, to conserve the old in the face of change. This conservative first effect of evolutionary advance is called Romer's rule.

When the proposed guaranteed income works to preserve and restore the free market, to leave unchanged private property, to bolster and to restore freedom to choose one's own work, buy and sell at will, in short, to advance by combining old and new, it is on the tested evolutionary track. The second effect of a successfully adaptive innovation of any kind, biological or social, is quite different.

Many groups are beginning to adopt the guaranteed income because they see the potential short-run advantages, and are still ignoring the long-range consequences. Management is seeing the guaranteed income as a method of getting money into the hands of the poor who are the best potential customers, labour is seeing it as a means to provide for those for whom they cannot find jobs, politicians see it as a means of eliminating welfare costs from their budget.

But we must go further and acknowledge a most fundamental change in man's condition—that he is now in control of his own destiny and that his only chance of ensuring the continuation of the human race is to understand as fully as possible the potentials of proposed courses of action and to judge between them. This, of course, will be feasible only if we become willing to recognize that all significant actions will necessarily have both favourable and unfavourable consequences. The problem is to choose the course of action that will minimize unfavourable effects and maximize favourable possibilities.

It is for this reason that we can no longer accept the patterns of the past, where supporters of a proposed course of action pointed only to the favourable results, and its opponents discussed only the unfavourable impacts.

It is vital that we develop new methods of discussion, debate and dialogue that will allow us to develop the fullest possible understanding of the results of proposed actions.

We will be able to gain sufficient understanding of the implications of the guaranteed income and the other big changes now taking place in society only if we enlarge the debate that it has been my privilege to open here today. Actually, the Ontario welfare council started the ball rolling on Wednesday of this week—May 15—by supporting the principle of the guaranteed annual income in respect of all Canadians. Now, the Canadian welfare council will be pressed to include a representation of a guaranteed income in its next brief to the federal government.

But the arguments heard at the Park Plaza hotel only touched on one facet of the debate. I hope that this discussion will now be joined by the academic community, by spokesmen for social workers, by psychiatrists, by economists, by labour leaders, by management, and by everyone who has a viewpoint on this key matter. I would like to see a Canadian publisher bring out a compendium of studies on this topic within a very few months.

Because I felt it vital to get this debate started at this time, I make no apology for drawing extensively upon Professor Theobald's work. In this, I have had his full and prior consent. He is as anxious as I am to see the proof of his research read into the record of this Legislature.

Now, with these basic ideas to refresh our thinking, let us turn to the detail of the estimates, hopefully with a new insight into the scope of the problem that we face.

I want to give notice at this time, Mr. Chairman, that we will want to see, within the existing welfare framework, a fair deal for the old people. We shall propose that further consideration should be given to revising nursing home rates.

Now, the Minister spoke about the treatment of the old as the jewel in the crown of his estimates. I want to make these comments directly to him, if I might, Mr. Chairman. There must be an end to this inhumane carting of people about as though they were cattle, this tearing apart from those near to them, as though they were slaves at auction—what a close parallel that is—and these tearful one-way journeys into oblivion, which is what some of these moves will mean to some of these broken-hearted people, who were sent to Bowmanville and other places from Metro Toronto. Their final tenuous link with reality has been broken. Now they are really alone.

I say with all my heart that those who ran Belsen and Dachau and Buchenwald were not more cruel in the psychological sense than some of the heartless administrators and home operators who were prepared to countenance this rather than come to terms.

I do feel at this point, Mr. Chairman, that the hon. Minister, or someone in his department, could have stepped in before this to see that the shameful situation was corrected.

**Hon. Mr. Yaremko:** Mr. Chairman, I would only interject this: That I think those terms applied to people devoted within the field of social service, were completely out of order. I think it is a disgrace that *Hansard* will record in perpetuity, that type of comparison. That is my opinion.

**Mr. Braithwaite:** Mr. Chairman, if I might answer before I carry on. I would like to say that in the beginning of my remarks I carried on with the "happy-up" feeling that the Minister had in mind, that he started with. In all sincerity I have the greatest of respect for the members of his staff and I have mentioned that. But that does not prevent the Minister or anybody on his staff from being wrong.

There are better men and women than any one of us have ever employed who have made mistakes. I am certain a mistake has been made in this particular case because I would not want my mother or my father to be treated in the way some of these people are reported to have been treated.

We shall also want to know, in furtherance of Mrs. J. M. Barstow's enquiry at the Ontario welfare council yesterday, whether or not this government is prepared to subsidize family day-care programmes as well as day nurseries. Mrs. Barstow is chairman of the Toronto social planning council's day care committee, and she is apparently backed by expert opinion in her representations to the effect that agency-sponsored family day care is preferable to day nursery care. Also, it is now said to be much more feasible, since the community colleges are offering courses in child care and homemaking. We would like to know, is an amendment to The Day Nurseries Act now seen to imminent by the government, in view of these changed conditions? Perhaps the Minister would care to comment on this later.

We shall want to know the psychological basis for the Minister's speech to the YPC convention, as reported in the *Peterborough Examiner* of March 4 of this year. Perhaps the Minister would like to take a second look at that speech, in the light of my earlier re-



marks. I am referring to the altering of people's psychological attitudes and restructuring of their personalities. Is the Minister convinced that he is on the right track here? What role in society does he want his changed people to play?

We shall have some searching questions on Indian affairs under vote 2011.

We shall want to know how the present Family Benefits Act is working. Has the much-vaunted needs test turned once more into a means test through the imposition of an arbitrary ceiling on benefits?

We shall want to know what happened to item 6 of vote 2003—why this northern item is down \$20,000 from last year.

There will be many other items in this estimate with which individual members of this caucus are concerned.

And, finally, we shall look to the Minister for an up-to-date statement on the role of the Vanier institute of the family. In all the changes I have talked about, no one has come up with a satisfactory substitute for this basic unit. A happy family unit seems to be the one reliable cornerstone in this changing world. The Vaniers were a model of that group relationship, a shining example to us all. Perhaps this is an appropriate time to say that the memory of the late Governor-General will live on, not only in the records of history and of Parliamentary institutions, but also, through the continuing work of the gracious Madame Vanier, in what is still the greatest institution of all—the happy family unit.

**Mrs. M. Renwick** (Scarborough Centre): Mr. Chairman, I would like to draw attention to two simple points at this time—two overriding matters of major concern that I want to deal with in a brief way, in dealing with the Minister's department. All others will be dealt with under the estimates.

We are looking at a \$227 million budget and at the same time, we are looking at a dead-end department; like an alleyway with no ending to it; an alleyway with no light. It is a department that has highly skilled and talented people, going about determining how much money individuals in need have got. When it determines they have not got any or that they qualify under the minimal allowance of liquid assets, it gives them some in the form of a budget that bears no reasonable resemblance to the realities of cost for essentials such as food and rent today.

And the only relief these individuals have above this in our province—thanks to the ceilings of payment imposed by this province, in particular, in relation to the Canada assistance plan—their only recourse above these minimal allowances is to turn to private agencies for additional assistance. The private agencies the people turn to are, in turn, finding it increasingly difficult to raise the funds required to carry out their services.

We are overstructured in the social agencies which presently exist in our society. We are failing to counsel, through government, and failing to realize that wherever welfare assistance is necessary in our society, that counselling assistance and rehabilitation services automatically go hand in hand, from the very nature of the position of the family, or the person, being in receipt of welfare assistance. And, in this 20th century, we are failing to recognize that recipients of welfare services should participate in the development of the agencies. The government's energies must be freed from their present pursuits of determining if applicants have any money.

I would like to point out that the federal government's system of income tax return determines, successfully and efficiently, the amount of income anyone of us has and carries heavy penalties for default. Leaving their talents free to deal with the actual problems of welfare and the actual needs in this area, primarily the needs of counselling, extensive counselling and rehabilitation and the prevention of despair, allowing the people to participate in our society, not to be simply dependent upon it.

The position of the New Democratic Party offers the only solution to freeing the highly skilled staff of this department. The solution being the adoption of a guaranteed annual income system. This kind of scheme, promoted by this government at the federal level, would provide a level of income for every family in Ontario below which no one would be allowed to fall and, in this way, come to grips with the monetary aspects of the circumstances that befall an individual or a family, such as unemployment or interrupted income, illness or disability. Such a scheme will also handle future situations created by technological advances, the results of automation; but, mainly it will be an anti-poverty measure.

We live in a monetary society. The proposition is a simple one. In our society, people must have money to live. I recommend that all existing programmes be ended in favour of the guaranteed annual income.

The objective being to provide a guaranteed income and living wage for every single family in Ontario.

However, not abandoning, Mr. Chairman, all government initiative. By this method it would enable the resources of this government to be directed to areas of social and individual needs, by enabling the government to assess needs divorced from the question of the lack of money. At the present time, the resources of government are spent assessing the monetary needs of people. Having settled this question beyond a doubt, through a system of negative income tax, government would be free to direct its energies to actively counselling and assisting people in social and rehabilitation problems of a non-monetary nature.

I cannot say often enough nor strongly enough that we do not know where this department is going. It must be freed of the jobs that it is mainly doing—checking people's incomes—and get on with the job of counselling and rehabilitation in order to reduce the numbers of families and individuals who are, unfortunately, dependent on our society.

Mr. Chairman, I cannot provide, like the secretary for the Minister, a "Mr. Happy-up". I have a little "happy-down" from the Smith report which I would like to quote:

This is not to say we are satisfied with the present system of financing welfare in Ontario. Far from it. We find that the overall provision of welfare services in Ontario, including its fiscal dimension, is so wanting when judged by its once feasible and acceptable standards, that to suggest adjustments in the grants system would be akin to prescribing aspirin where only surgery will save the patient.

I would like in turn, Mr. Chairman, to say that it appears imperative to appoint a commission. The time has come when government's role and the private agencies' role have got to be assessed in relationship to each other and to the community they are serving; time to assess exactly what is happening in the field of private agencies. Voluntary agencies need some government understanding of what is happening to draw comparisons between what voluntary agencies can raise in their own communities for their own work. There is a large gap between that and what they want. They are cut down to what the agency even thinks it is wise to ask for. The united appeal takes it from there. They take it down to suit their ability, to fit it into their economic forecast;

and it is taken down again to what, in fact, the voluntary agency can actually receive, which is a very different figure from what it was originally.

If the funds in various communities are unable to rise in proportion to increasing costs they cannot afford to pay the salaries the government can pay. There is a steady drift of personnel from the private sector of the government departments.

Then, comes the inexperienced staff, the untrained, the lower quality and this is sad, because the volunteer agencies were the pioneers of raising the standards of the staff of this service.

Rightist government can deal this problem a severe blow while espousing the cause of individuals and individual efforts not realizing what they are doing. Leftist governments give amounts to agencies and give them a job to do. Discussion must come from within the government with those outside the government to arrive at a sensible plan.

How does government see their role? Are they, in fact, providing their services, the volunteer agencies, in an efficient way? What assessment is going to be made of them? What is the criterion that brought about the dismay that the big brother movement was turned down by the department for the sum of \$30,000 when it is abundantly clear that they, in fact, provide an excellent counselling service, not only to the boys who are their clients. But as 75 per cent of the boys are from one-parent, mother-oriented, families, the counselling service has, in fact, extended effectively to the mothers of the boys in advising them of facilities available to them through various social agencies to assist them in dealing with their problems, often before becoming dependent on society.

The mothers, many of them, just did not know where to go or what is available in the way of social services to them. This is obviously an excellent agency which should be on a fee-for-service basis and its counselling continued, not cut back.

A commission should begin immediately to sort out where the categorical assistance of the federal Benefits Act and The General Welfare Assistance Act are in relationship to private agencies and where they are going, because the majority of volunteer agencies—due to the inability of volunteer fund raisers to provide sufficient moneys to meet increasing costs of operating—are today working with less staff than they did last year and last year they worked with less staff than the year



before. This situation has continued for about five years and one is controlling the other.

Mr. Chairman, I would like to comment on the Minister's remarks today of the great plans of rehabilitation and prevention for the future. I note the absence, Mr. Chairman, of any specific plan in these areas.

The time to embark on the rehabilitation, vocational and preventative steps was immediately on entering into the agreement with the federal government on the Canada assistance plan. Granted it was not compulsory, but here in our affluent province of Ontario, we drag our feet in using the Canada assistance plan effectively, while even Alberta has a Preventative Act regarding possible unemployment. Saskatchewan, of course, had the groundwork well laid under the CCF before the Canada assistance plan reached them.

This government, by availing itself of the moneys under the Canada assistance plan, had a part to play. That was to provide what was essentially set out by the federal government in this Act. We still have in Ontario a categorical welfare scheme. Having heard the Minister say we have not, I would like to read into the record briefly that we have seven categories: all men over 65, who have not got old age pension; all women over 60, who have not got old age pension, without a husband; all mothers with dependent children, without a husband; all blind persons, 18 years or over; all disabled persons 18 years or over; all dependent fathers with dependent children; all persons in homes for special care.

Now we have various classes. We have one class of persons 65 or over. We have six classes for women age 60 to 65. We have eight classes of mother with dependent child; four of dependent father with dependent child; one foster mother; one thalidomide child; one person in homes for special care; one class for the blind, one for the disabled; three for women 60 years of age and over; 27 classes of seven categories.

I would like to point out, Mr. Chairman, that the government is still extremely selective as to whom shall be judged a person in need. This is supposed to be a new departure based on need. There is very grandiose language in section 7 of the federal Benefits Act covering this, but a person in need in our province, must be in accordance with the Minister's regulations. I would just like to compare those regulations briefly with the definitions in the Canada assistance plan.

The definition of "need" in the Canada assistance plan is "a person who by reason of

inability to obtain employment, loss of the principal family provider, illness, disability, age, all the other categories", but by reason of inability to obtain employment. Those of us who are my age and over, we have seen relief rolls of unemployed men of great numbers in our society. I would like to show what happens to the person unable to obtain employment for the time he is categorized under the provincial regulations.

In the provincial regulations he must be "permanently" unemployable, and a "permanently unemployable" person means a person who is unable to engage in remunerative employment due to medical findings and acceptable by the medical advisory board. Under The General Welfare Assistance Act an unemployable person means a person who is unable to engage in remunerative employment by reason of physical or mental disability, but where the person is unemployed, which takes us back to the Canada assistance plan—the person who cannot obtain employment—where the person is unemployed and this is in The General Welfare Assistance Act under eligibility: "unemployed but employable"—this government must be satisfied that the applicant or the recipient is willing to undertake employment for which he is capable and is making reasonable efforts to secure such employment before receiving government assistance.

It was sold to this province as a proposition that a needs test would be evaluated on an individual basis towards putting an end to poverty, but what you have done is continue, in a disguised form, a categorical assistance programme. There are parts of the Canada assistance plan that are not being used. The province is operating almost identically with the plan it had in effect before. I think that it is important that the spirit of the Canada assistance plan be read into the record. The objectives of the plan are just three. This is in a policy statement on the Canada assistance plan from the Canadian welfare council, Ottawa, July, 1966. Objectives of the plan are:

1. Meet financial need of persons regardless of its cause.
2. Provide services which will help people retain or achieve independence, so far as they are capable.
3. Improve standards of public welfare administration.

And the spirit of the plan—the need for strong, imaginative, generous, and realistic



action by all levels of government to implement the plan so that the spirit, as well as the letter, of its objectives are fully met.

In that sense, in Ontario, our plan is fraudulent in that you are defeating the broad scheme envisioned by the federal government, in order to receive from the federal government financial assistance.

**Mr. Chairman:** Does the Minister have any comments before we go right into these votes?

All right, page 122.

On vote 2001:

**Mr. Nixon:** Mr. Chairman, this might be a suitable time for me to inquire about the overall budgeting that the Minister undertakes. There is no doubt that his original request for the support of his department had to be cut back somewhat by the Treasury board, but I was most interested in how he passes on these cutbacks to the various arms of the department. That is why I raise it under the first vote.

I believe it was two years ago, for example, that we were treated to his new approach on the financing and ordering of the business of the children's aid branch across the province as one example of budgeting. I understand that in recent weeks he has had to pass on the cuts that have been arrived at by the Treasury board to these supposedly autonomous organizations.

There is no doubt that this causes a great deal of difficulty.

The Minister himself, in his opening remarks, indicated that the emphasis in his budget is on the type of programme which would emphasize preventive care. So, I was wondering if there is any way in which he could square his own comments on the emphasis on preventive care with the way he has had to cut back the preventive care budget in the various branches of his department, rather than giving it the emphasis that we would expect, based on his policy pronouncements.

**Hon. Mr. Yaremko:** Mr. Chairman, the estimates of this department have really to be considered in the light of the estimates of the last three years. I made a comparison earlier of the 1966 estimates which had achieved a certain floor or certain level, and then we negotiated, and we are entering with the federal government into the Canada assistance plan agreement.

I may say that in going to the Treasury board for last year's estimates that I believe this department received, in retrospect, more generous treatment than almost any other department—

**Mr. Nixon:** How about this year?

**Hon. Mr. Yaremko:** When you examine the steps forward that we took in the last year; last year's estimates were a giant step forward in anticipation of full participation in the Canada assistance plan.

I can assure the hon. member for Scarborough Centre that the auditors and the analysts in Ottawa know their job and know the terms of the agreement. We had to meet the terms of the agreement. So we have that level of last year. That took a year of implementation, and I may say also a year of digestion, too, because our platter was very well filled.

In going to the Treasury board this past year, this department was aware, as all departments were aware, of the general directive, if I may use that term, the general statement issued by the Prime Minister (Mr. Robarts) a long time ago, not just in anticipation of the budget, but in speaking to the people of the province of the financial situation generally.

We, in examination of our own budget and our presentation to the Treasury, did, as will be outlined here, indicate where we could level off and where we wanted to proceed ahead. We had to, as all departments did, cut our suit to fit the cloth that was made available to us. As will be apparent, certain aspects were levelled off completely, in other areas our advance continued.

For day nurseries it was \$500,000 in 1966, last year it went to \$1.5 million, this year it went to \$1.9 million because we wanted to extend our services in that regard. Perhaps the most outstanding situation, and one which perhaps should be dealt with later on, is under the child welfare branch when we consider the growth that has taken place.

There was such a big jump from 1966 to 1967-68 that literally the cork was taken out of the bottle and the agencies received a good deal of money in accordance with The Child Welfare Act, and in the shift from 40-60 to 60-40 that took place. We provided for an advance this year again, based on the overall financial picture of the government.

There has been a decided advance, but perhaps not to the degree that some agencies expected, but, of course, just as we must tailor

our programmes to fit our budget, they of necessity will have to do the same.

**Mr. Nixon:** Mr. Chairman, it might be more appropriate to question the Minister specifically under the various grants or under the various departmental responsibilities. But just before I leave this subject I want to emphasize that I am concerned on the overall budgeting policy.

The Minister said he was well aware in advance of his budgetary decisions that there would be cutbacks compared to the rate of growth in previous years. But the way these were handled seemed to be inept in some specific areas, particularly in the light of the Minister's statement that he was aware of the requirements that they be reduced.

He knows very well the law pertaining to children's aid societies requires them to have their budget approved locally and then be sent in to the Minister's staff for perusal and approval. They had entered into many commitments that were based on the previous policy of the department which now they find very difficult to fulfil. And this may be true as well for the other branches that would come under the main office direction.

I do not really see how the Minister's statement that he was aware of the necessity to set a new approach, would coincide with the action of his department to send out restrictive guidelines for the children's aid societies which were received after their budgetary approval.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister how many are in the staff complement and their basic qualifications?

**Hon. Mr. Yaremko:** Perhaps we might leave that, Mr. Chairman, to vote 2014 in which we have the personnel branch. I direct the hon. members' attention to vote 2014. All matters relating to the staff and training will be found under that vote.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman** (Windsor-Walkerville): Mr. Chairman, both of the critique speakers made mention of a guaranteed annual income. I would like to ask the Minister's opinion concerning the guaranteed annual income.

**Hon. Mr. Yaremko:** Mr. Chairman, I suggest that the opening remarks of the three parties were to be in a general vein. We have expressed ourselves, they in their fashion, I in

my fashion. In my opinion the hon. member for Etobicoke took advantage of the great indulgence of the Chairman, to go into a very wide, global approach, if I may say, and the member for Scarborough Centre also. I will now deal with the estimates as they come.

**Mr. MacDonald:** Mr. Chairman, what about the record already on *Hansard*? Before the Minister evades the issue completely, let us put it bluntly. His department could be wiped out, and perhaps usefully, if we had a guaranteed annual income. And then, what remains of his department could really get around to what he now has vague general plans for—namely, rehabilitative work. At the moment, the Minister is going through the most tortuous form of semantics in saying that you have no categorical assistance, when you have categorical assistance. My colleague from Scarborough Centre has spelled out the myriad of categories that you are still operating on. Because you put a new kind of façade on it does not deny the fact that you still have got categorical assistance.

The fact of the matter is that the people who have to submit to the supervision of this department live in a police state—their income, their lives, how they live and what they do are subjected to a kind of police state supervision that the rest of society would rebel against. This is part of the old pattern of welfare. It part of the pattern that we are all moving from.

It is all very well for the Minister to say that he made a statement, and the hon. member for Etobicoke made a statement, and then also the member for Scarborough Centre, but he is evading the whole issue. If you are still going to play with a new façade of categorical assistance, then the need is even greater for the Minister to face up to the issue of a guaranteed annual income, so that we can get away from categorical assistance, and the police state operation of prying into the lives of a significant proportion of our people.

Give them an income, and then supplement it with some meaningful activity, on the part of this department of a social and rehabilitative nature which the Minister has at least got to the stage of paying lip service to. I submit, Mr. Chairman, that the Minister is just evading the whole issue when he says that he does not want to discuss this. I think that now is the time for us to find out whether the Conservative Party is playing with this issue of the guaranteed annual income, or whether they intend to do something about it.

**Mr. Chairman:** The member for Huron-Bruce.

**Mr. M. Gaunt (Huron-Bruce):** Mr. Chairman, does the Minister wish to comment? I am quite prepared to—

**Hon. Mr. Yaremko:** One must be very careful, I believe, Mr. Chairman, in trying to give to the public at large some sort of answer which is in the form of three neat words—a guaranteed annual income.

**Mr. MacDonald:** That is quibbling!

**Hon. Mr. Yaremko:** Mr. Chairman, those are three nice words. Guaranteed—lovely word, and not only guaranteed, but on an annual basis. And an income—now that is a lovely word, income. Three nice words.

**Mr. MacDonald:** Deal with the basic issue under discussion!

**Hon. Mr. Yaremko:** The hon. member took an hour in a global exposition of the problems relating to social welfare and I am very much aware of the global situation. My responsibility right at the moment lies within the province of Ontario. Those are the estimates that I have to guide through.

The hon. member for Scarborough Centre read in a very quiet way from a statement in which she talks about the simple question of the income tax return. I was shocked to find that she would suggest that somebody who had \$100,000 in assets with no income, \$200,000 in assets with no income, should get a guaranteed annual income.

Interjections by hon. members.

**Hon. Mr. Yaremko:** I am just pointing out to you, and making it as emphatic as possible in the kind of language the leader of the Opposition for the NDP group, uses—

**Mr. MacDonald:** You are repudiating Stanfield's assertion?

**Hon. Mr. Yaremko:** I am not repudiating anybody. I would say that this concept is one of the greatest that has arrived on the scene in the present decade. The hon. member for Etobicoke lumps billions of dollars from here and there together, and says that we are spending \$5 billion. And then he says that we can use the same money and then give a tax cut of \$875 million—

**Mr. Braithwaite:** You had left—

**Hon. Mr. Yaremko:** To whom? To the people of the province of Ontario; to the

people of Canada; to the world? These are remarks that the Provincial Treasurer—

**Mr. MacDonald:** Oh, come on now.

**Hon. Mr. Yaremko:** I would say this to the members of this House. Just as we in our 117 are completely different—

**Mr. MacDonald:** Who are you talking to now?

**Hon. Mr. Yaremko:**—so the seven million people who live in this province are different, and the people who must turn to society for assistance are different. I suggest to you that in the matter of the guaranteed income, whatever the basic premise be, the final decisions will have to await tremendous studies, and not just acceptance of that—

**Mr. Braithwaite:** Start today!

**Hon. Mr. Yaremko:** I will tell you that it is inescapable, and it is something that must be recognized, as Mr. Stanfield recognized, that the needs of the individual must and will still be there. How can the member for Scarborough Centre lump a 90-year-old resident of a nursing home with a thalidomide baby, and say that they are the same. The 27 people are of various descriptions, just as they are blue-haired, or light blue, or redheads or blondes, they are all different—

**Mr. W. G. Pitman:** (Peterborough): He did not say that, you had better listen more carefully.

**Mr. MacDonald:** You must be colour blind!

**Mr. F. Young (Yorkview):** You had better change that in *Hansard*.

**Hon. Mr. Yaremko:** Sir, I say this to you. There are different descriptions of people, and we describe the people. Mr. Chairman, the different needs will be the whole basis, regardless of whether there will be a guaranteed annual income. The hon. member for Etobicoke must make up his mind whether he wants to talk about a guaranteed annual wage or a guaranteed annual income, because they are not quite the same thing. There is quite a difference; you work for one and you just get the other.

**Mr. MacDonald:** Get back to the basic issue!

**Hon. Mr. Yaremko:** Yes, but I tell you that those three wonderful words will receive a great deal of study to note the full implica-



tions on all sides. All I can say is that it was a pleasure to read in the *Toronto Daily Star*, that has taken a very strong attitude through the years in the field of social service legislation that, in examining this problem, this proposition, it came to the conclusion that the adoption of what was presently propagated would really not make too much difference to the incomes of those people who need it in the province of Ontario. I commend the reading of that—

**Mr. MacDonald:** Is that your attitude?

**Hon. Mr. Yaremko:** Mr. Chairman—

**Mr. Singer:** Is that your attitude?

**Mr. C. G. Pilkey:** (Oshawa): You did not read that on the editorial page.

**Mr. Braithwaite:** Mr. Chairman, if I might just answer very briefly. The Minister referred to my lumping billions and billions of dollars, and so on, but it seems to me quite unfair that the Minister can quote figures from his annual report—and I presume that this is where they come from—when he has not tabled the report and there is no way we can challenge them. I think this is most unfair.

Secondly, I went to great lengths to preface my remarks by pointing out that we did not have the report and, because we did not have the report, it was incumbent on me to use other unorthodox means to put what I had to say to this House. I do not think it is fair, at all, for the Minister to be standing up and quoting figures in his preliminary speech. It is not fair for him then to try and attack figures that we have given him figures, which we have researched—as if they mean nothing.

I still say the Minister should be able—with the research staff that he has at this time—to stand up and say: this government believes so and so about the guaranteed annual income. As far as I am concerned I do not think the Minister has answered the question. I do not wish to talk too long, but he has not answered.

Interjection by an hon. member.

**Mr. Chairman:** Is the member for Huron-Bruce finished with his remarks?

**Mr. Gaunt:** No, I am just starting Mr. Chairman. I want to find out something about the board of review. This interests me—

**Mr. Chairman:** Before the member proceeds. Is there going to be any further dis-

cussion of guaranteed annual incomes? I have several other speakers.

**Hon. A. Grossman:** (Minister of Reform Institutions): What vote is that?

**Mr. Chairman:** I think the member for Scarborough Centre had only asked a question. I think she should be permitted to follow. Proceed.

**Mrs. M. Renwick:** Thank you. I would like to ask the Minister, Mr. Chairman, how he sees the role now of his department—am I correct in saying that it is a role—supplying money to those in need, and that the way of alleviating the constant growth in the number of families requiring this kind of assistance is to concentrate on rehabilitation, on prevention for the families which are the borderline families before they are on the welfare social family service rolls.

The role of prevention, the role of rehabilitation, to me, is the one way where you can see a way to the end of that alleyway that I spoke of, an alleyway that seems to have no end now.

If we are not working as hard at reducing the numbers of these families, as well as providing for them, we are just letting it grow unending.

**Mr. Chairman:** If I may interject—

**Mrs. M. Renwick:** Well, the guaranteed income—

**Mr. Chairman:** May I just interject? Would it not be better under the next vote, the family benefits branch?

**Mrs. M. Renwick:** This is what I wanted to say. Are we not in fact doing now what we would be doing with the guaranteed income? If you take your figure of the \$300 ceiling—am I correct in this?—for the family of four, father, mother and two children or four recipients, in a year it is about \$3,000. We are, in fact, now providing what would be provided, but the other system is more efficient and it removes any doubt about how it is being handled because it would be handled on the income tax form. If the people need money, it will show on the income tax form. If they have assets, it will show on the income tax form. We should concentrate the development of this department on ending the growth of the numbers of people requiring this assistance.

**Hon. Mr. Yaremko:** Actually, Mr. Chairman, I thought that I made quite clear in my

opening remarks the direction in which the government, the department is proceeding. By virtue of the Canada assistance plan, and our participation in it, we feel that we have reached a level of income based on individual needs which, although, to quote the hon. member for Oshawa, "is not perfect," at least we have reached a level of income to the vast number of our people on allowances, which number within the two programmes, family benefits and general welfare, some 300,000, I believe, in total.

Having provided the dollars through this programme, now we turn our efforts into the counselling because dollars, although they are a measure, are not the answer. That is why in the day nurseries, for example, we included in our needs test, as I pointed out, provision for debts, debts which had been incurred not necessarily in the provision of necessities or even wants of the family, but debts which had been incurred as in the one sort of outstanding example directed to our attention, gambling debts, and we have to take care of it.

The answer to that problem is counselling for that family to try to get them back on the rails. Father gainfully employed, but the money ill spent in relationship to the family.

When I made the announcement that the head of our vocational services division was going to have the dual capacity of heading the family services branch, this is an indication because ten years ago we were not counselling, as we did last year, 6,000 people to become vocationally rehabilitated.

We will now do exactly the same thing for families and persons within a much larger scope, beyond vocational rehabilitation, by the new type of rehabilitation to make them lead full, useful lives.

**Mrs. M. Renwick:** Just one more question, through you, Mr. Chairman. Can you not perhaps envisage, Mr. Minister, that this is the time when most expediently this government could get on with the programmes of rehabilitation and prevention? Am I not correct in that you have millions more dollars now and will, by 1970, have millions more dollars under this new scheme?

If you can shelve the work by determining how much money someone has; making it a law they report in the income tax form. It could be done very quickly, would you not agree, if you could, in fact, with this additional money now shelve the constant visiting, checking of the homes and people?

**Hon. Mr. Yaremko:** Of course, Mr. Chairman, we are now shifting into rehabilitation, at least putting more emphasis on rehabilitation and prevention. This we are doing now.

The guaranteed annual income—I do not know whether the hon. member could give me a firm date when that will come into effect—

**Mr. MacDonald:** Ask Mr. Stanfield. That is what he asks the people to vote on in the election campaign.

**Mrs. M. Renwick:** You know the government axiom, "Do not wait until spring, do it now!" This is the time.

**Mr. Chairman:** The member for Huron-Bruce.

**Mr. Gaunt:** Mr. Chairman, I want to find out something about the board of review. I recall when the bill was before the House dealing with this matter. I want to find out something about the operation of the board.

I ask that question against the fact that I have had, as other members have had, a great deal of difficulty with disabled pensioners. It seems to me that a person, in order to qualify for a disabled pension, has to be down and out to the extent that they can hardly flutter an eyelid before the department will give them a pension.

I am wondering, first of all, if when an applicant is turned down in the first instance, is it a proper procedure for that applicant to be placed before the board of review at that point? If so, what is the procedure in doing that?

In addition, I would like to know the numbers of the board. I do not know whether that has ever been given to the House and the salaries of those members. I notice that the amount in the estimates is \$146,000.

**Hon. Mr. Yaremko:** Mr. Chairman, I must say that I cannot report, at this time, on the board of review. This is one of the specific chores that awaits me as Minister as soon as I can cope with it. I initiated—began to take steps—prior to the bill to seek our personnel in respect of the board. They have not as yet been appointed and, of course, until they are appointed, appeals cannot be heard.

I may say, if you will recall the terms of the bill and perhaps not sufficient attention was directed to it, in working out the terms of appointment of the board of review, we did so strictly within the four corners, if I may use an old expression, of the McRuer

report. In the McRuer report and its implementation one finds one of the things that is now incumbent is that when you make an appointment, you have got to make sure that that appointment is the right one. I have made enquiries about individuals who might be available for service on the board. I may say, when it comes to the chairman of the board, my mind has not, as yet, been fixed on any one person.

**Mr. J. B. Trotter (Parkdale):** How long will it take?

**Hon. Mr. Yaremko:** That will be a major decision because, in my opinion, whoever is chairman the board will really, as so often happens, be the chairman and *vice versa* because he will give it leadership and it is especially—

**Mr. Singer:** The is what chairmen are for. How long?

**Hon. Mr. Yaremko:** —especially important when that board is yet to come into being.

We have all the money. We have tentative plans. This is an area, for the size of the province of Ontario, in which, really, we will be pioneering. All I can say is this, that I am hopeful and I feel it is the opinion that presently the department is acting in a way that it will lean absolutely backward in favour of those who feel that they should be receiving some sort of—

**Mr. Trotter:** Have you no idea at all?

**An hon. member:** Well, Mr. Chairman—

**Mr. Chairman:** Order! Order, please!

**An hon. member:** Mr. Chairman, on the same point can I—

**Mr. Gaunt:** Mr. Chairman, may I follow up just for a moment?

I am wondering what the exact procedure will be in appealing to that board of review. Does the Minister have it solidified in his mind to the extent that he has the procedure laid out? What I am asking is, that if an applicant for disabled pension is turned down, can that applicant in turn appeal to the board of review and have that appeal heard at that time? Is there any time limitation?

**Hon. Mr. Yaremko:** Mr. Chairman, the general framework and the general skeleton have begun to take form. We envisage that as people apply, or are referred to the department, or the relevant departments, for

assistance, there will be a communication back and forth.

The hon. member for—the leader of the NDP talks about a police state, but the only way that you deal with a person's problem is actually communicating. You have to speak to them. You have to have forms filled out. You have to find out what their background and their needs are and you come to an assessment.

We hope that that will be the initial stage. We hope that, prior to an appeal, there will be again a full communication back from the department to the individual, setting out, in as extensive detail as possible, why that person is not entitled, under the statute—the regulations—to assistance, in order to make sure that our judgment is based on all the information available. The applicant having read our reasons and if, in some way, our reasons are faulty, or based on either misinformation or lack of information, we hope to set up a procedure that there will be communication again in reverse from the applicant to us.

In as expeditious a way as possible, we will again review the matter within the department, long before any formal steps have taken place. Then, within the department, a decision will be made. It will go back to the applicant and, I trust, with information setting out the rights that he will have to appeal to the board of review, which we envisage—and we have set it up—will sit throughout the province, consonant with the money available, to be able to assist the applicants in presenting their case.

I am hopeful that the number of appeals will be very few, because anybody who goes to a board of review will have had his case very thoroughly gone into before that time arrives.

**Mr. Chairman:** Would the member for Scarborough East yield the floor to the member for Etobicoke?

**Mr. T. Reid (Scarborough East):** Does this mean I will lose my turn?

**Mr. Chairman:** No, no.

**Mr. Braithwaite:** If I recall correctly, Mr. Chairman, when we were talking about 10-acre lots and revisions to The Planning Act, the Minister of Municipal Affairs (Mr. McKeough) was able to rush through an amendment and bring the Lieutenant-Governor in here to stop things quickly.

When we were talking about divorce and the need to have our laws brought into line



with the requirements of the federal laws, we were able to do the same thing.

Now, the only thing I am asking this Minister is, does he not think people are as important as 10-acre lots? After all, if he could do that to stop people trading in lots, I do not see why the Minister does not know that he has a \$146,000—he made allowance for. I do not see why he, first of all, cannot tell us what sort of salary he has in mind. Secondly, I cannot, for the life of me, Mr. Chairman, understand why he could not have made exhaustive enquiries and come up with a suitable group of people to staff the board. We suggested that he choose some of the members of the disadvantaged, some of who might be on welfare, to sit on this board. I am certain that if he had any difficulty he would have been able to get an awful lot of alternates.

The only other question I have is, why is the Minister stalling with this?

In the McRuer report it is specifically set out that the writer felt that there would be a backlog of cases. If this is true, then I am wondering what is happening to this backlog. There must be a huge backlog by this time. The writer of that report was quite worried about the fact that you might need regional boards instead of the travelling board the Minister envisages. Why has the Minister not done anything about this before now?

An hon. member: Tory government—

Mrs. M. Renwick: Point of order, Mr. Chairman.

Mr. Chairman: Is the Minister going to offer any replies? All right, the point of order, please.

Mrs. M. Renwick: Did we lump together some of the items, Mr. Chairman, or are we dealing with a specific item? Did I miss item 4? Was it called?

Mr. Chairman: The chairman has not called the vote item for item. We are dealing with the whole vote.

Mrs. M. Renwick: Thank you.

Mr. Chairman: The member for Scarborough East did yield the floor to the member for Etobicoke, but the member for Beaches-Woodbine had been trying to get the floor previously, so I recognize—

Mr. J. L. Brown (Beaches-Woodbine): Mr. Chairman, on a point of order. I will be very brief.

Mr. Chairman: I want to be fair to both the Liberal Party and the New Democratic Party.

Mr. T. Reid: Mr. Chairman, I would like to return the Minister's attention to these three-word concepts—guaranteed annual wage, guaranteed annual income and negative income tax. The Minister is, I am sure, aware of the difference between them. The guaranteed annual wage leaves out people who are not working in the labour force. The guaranteed annual income is a comprehensive programme. The negative income tax is based on a type of needs test, people fill out their income tax forms for it.

I would like to make the following statements for the Minister's consideration, particularly in regard to doing research in this area. All three concepts are really drastic schemes for income redistribution. But, unlike five years ago and especially 10 years ago, we can distinguish these concepts and these proposals in two ways. First, Canada, and Ontario in particular, now enjoy sufficient economic prosperity to sustain large amounts of redistribution. Secondly, the basic redistribution idea, and in particular the negative income tax idea—which I would like to refer to—has now gained a broadly-based if tentative respectability.

Now these are two changes over the past five or 10 years. This is why the concept of the negative income tax, if you like, or these other concepts, is now very important.

However, I would like to point out to the members of the House as well as to the Minister, Mr. Chairman, that a major apprehension of these types of schemes centres around the question of incentives. The type of questions the Minister must ask himself, if he is serious in the statement that he is considering such substitute mechanisms for his department in particular—he must consider the following questions:

What are the possible bad consequences of any such scheme on the incentive structure of our society? That is, the possible effects on the way private and individual choices are made in a decentralized free-market type of economic system. Such decisions as work versus leisure. Spending versus saving. And human investment, in terms of personal development, versus the drop-out turned-on syndrome. These are critical and crucial choices because, upon their outcome, depends the continuation of the economic productivity in Ontario required for sustaining any basic plan of drastic income redistribution.

Now with those comments, Mr. Chairman, I would like to refer the Minister in particular, to some studies that are being done on the incentive effects of such drastic redistribution measures which could be a substitute for many of the Minister's programmes. The study is by Professor Harold Watts; I believe it is being done at the institute for the study of poverty in the United States. It is titled, "Graduated work incentives progress towards and experiment in negative taxation."

Mr. Chairman, I would like to quote three short paragraphs from this report so that the Minister will see that he would be respectable in doing research into this area. I have a feeling that he feels this type of thing is somehow not respectable; somehow way-out radical.

**Hon. Mr. Yaremko:** Mr. Chairman, when the hon. member uses language like that I rise on a point of order. There is nothing in vote 2001 that relates to the guaranteed annual income. You have been very indulgent and we have been doing this. I would suggest this, that if the hon. member wants to make his speech on the guaranteed annual income, the budget debate will be the proper place. There is nothing in this item, Mr. Chairman, to deal with the guaranteed annual income and I take that position at this time.

**Mr. Chairman:** Vote 2001 is the vote on the main office and we had entertained general discussion in some of the departments which I think is proper. But as the Minister has said, there is nothing in this vote. It has been quite a lengthy comprehensive submission made by the lead-off speaker for the Liberal Party. It would appear that the member for Scarborough East has some fairly lengthy comments and I hardly think they are proper at this time.

Revert back to the estimates.

**Mr. T. Reid:** Mr. Chairman, I would like to rise on a point of order in that case. Other speakers have discussed this, that is true. We are, however, referring to the decision-making function in the Minister's head. He has referred to the fact that he is concerned with these proposals, that he would perhaps consider doing research on them.

I would like to have an opportunity, as other members have had, of drawing the Minister's attention to research in this area which he and his department might find quite profitable. I do not apologize for the length. I do not think that should be a reason for my not making these comments.

**Mr. Chairman:** No, I agree with the member, there is no time limit to the length of debate or the number of times a member can speak, but surely—

**Mr. L. M. Reilly (Eglinton):** He is out of order, that is all.

**Mr. Chairman:** We have had quite a lengthy submission on this very point and I would think that to repeat this—if every member were to repeat the same thing, we would never ever get through the estimates.

**Mr. T. Reid:** I submit, Mr. Chairman, I am bringing to the Minister's attention some new material which he should consider in order to restructure and to redesign his department.

**Mr. MacDonald:** You should have been the lead-off speaker.

**Mr. Chairman:** As I suggested the lead-off speaker had the opportunity to do this, which he did do. I do not think that—

**Mr. T. Reid:** Mr. Chairman, I would just like to record that I object very strongly to the ruling. It is muzzling.

**Mr. Chairman:** On vote 2001, the member for Beaches-Woodbine.

**Mr. Brown:** I would like to raise some questions with the Minister, through you, sir, on the board of review. I gather from the material presented to us that some \$60,000 has been expended to date on the board of review. I would like to know what that cost pertains to. I would like to know what the Minister anticipates in his projection for the coming year of \$146,000, as the cost for each case of review. How much is it costing to review case by case, as far as you anticipate it?

**Hon. Mr. Yaremko:** Mr. Chairman, as I indicated we are moving into an area where we will be pioneering. I will be able to tell you a year from today what it cost for each case in retrospect. I cannot tell you in advance. We have provided \$146,000 for all the needs as we estimate them for the board of review for the coming year.

**Mr. Brown:** I would like to get some information on what you are estimating the cost per case to be. Obviously your estimates last year of \$60,000 have been revised and you are now talking about \$146,000, an increase of \$86,000.

**Hon. Mr. Yaremko:** An amount of \$60,000 was not expended. There was no board of review last year.

**Mr. Brown:** All right, so it had not opened and you are anticipating future costs. You calculate on the basis of that, some kind of a unit, some kind of a cost per unit. What are you anticipating it will cost you for each case of review? How many cases do you anticipate?

**Hon. Mr. Yaremko:** That is not the way we arrived at that estimate. There is no way of knowing today how many appeal cases there will be; it will be one of the functions of the department to so adequately and fairly deal with all matters that the number of appeals will be kept down to a minimum.

**Mr. Brown:** Then perhaps you will share with us how you did arrive at the figure of \$186,000? What it entails? It must be anticipated that it is going to be spent for something and—

**Hon. Mr. Yaremko:** Yes, I do. We have salary for the chairman, \$15,000; salaries for eight members at \$12,000; two secretaries, \$10,000; travelling expenses, \$18,000; office equipment and costs, \$7,000; for a total of \$146,000.

**Mr. Brown:** Do you have any concern about a review board being under the direct administration of the department whose programme is being reviewed?

My concern comes when you pay these gentlemen a handsome salary—these gentlemen and ladies. How do you expect them to impartially review the work of your department under those circumstances?

**Hon. Mr. Yaremko:** Mr. Chairman, this matter was very fully gone into when the legislation was passed. The terms of engagement are set out in the legislation. They will have, from the initial appointment, a tenure of office of three years. There will be sufficient independence, I believe, for them to carry out their functions as the legislation set out that they should do. They are to be appointed as an independent board of review.

**Mr. Brown:** Is it the intention of the department to have them represent the various segments of the Ontario community? In other words, will there be people who have been recipients of the department's services on the board of review?

**Hon. Mr. Yaremko:** Mr. Chairman, these matters were gone into very fully at the time the bill was discussed; the questions and answers are in *Hansard*. The hon. member for Scarborough Centre raised the issue. I have pointed out to her that immediately upon appointment anybody who was within that category would be immediately out of that category. This is one of the kinds of things the board of review will be, I hope. It will be a broad representation of the population at large with due representation from those types of professional skills which should be brought to bear in this type of a situation. But there will be a good leavening, I think, of the professional skills with the broad approach that the average layman with commonsense and the experience of living would bring.

**Mr. Chairman:** The member for Downsview.

**Mr. Singer:** Mr. Chairman, I want to ask the Minister—on that board of review, is there not a compulsion in the federal Act that would set it up?

**Hon. Mr. Yaremko:** We have met the requirements.

**Mr. Singer:** Yes, but are you not supposed to have it started by July 1? It is my understanding that in order to participate, first you have to set it up, which you did by passing the Act; but secondly, does it not have to start by the date fixed in the statute? No date in the statute at all? You can start it at any time?

**Hon. Mr. Yaremko:** We intend to move as quickly as possible, as soon as I am able to choose the type of personnel that we feel should serve on the board.

**Mr. Singer:** What does as quickly as possible mean? Does it mean by July 1?

**Hon. Mr. Yaremko:** If the man is outside that door, it will be that quick. If he is not outside that door, well, it may take a little longer.

**Mr. Singer:** It is difficult to get the Minister pinned down. I wanted to ask him about this item 8, in vote 2001, the grant to the soldiers' aid commission as provided by the soldiers' aid commission, at \$21,000. I have had a look, Mr. Chairman, at The Soldiers Aid Commission Act, and the grant apparently is made under the provisions of section 4 of The Act, which provides that



money should be granted in the amount that is deemed expedient.

It seems to me that the amount that has been deemed expedient for three years at least, and probably more, has been \$21,000. It is another category that the hon. member for Scarborough Centre might have wanted to add to her list. I do not think she had that one in.

But this all relates back to World War I. I wonder how carefully we look at this, or whether this is just an item that just keeps on being repeated and repeated, and if there are not other ways to look after the people who were supposed to benefit who are veterans of World War I, for instance, their children to some extent, and their widows to some extent. The youngest person who would be available to benefit under this Act as I very quickly read it, would be at least aged 70 now, presuming that he was the veteran in 1918 at the age of 20.

It would seem to me that with old age pensions and veterans' allowances and so on that there should be a number of other ways. But added to the general categories that you have in your department, or non-categories, however you want to term it, the necessity for maintaining a separate board for The Soldiers Aid Commission Act perhaps has gone. Perhaps the time has come to get rid of this board, and to use the money generally in a better way.

**Hon. Mr. Yaremko:** As a matter of fact, Mr. Chairman, these amounts provide for salaries. The number of dollars do not really reflect the kind of service that has been rendered through the years. But it is true that as the years have gone by, the number of persons who come within the ambit of this type of activity are fewer, and then, as all other programmes are enlarged, the necessity for additional or individual type assistance has dwindled down. I have in very recent times been discussing with the chairman the very matter that the hon. member referred to. The matter has been under continuous review, and they are taking a hard look at this function, because it relates not just to this particular vote of \$21,000 which is just part of the funds, but the activity relates to the whole of the trust funds and the canteen fund which is at the disposal of the commission as they disperse the funds.

**Mr. Singer:** Leading from that then, Mr. Chairman—

Interjection by an hon. member.

**Mr. Chairman:** Point of order. Will you state your point of order?

**Mr. Pilkey:** Could we discuss these items in the estimates, perhaps under vote 2001, and then go in numerical order, instead of going all over the place? There was some discussion here on the review board, and I do not want to preclude the member.

**Mr. Singer:** Thank you very much.

**Mr. Pilkey:** I thought that we should stay on each item. The review board was being discussed, and then we went off the review board, and somebody will come back to it.

**Mr. Chairman:** May I point out to the member that we have not been taking vote 2001, item by item. The point has been raised before and we permitted general discussion on the total vote.

The member for Downsview.

**Mr. Singer:** Mr. Chairman, to return back to this item, grants to soldiers' aid commission, the Minister advises us that the \$21,000 is substantially all salary. Could you give us the details of the salaries that are paid?

**Hon. Mr. Yaremko:** There is \$10,000 in salaries, and \$11,000 for the assistance. In addition, they have the several trust funds available at their disposal, and it is the money really that is involved in the trust funds which relate itself to the type of thing that the hon. member has been discussing as to whether those funds are being used in 1968 to the best way possible. That is being under review.

**Mr. Singer:** Who are the people who are getting salaries? You cannot have too many, if your total salaries are only \$10,000.

You have two people. Are they full-time employees, or are they otherwise employed in the department, or in the government service?

**Hon. Mr. Yaremko:** They are full-time employees with the commission.

**Mr. Singer:** Full-time employees with the commission at \$5,000 a year each?

**Hon. Mr. Yaremko:** But other members of the commission serve free of charge.

**Mr. Singer:** Yes, well the statute provides that they must.

How many dollars do they administer?

**Hon. Mr. Yaremko:** The year ending March 1967, they dispersed \$62,000.

**Mr. Singer:** They dispersed \$62,000. Mr. Chairman, I think the auditor commented on this thing. The Provincial Auditor commented on this fund a couple of years ago, and we raised it in connection with his department. But it is here again. I think the auditor, if my memory serves me right, made recommendations that there could be a more efficient way of looking after this, if there is any necessity to continue it at all.

And here it is again, and while the Minister says he is making enquiries, we still have a budget item there of \$21,000. It would seem to me that with the comments made here today and the comments that the auditor made a year ago that we should get a little faster action in getting rid of something that does not seem to be too pertinent any more.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister how many applications were turned down by his department last year?

**Hon. Mr. Yaremko:** Under the soldiers' aid commission?

**Mrs. M. Renwick:** No, speaking also to the board of review where people can now go when they have been turned down for assistance under The Family Benefits Act and The General Welfare Assistance Act.

**Hon. Mr. Yaremko:** I think perhaps we might deal with that under the terms of The Family Benefits Act when we come to dealing with the specifics.

**Mrs. M. Renwick:** Mr. Chairman, what I would like to know is this, how many people were turned down last year? Well then, could we ask another question? The people who were turned down by the department last year, have they been advised that they may now appeal to a board of review, since there is now a board of review to be established?

**Hon. Mr. Yaremko:** Mr. Chairman, there is no board of review so there cannot, at this time, be an actual appeal. However, there never is a time limit on an application. There is no statute of limitation with respect to any application. An applicant can apply and re-apply and re-apply as often as he or she feels that she or he is entitled to a benefit.

**Mrs. M. Renwick:** Mr. Chairman, when the board of review is established, when the

department has had to turn down an application for assistance, how will the people be advised, and will they be advised by letter that they have a right to request a hearing under the board of review?

**Hon. Mr. Yaremko:** It is our intent to let the people know that there is a provision for an appeal, and I have no doubt that that will be common knowledge after no period of time at all.

**Mrs. M. Renwick:** The Minister heard earlier where I stated that the workers under the big brother movement were advising mothers of their rights and the social agencies available to them because people just do not know automatically about services. I would suggest that we could have a straight yes or no answer—will the people be advised by letter when they have been refused assistance; why they have been refused; and that they may request a hearing by the board of review?

**Hon. Mr. Yaremko:** I said earlier, Mr. Chairman, they will be very fully advised, and the spirit will be the communication between the applicant and the department why their application has not been granted. Within that format they will be advised in writing of their rights of appeal.

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I just wanted to make few remarks in regard to the review board that is being mentioned. I know some when they hear what the salaries are that the members of the review board will be receiving might think that the pay is high, but I, for one, do not object to the chairman receiving \$15,000 or the members of the board receiving \$12,000 provided, and this is an exception, that you retain highly trained people for the work.

I am amazed when salaries of that range are offered that the Minister has not been able to form the board by now. We in the city of Toronto, in the province of Ontario, are particularly fortunate in the number of highly qualified people in welfare work. Unfortunately, over the years people who have been in this field of endeavour have not been receiving the pay they should receive. There is too much of the old Victorian view that the successful person is the one who can make a big killing in the business field, and somebody who maybe goes into the ministry or in welfare work just does not earn so much pay because they are not so smart. The truth of the matter is that one of the reasons the world is in the mess it is today is that not

enough impetus has been placed in obtaining leadership in this type of work.

I think it is most urgent that the Minister does obtain the personnel. I think he is to be faulted that this review board has not only not been appointed but is not at work because certainly it is not for lack of having good people, particularly in this area, that could serve.

There is one thing that concerns me about any board that is appointed. I hope it does not become like the parole board was for so long—a dumping ground for defeated Tory candidates. I know the man I defeated ended up on the parole board. The former member for Dovercourt's ex-opponent ended up on the parole board. So whatever you do, be sure that they are literally people of a non-political background because if they are defeated Tory candidates the only welfare they would understand is the pork barrel. This is something we have to watch out for.

I emphasize that it is urgent that these people be appointed, that they be highly trained. They do not necessarily all have to be people who have been strictly in the welfare field but, essentially, it would seem reasonable that the chairman or the people who for the most part would be on that board would be people who spent their careers dealing with people who need the type of assistance that the review board could give. This has been good legislation, the review board legislation, but you have been delinquent in bringing it into effect. Why you drag your heels on this issue I do not know, because it is certainly not because of a lack of having good people.

There is one other thing I would like to say on this main office while I am on my feet. Maybe I can say something nice; not nice about the government, but at least about one individual. That is I think all the members in this House are happy to know that the Deputy Minister has been improving in health, and we regret that he has been ill for so long. I hope the Minister, Mr. Chairman, will send the regards of this House to Mr. James Band, because he has been of great assistance, not just to members of the Legislature but to many thousands of people throughout the province of Ontario. I hope the Minister would take those to him.

I would like, Mr. Chairman, to ask the Minister about the Canada assistance plan and how it affects grants made by the province; would it come under this vote or under vote 2002?

**Hon. Mr. Yaremko:** It will come under vote 2002. And some of the others, too.

**Mr. Trotter:** I will wait for them.

**Mr. Chairman:** The member for Scarborough Centre had another question.

**Mrs. M. Renwick:** Speaking to item 4, Mr. Chairman, could we have a list of publications and in what languages from the Minister?

**Hon. Mr. Yaremko:** Actually, Mr. Chairman, at the present time, there is a woeful lack of publications within the department. I do not think I can give the hon. member the list of any publications except with respect to the Acts and regulations which have been reproduced as they have been implemented. However, there is in process the brochure which is being prepared under the aegis of The Department of the Provincial Secretary and Citizenship, the small brochure which is being revised in the light of our new programme.

All our publications will more or less be out-of-date and we will have to start from scratch in order to let the people know what our new programmes are. Those brochures, I believe, are prepared in 13 different languages; 11 in addition to English and French.

**Mrs. M. Renwick:** Perhaps, Mr. Chairman, if I could just say to the Minister that if we did have a comprehensive list of brochures of services available it would help the problem of communication.

**Hon. Mr. Yaremko:** I wish to assure the hon. member that that is something I am going to devote a fair amount of time to.

**Mrs. M. Renwick:** In multiple languages? Are the Minister's own future plans in more than one language?

**Hon. Mr. Yaremko:** The Department of the Provincial Secretary takes care of the multi-language aspects.

**Mrs. M. Renwick:** Mr. Chairman, item 7, unforeseen and unprovided, \$20,000. I notice last year there was a \$5,000 provision and I could not help but think of the former member for Woodbine; if he were here he would be apoplectic at this particular increase. Is there some explanation—

**Mr. J. H. White (London South):** That was a chronic condition.

**An hon. member:** It was the government that made him that way.



**Mrs. M. Renwick:** —why it is not provided for in any other way than just simply unforeseen and unprovided, in the amount of \$20,000?

**Mr. Trotter:** It is not a hospitality fund, is it?

**Hon. Mr. Yaremko:** Actually, Mr. Chairman, when you consider that there is a budget of \$227 million, that unforeseen and unprovided amount is a modest sum. Anybody who in their own household could look ahead to the future year for their family requirements that close would be well off.

**Mr. Trotter:** It is still \$20,000.

**Hon. Mr. Yaremko:** Yes, it is, which has to be accounted for in the public accounts. Surely the department is entitled to a little bit of leeway? I can tell you it is very little in this regard and it is not at the discretion of the Minister.

**Mr. Singer:** Whose discretion is it at?

**Hon. Mr. Yaremko:** Actually, the Treasury board.

**Mr. Singer:** The Minister requisitions it.

**Hon. Mr. Yaremko:** It has to be passed by the Treasury board that passes on the estimates in total to begin with.

**Mr. Trotter:** That is the same as any other vote.

**Hon. Mr. Yaremko:** For example, in 1965-1966, we paid for special medical and surgical treatment for blind persons out of this particular amount.

**Mrs. M. Renwick:** Mr. Chairman, may I ask what the actual unforeseen and unprovided figure was for the fiscal year ending March 31, 1966?

**Hon. Mr. Yaremko:** For 1965-1966 there was a budget appropriation of \$5,000 and we expended \$3,124.

**Mr. Chairman:** Did the member have very much more? It is 6 o'clock; does the member think she can finish? If it is just a few moments, it is all right.

**Hon. Mr. Yaremko:** Let the hon. member talk on.

**Hon. Mr. Grossman:** She is only filibustering, anyway.

**Mrs. M. Renwick:** It should not take long.

Item 8, an explanation, please, of The Soldiers' Aid Commission Act?

**Hon. Mr. Yaremko:** Mr. Chairman, I referred to the fact only a minute or so ago. The hon. member for Downsview and I had a full discussion; this whole matter is being reconsidered by the—

**Mrs. M. Renwick:** Being 6 o'clock, Mr. Chairman?

**Mr. Chairman:** Well, proceed.

**Mrs. M. Renwick:** How many applications for grants were turned down and for what reason were they turned down? Did any of the applicants for grants listed here request more?

**Mr. Nixon:** Mr. Chairman, I draw your attention to the fact that it is 6 o'clock.

**Hon. Mr. Yaremko:** Mr. Chairman, to my knowledge no grants were refused and I think everybody here got what they wanted, plus an increase in respect of the Ontario welfare council.

It being 6 of the clock, p.m., the House took recess.









ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Tuesday, May 21, 1968  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

THE QUEEN'S PRINTER  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MAY 21, 1968

The House resumed at 8:00 o'clock p.m.

## ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES (Continued)

On vote 2001:

**Mrs. M. Renwick** (Scarborough Centre): I have a question about the Vanier institute, as to how the sum was arrived at, and what the Vanier institute is doing.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Chairman, the Vanier institute is a new institution, and this is the first time that this has shown. In August of 1967, a grant of \$125,000 was made. The set-up of the Vanier institute is that it has gathered together a capital sum of money which, I think, will be in the amount of \$8 million as an endowment fund, and it is to use the interest from that for the purpose of operating the institute. The federal government is contributing \$2 million, and will also match any other contribution such as our proposed \$500,000; so that the minute that we gave a promise of \$500,000—in four equal instalments—the federal government was then committed to giving an extra \$500,000. In this way, the two governments were able to raise \$3 million. Whatever any other province gives, or any other private corporation gives, will also be matched by the federal government.

As an educational agency, the Vanier institute is to convey to people the information and recommendations that will help families to help themselves. It will provide a meeting place for the professional concerned with families, including several branches of medicine, clergy, nurses, teachers, lawyers, social workers, town planners, economists and others. It will help to convene regional and national councils where knowledge about the family in particular, and in general, can be exchanged to investigate, correlate, stimulate and assist research into all aspects of the family. It will work with existing organizations, and to help co-ordinate their activities, and to fill in gaps. It will never duplicate unwisely.

It will endeavour to encourage courses on instruction for young people before and after marriage. So you can see that it deals with the terms of the family on a very broad scale nationally, and in very broad terms with reference to the family unit.

**Mrs. M. Renwick**: Could the Minister advise as to the over-all budget of the Vanier institute, and as to what liaison is set up between this government and the people of the Vanier institute?

**Hon. Mr. Yaremko**: Well, as I said, the capital endowment fund that it hopes to have is \$8 million. Now, if it can invest that at the current rate of interest—even in bonds—at 7 per cent, that is about \$500,000 income to be arrived at on an annual basis and that is the funds it intends using. Initially, because of the nature of the grant that was requested, correspondence was with the Prime Minister (Mr. Roberts), and with the Minister of Education (Mr. Davis). But the matter has been turned over to this department, which made the original recommendation of \$125,000 for a period of five years; so that we will be the agency that will be in contact with the Vanier institute.

**Mrs. M. Renwick**: Under item 9, are there receipts as to how these moneys are spent so that it might be judged if they actually are in need of more funds from this department? Have they never been turned down for additional funds above these amounts that are here?

**Hon. Mr. Yaremko**: Grants, Mr. Chairman, have traditionally been outright grants. The request is made, it is reviewed and the grant is made. I think, however, in view of the fact that the government is getting into the provision of funds in this sector—to be spent by others on a greater scale—that this whole matter will come under review. It would seem to me that the taxpayer's dollar, regardless of whom it is spent by, should be subject to the same controls and the same supervision.

**Mr. Chairman**: The member for Waterloo North.

**Mr. E. R. Good** (Waterloo North): Mr. Chairman, under section 9, item e, the last



post fund payment of \$1,000. I would like to say just a few words. Mr. Chairman, the fund is used to provide funds for funeral expenses for returned soldiers who have absolutely no other way to pay burial costs. These are men who are not eligible for Department of Veterans' Affairs grants, nor are they in receipt of veterans' assistance allowance to make them eligible; nor would they be eligible for an indigent burial.

It has been well known for many years that the funds provided through the last post fund are not even up to the standard or comparable to indigent burial rates in the municipalities around the province, and while I cannot begin to think that this thousand dollars has in any way helped the last post fund to provide adequate funds for burial, I would like to think that the Minister will look into the matter and see if additional provincial grants cannot be made so that the burial grants under the last post fund could be brought up to the standard of at least the indigent burial rates in the municipalities in the province.

**Mr. Chairman:** The member for Beaches-Woodbine.

**Mr. J. L. Brown (Beaches-Woodbine):** Yes, Mr. Chairman, under section 9 of the miscellaneous direct grants of your department, I see that their number of grants have been reduced from 18 requested last year, to eight requested this year, while the sum to be expended through these grants has risen by about \$39,000. The question, Mr. Chairman: Is there a policy of the department to discourage grants to private organizations operating? On what philosophy are the grants given to the various people that submit them to you?

**Hon. Mr. Yaremko:** Actually, Mr. Chairman, the grants as they were listed last year have not been reduced, and in the miscellaneous grants here they have been transferred to other votes. And, Mr. Chairman, in order to expedite the business of the House, we tried to put all related items under one heading so that when we are discussing an item, we give the number of the vote, and we will talk on all items within that particular vote.

With respect to the application for grants. Each one is considered on its merits in relationship to the type of programme that is contemplated, what they propose doing, what the government is doing in the field, and whether it is, very often, an experimental type of situation in which this may receive money for future programmes.

**Mr. Brown:** Do I understand the Minister, Mr. Chairman, to say that he is attempting to stimulate certain areas of programmes to these grants, or is he patching areas where services are lacking? What exactly is the purpose of this grant programme?

**Hon. Mr. Yaremko:** The grants that are listed in item 9 are grants that have been in existence for a number of years, and remain the same. We pass judgment on them. We feel that they are fulfilling a good job—the member for Downsview (Mr. Singer), raised the point about the soldiers' aid commission, in item 8. These items will also come under review to make sure that the moneys are being spent in 1968 in the same way that they were when the grants came originally into being.

There are no grants here that will be stimulating anything new. Those will be in other areas if necessary.

**Mr. Brown:** Mr. Chairman, is the Minister saying that these are grants given to organizations that are performing tasks which his department, or which the department under consideration, cannot perform?

**Hon. Mr. Yaremko:** No, not necessarily. There is a job to be done, and it has been felt in the past that this particular agency could fulfill the job, and we supplied them with additional funds. They have considerable moneys of their own. For example, I am sure that in the Canadian legion the sum of \$5,200 is very small in proportion to the overall funds which the Canadian legion raises for—

**Mr. E. W. Sopha (Sudbury):** You might almost say niggardly. Niggardly is a better word than small.

**Hon. Mr. Yaremko:** Not at all, these are the amounts that are considered to be fair under all the circumstances.

**Mr. Chairman:** On vote 2001. The leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** I would like to ask the Minister what the involvement of the federal government is, in dollars, in the work of his department, and if that amount is covered by votes as an offsetting entry in the various votes which will be before us once we leave the main office?

**Hon. Mr. Yaremko:** Mr. Chairman, the amount quoted is now the gross sum; we are voting gross amounts and the accounting

will appear in the public accounts. The credits and debits will be appearing, do appear and will continue to appear in the public accounts. The programmes that are related to the federal government are usually spelled out as those that come under the Canada assistance plan, the vocational rehabilitation services plan, the Indian welfare services agreement, the Indian development agreement, and then there is still the continuing unemployment assistance of The Municipal Welfare Assistance Act.

**Mr. Nixon:** So that, as you say, the amounts in votes following the first one are gross amounts, and some of those amounts will be offset by federal grants?

**Hon. Mr. Yaremko:** Yes.

**Mr. Nixon:** Could you tell me the total amount of federal funds that are applied by your department? That is in the budget of \$227 million that you are asking us to vote.

**Hon. Mr. Yaremko:** Yes; \$115 million.

**Mr. Sopha:** Do you suppose the Premier will mention that figure in Winnipeg tonight?

**Hon. Mr. Yaremko:** I have mentioned the participation of the federal government on quite a number of occasions.

**An hon. member:** We just wanted to know.

**Mr. Sopha:** Have you mentioned it recently?

**Hon. Mr. Yaremko:** Yes.

**Mr. Sopha:** Where?

**Hon. Mr. Yaremko:** It is in the remarks that I made this afternoon.

**Mr. Sopha:** Is that right?

**Hon. Mr. Yaremko:** Just so that we will have a proper perspective. Some remarks were made about it earlier—our participation in the Canada assistance plan. I am delighted to inform the members of the House that we have participated to a far greater extent than anybody. I will mention her name now, because I intended to mention it later. We have with us this evening the very capable executive director of the finance and administration section and she has seen to it that every single dollar that we are entitled to from Ottawa has been paid and on time.

**Mr. Sopha:** Well now, since the Premier of Ontario is taking an official stand tonight in Winnipeg on behalf of this government, would

you wire him in Winnipeg and ask him to mention that figure?

Interjections by hon. members.

Vote 2001 agreed to.

On vote 2002:

**Mr. J. B. Trotter (Parkdale):** I think that under this vote, Mr. Chairman, we can discuss the grants under the Canada assistance plan. I understand that the way this system works is that the municipality pays 20 per cent and the remaining 80 per cent of a grant is split, 50-50 by the federal and provincial—

**Hon. Mr. Yaremko:** That is the next vote, Mr. Chairman.

**Mr. Trotter:** That is the next vote?

**Hon. Mr. Yaremko:** Yes.

**Mr. Trotter:** Just make sure of that. Right.

While I am still on my feet, I can ask this question. Is there any possibility of the government—and I have asked this before—of the government changing its policy of encouraging people to live in sin? This comes under the grants—No. 7, allowances in accordance with The Single Persons Act. I have brought examples such as this to the department and each year I have enquired in the hope that there might be a change. But if I may give you an example: If a man is receiving a disability pension and then marries, and his wife has even a small income, just enough to disqualify him from receiving the pension he is then cut off. Yet if he did not marry, but just lived with her in sin, he could continue to get the grant. This is the way the rules are in this province and I was hoping that with a new Minister some attempt might be made to change the rules and regulations. I would like to ask the hon. Minister if he has any intention of trying to change them?

**Hon. Mr. Yaremko:** I do not intend to discriminate against those who are lawfully married.

**Mr. Trotter:** That is no answer. This is the situation. That is a stupid sort of an answer; you are evading the problem. It is time you quit giving these circuitous answers that you have been giving. I am telling you that this is going on in many cases. I had one example and I went into detail; I am not going to repeat any names, but why do you not change the regulations whereby if a man is disabled and is married he cannot continue to get the

grant? In effect, if people wanted to be immoral, they would be paid, but because they have some moral standards this government will cut off the person seeking a pension. These allowances are typical where a deserted wife will receive an allowance.

Often if a man is unemployed, he has to be employable, a grant cannot be paid to the wife so they fake the fact that the husband has left the home. This is a policy that has existed in this government for some time. I think it is about time you used some common sense.

**Mr. M. Shulman (High Park):** The Minister is encouraging immorality.

**Mr. Trotter:** I wish he would not give me the stupid answer he just gave.

**Hon. Mr. Yaremko:** Mr. Chairman, I would ask the hon. member to listen very carefully. May I make a minor explanation? The Disabled Persons Act is being phased out; The Family Benefits Act in which there are no longer any categories has come in. Those who would have been penalized by being transferred from the old Disabled Persons Act to The Family Benefits Act, have been kept under the old legislation. That legislation will be phased out and there will come a time when there will be no persons left under that particular umbrella.

**Mr. Trotter:** You still cannot get the grant, I do not know why—

**Hon. Mr. Yaremko:** May I point out to the hon. member that with the passage of The Family Benefits Act the marital status is taken into consideration, and the problem that you recited a year ago, or two, should no longer be a problem.

**Mr. Trotter:** Wait, as far as I know that is simply not true. This is the first time I have ever heard this answer from any official of any responsibility. I say that for your—

**Hon. Mr. Yaremko:** May I say, Mr. Chairman, that if a man is married and becomes disabled, he should be in no worse position than somebody who is disabled and gets married.

**Mr. Trotter:** But he is.

**Hon. Mr. Yaremko:** And my understanding is—

**Mr. Trotter:** But he is.

**An hon. member:** He is not; you are wrong.

**Mr. Chairman:** The member for High Park.

**Mr. Shulman:** I yield.

**Mr. Chairman:** The member for Wentworth.

**Mr. I. Deans (Wentworth):** Mr. Chairman, in the light of the Minister's statement that he does not foresee an annual—

Interjections by hon. members.

**Mr. Chairman:** Order, please. We could not hear the member. Would he repeat his remarks?

**Mr. Deans:** Thank you. In the light of the Minister's statement that he does not foresee a guaranteed annual income in the near future, has any thought been given to consolidating all the various welfare agencies, bringing the county and municipal agencies all under the one aegis so that people who are looking for assistance do not have to go trotting around to all the various agencies trying to find out what they can and cannot pay for? It is very difficult for a person looking for assistance to know where to turn for the kind of assistance he is able to get. I know of cases where after investigation, we find out they are able to receive additional assistance from another source. But unless you are in the know, unless you are able to get to the proper person, you do not find this out. Has any thought been given to consolidating all the agencies under one administration so that there will be less of this confusion when a person requires assistance?

**Hon. Mr. Yaremko:** I would say, Mr. Chairman, that our goal, of course, has been the county and district welfare administration unit which will be the regional office, so that if a person in a particular area will have either, let us assume, the county unit to deal with—and the county unit invariably knows all the services available at the provincial level and should, if competent—and they are—also know the volunteer agencies. When this province is blanketed with county and district administration boards, that is when we will have, I think, the great answer to the present problem.

**Mr. Chairman:** On vote 2002.

The member for High Park.

**Mr. Shulman:** Mr. Chairman, through you to the Minister, a matter which I have raised several times before and to which I have not been able to get an answer. What about disabled persons who are admitted to chronic



hospitals, when are they going to be allowed a comfort allowance?

**Hon. Mr. Yaremko:** As I replied to the hon. member, matters of expansion of programmes are continuously under review and that is one which will no doubt be receiving consideration some time in the future.

**Mr. Shulman:** Not good enough, Mr. Chairman. This is a matter that has been brought up for a number of years. You have people who literally cannot buy a newspaper, or cannot pay for their own laundry. I am referring now to the Runnymede hospital and the Queen Elizabeth hospital and other hospitals. It is not good enough for the Minister to say "we are considering it." You have been considering it for many years. As I may remind you, the former member for High Park was on the board of directors of one of those particular hospitals and he had had this matter brought to his attention year after year, and he brought it to your attention year after year. It is not good enough for you to say "we are considering it." This is not a matter to be put off. These people cannot wait. They do not have a cent. For goodness sake, do something and do it fast.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** The same thing reflects, Mr. Chairman, for the people in the hostels—the temporary hostels in our city for families who have no place to live. Their allowances are cut off. They have no comfort allowance and they are, in fact, dependent on pay telephones to telephone the Ontario housing corporation as an example. Mr. Chairman, this can go on sometimes for three or four days before getting through to placement. It also shows up in mental institutions where the people there have no comfort allowance when they enter that institution.

**Mr. Chairman:** The member for Etobicoke.

**Mr. L. A. Braithwaite (Etobicoke):** Mr. Chairman, I would like to make a few comments with reference to the large, low rental projects that we find here in Metro Toronto. Now, I was reading just today a news letter from the Ontario association for emotionally disturbed children. It is discussing—on the first page—their April meeting. I will just quote:

Dealing with family problems before they reach twice its proportion, Mrs. Dorothy Hahn, Metro CAS co-ordinator of Lawrence Heights family children's service

project, very capably outlined the background of the Lawrence Heights development and the place therein of the family—

**Hon. Mr. Yaremko:** Mr. Chairman, may I suggest that this matter be discussed under vote 2004, the family services branch?

**Mr. Braithwaite:** Fine.

Well then, one other question. When the budget came down, I asked the Minister, at least on two occasions, if he had any plans for assisting those deserted or separated women who were trying to bring their families up alone and who did not want to go on welfare.

Now if I recall correctly, Mr. Chairman, the Minister at that time, gave us one of those answers that goes all around the room. He never really answered us.

All we wanted to know was, would there not be some special provisions made for these individuals on whom the rise of the OMSIP and OHSC premiums would be very crushing? At that time, if I recall correctly, the Minister stated that there was provision if they wanted to go on welfare, but nothing if they did not.

Now, we are talking here about trying to save the taxpayers' money. It seemed, at that time, quite a strange answer, when you have individuals who are doing their best to keep off the welfare rolls, and you find a Minister who stands up and says, "Well, if they are on welfare, we will look after their OMSIP and OHSC premiums." The fact is, that I always believed the government—on the side—was very much in favour of private initiative and of people who wished to help themselves. It seems in this case, very strange that the Minister should say, "Let them go on welfare." It is just as bad as that lady who said many years ago, "Let them eat cake."

**Hon. Mr. Yaremko:** Mr. Chairman, the hon. member started off his speech earlier this afternoon with remarks in a very high plane. Now, he is getting right down to what he decries. Either make up your mind that you are going to stick to the kind of philosophy that you started out with and keep this conversation on a high plane—

**Mr. Braithwaite:** Mr. Chairman, to the Minister, I am an elected representative, I can ask what I like. It is up to you to answer the questions. Do not tell me what to say.

**Mr. Chairman:** Order!

**Hon. Mr. Yaremko:** Mr. Chairman, on a point of order. The hon. member will put words into his own mouth. I will look after the words I put into my mouth. The words you are ascribing to me have never in my lifetime, here or anywhere else, been said. I say that you said I said it—I said I did not—therefore, you say a falsehood, sir.

**Mr. Braithwaite:** What did you say? What did you say in answer to that question?

**Hon. Mr. Yaremko:** I did not say, "Let them go on welfare", which is what you said I said. I say, let us go back to the earlier remarks and let us keep this on the kind of a plane that you started out on.

**Mr. Braithwaite:** Let us keep this on the same plane—it reminds me of the old Abbott and Costello movie pictures we used to see—with who is on first—you know—do you remember them? Well we are not getting anywhere. All I am asking you is this—

**Mr. Chairman:** Can we get to the estimates?

**Mr. Braithwaite:** Mr. Chairman, does the Minister have any intention of making some provision for those women who do not wish to put themselves on welfare, who wish to try to bring their families up alone? Does he not wish to help those women? They are not rich but they are not starving. They are working hard. So the increase in OMSIP and OHSC premium is, as I said, very crushing. That is quite clear to me. I well recall the Minister's reply when I asked this question. All I am asking now is, "Has the Minister had a change of heart?"

**Hon. Mr. Yaremko:** Mr. Chairman, that kind of a question is the old jelly on the wall question. I want to tell you, Mr. Chairman, that this Legislature has passed the laws under the jurisdiction of The Department of Health saying who will, and who will not, be subsidized at public expenses in the payment of their premiums for OMSIP and OHSC; and it does not make any difference whether they were earning certain incomes three years or five years ago or next year; the rules and regulations for the subsidization of that kind have been set out.

Our jurisdiction is to provide for the funds for those who are on public welfare and the vote has gone up to show the extent of the cost; it has gone up from, I believe, \$8 million to \$16 million. We are doubling the amount in our vote. Now with respect to those who are gainfully employed, they must be provided in other ways.

**Mr. Braithwaite:** Would the hon. Minister, Mr. Chairman, be good enough to say or to suggest what avenues these people might have because to any one of these women, Mr. Chairman, to talk about an increase from \$8 million to \$16 million means nothing. They are making only \$50 or \$60 a week. I do not know about that side of the House, but on this side of the House we are worried about the poor people. We are worried about what hurts; and believe me the increase in OMSIP and OHSC premiums hurts. I do not want the Minister to tell me, Mr. Chairman, that the law says who should get and who cannot get. The laws are made by this Legislature; the regulations are made here. There is no reason why they cannot be amended and changed.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, may I point out that this vote is 48 per cent to 50 per cent of the total expenditures and that it may take a little more time than you might wish. In fact, it would even be more than that if we include the \$7 million paid for this department from OHSC.

May I suggest that items 4 to 10 that particularly deal with The Family Benefits Act be lumped together—items 1, 2 and 3 be passed—would that make sense?

**Mr. Chairman:** The member is suggesting that we pass items 1, 2, 3 and 4?

**Mrs. M. Renwick:** No, sir, sorry; but may I deal then with items 4 to 10? Are we dealing with the whole vote?

**Mr. Chairman:** We are dealing with the whole vote.

**Mrs. M. Renwick:** Thank you. Mr. Chairman. In the first year, how many applications for benefits have been received and how many have been turned down? Can the rejections be categorized so that the Minister can give some indication of the kinds of applications that are rejected? Have there been any cases of special circumstances when the government has decided that an allowance be provided to an applicant who is not strictly eligible under the Act or the regulations?

**Hon. Mr. Yaremko:** One at a time. I cannot remember that many.

**Mrs. M. Renwick:** One at a time?

**Hon. Mr. Yaremko:** No, I will take them all at once. I think the hon. member has

outlined in one simple question the kind of research that will be embarked upon by our planning and research department during the coming year.

**Mrs. M. Renwick:** Mr. Chairman, how many applications for benefits have been received and how many have been turned down?

**Hon. Mr. Yaremko:** Mr. Chairman, you see, we are not set up yet by IBM machines to keep that kind of statistics. It is my hope that we will be able to have a complete breakdown in the future. I think one figure that I heard was 7,000 or 7,600.

**Mrs. M. Renwick:** Can the rejections be categorized at all, Mr. Chairman?

**Hon. Mr. Yaremko:** I guess that the only kind of categorization is that they did not come under the regulations of the statute.

**Mrs. M. Renwick:** Now, under the statutes, special circumstances are provided for. Have there been any cases where the government has decided that an allowance will be provided to an applicant who is not strictly eligible under the Act or the regulations? Surely there should be some?

**Hon. Mr. Yaremko:** There have been none, Mr. Chairman.

**Mrs. M. Renwick:** In items 5, 6, and 7, these are three of the predecessor Acts. I notice that under these three Acts, the Minister is still appropriating money. Does this mean that the people under these Acts concerned, and covered by these moneys, would be receiving less if they were transferred to The Family Benefits Act?

**Hon. Mr. Yaremko:** Yes, they would be.

**Mr. Chairman:** Has the member for Scarborough Centre completed her questions?

**Mrs. M. Renwick:** No, Mr. Chairman. Can you give some indication, since there are three categories here—the old-age pension; the blind persons allowance; and the disabled persons—as to how much difference in moneys there is for the new people that are now coming in and will be under The Family Benefits Act? Will they be receiving less than the people that are still on the three predecessor Acts?

**Hon. Mr. Yaremko:** We have not got all those figures. The difference is primarily, or very often, that the possession of liquid

assets, under the old statute, would make them, in a great many instances, ineligible under The Family Benefits Act.

**Mrs. M. Renwick:** Mr. Minister, for my information, could you tell me what the liquid assets amount was under the old Act? I believe that it is approximately \$1,000 for an individual, \$200 for each child and \$1,500 for a couple.

**Hon. Mr. Yaremko:** Under the old categories, the figure could vary extensively because it was dependent upon the amount of assets available to the person, and the age, because the assets were translated in the form of an annuity based the same way as government annuities would be, so that there was a great variation in that.

**Mrs. M. Renwick:** Mr. Chairman, may I ask the Minister then, was it simply a difference in the liquid assets? It does not mean that the new people would be receiving, in fact, more money had they been able to apply under the old Act?

**Hon. Mr. Yaremko:** Would the hon. member mind repeating the question?

**Mrs. M. Renwick:** Am I correct in my understanding that what the Minister said was that the difference between the people who are covered under the three predecessor Acts, and left under those Acts—and consequently these moneys are allocated to the items 5-6-7 of vote 2002—that for the new people the only difference is in the assessment of liquid assets? Or would the group of new people receive more under the old Acts than under The Family Benefits Act?

**Hon. Mr. Yaremko:** I am advised that some would have gotten more under the old Act, because the old Acts were based on fixed amounts of income whereas the present system is based on a needs test which means what your income is and what your need is, and as those two related.

**Mrs. M. Renwick:** Mr. Chairman, surely the Minister can understand that what I am trying to get at is that we are embarking on a new system to provide better services to more people in need—and in fact it will be able to increase some benefits. But if, in fact, under these three Acts the people would have received more under the old system, I think that it is very important that we know how much more they would receive, or how much they have lost by having to go under The Family Benefits Act.



**Hon. Mr. Yaremko:** The percentage which fall into that group is a very small percentage. It is brought about by the application of the standards which are required under the rules and regulations.

**Mrs. M. Renwick, Mr. Chairman,** we are talking about \$91 million. I find it hard to believe that such a small group—but I think that my question was not so much what percentage of people were left under the old Acts, but where the new people stand in relation to the amount of money to be received. I asked to be shown the comparison of those people under the old Acts. So really it is not so much the percentage of cases that are there, but simply that we are going backwards if the new people are, in fact, going to receive less than they would have received under The Old Age Assistance Act, under The Blind Persons Allowance Act, and under The Disabled Persons Allowance Act as it previously stood.

**Hon. Mr. Yaremko:** Mr. Chairman, I know that this is not an easy maze to go through, but this relates itself to the relationship between income and assets invariably. That is why, in dealing with programmes of assistance to people, that the use of the yardstick of income alone—money coming in from something—is not necessarily the best yardstick to be used because we have to make sure that certain liquid assets that are available can be converted into income. Under The Family Benefits Act, the amount of assets that can be turned into income is limited in comparison with the old categorical situation because we use income, to begin with, in all its aspects, and subtract from it needs, to see what adjustments should be made.

Now, as to the theoretical difference of what the situation would have been had we continued with the old categorical programme, and the situation now, is a figure that I have not got. It is difficult to compare the two because you have, for example, under the old categorical programme—if the husband was disabled you just considered the husband. If he is disabled you consider the family unit. This is where the tremendous difference lies.

**Mrs. M. Renwick:** Are the payments then definitely not less than they will be under The Family Benefits Act—the actual payments made to the recipients?

**Hon. Mr. Yaremko:** I am afraid that I do not follow that question.

**Mrs. M. Renwick:** The payments made to recipients under The Family Benefits Act, are they not in fact less than they would have been under the three Acts?

**Hon. Mr. Yaremko:** Generally—and I would say this in the vast majority of cases—they are higher. But in some instances the recipients must rely on the liquid assets they have before being entitled to the full amounts which they would be permitted under The Family Benefits Act, had they not had those assets.

**Mrs. M. Renwick:** So they can, in fact then, be lower, Mr. Chairman, and the people then must turn to their liquid assets.

How many people, Mr. Chairman, entitled to benefits under The Family Benefits Act, are also entitled to benefits under the Ontario hospital commission?

**Hon. Mr. Yaremko:** All of them.

**Mrs. M. Renwick:** All of them?

**Hon. Mr. Yaremko:** Yes; 58,000.

**Mrs. M. Renwick:** How many of these people did, in fact, enter hospital in the last fiscal year to March 31, 1968?

**Hon. Mr. Yaremko:** We do not have that statistic, Mr. Chairman.

**Mrs. M. Renwick:** Mr. Chairman, my next question was representing what amount of claims—I guess that is irrelevant in the light of the government not knowing how many entered hospital under OHSC.

What is going to happen, Mr. Chairman, on July 1, when the federal medicare scheme comes into effect, when, if we, in fact, do not join the scheme? I am looking at the \$15 million, item 9, presuming that that represents payments to OMSIP for premiums. Is that correct, Mr. Minister—\$15 million, item 9, is that payments for premiums to OMSIP?

**Hon. Mr. Yaremko:** My understanding is, and we have been, I believe, advised, that we will continue to get our share of this \$15 million.

This is my understanding; that we have been advised we will be sharing in this \$15 million item.

**Mrs. M. Renwick:** You believe that there will be a sharing after July 1?

**Hon. Mr. Yaremko:** The sharing is under the Canada assistance plan.

**Mrs. M. Renwick:** I would just like to refer to that plan for a moment, Mr. Chairman. In chapter 45, item (c), defining health care services as being under The Hospital Insurance Act and Diagnostic Services Act, or any other prescribed hospital care services. Which is fine, until it comes to contributions, item 5, section 2:

Cost does not include insured services within the meaning of The Hospital Insurance Act and Diagnostic Services Act, or if at the time the cost is incurred there is in force an Act of the Parliament of Canada other than this Act, pursuant to which Canada is required to share in any manner with the province the cost of providing those services to the general public.

Which, in my interpretation, would mean, that once the Act is in force on July 1, by the Parliament of Canada, we no longer can qualify under the arrangement that we have under the Act, which is in effect in the province now.

**Hon. Mr. Yaremko:** I think, Mr. Chairman, the hon. member should have a distinction between provinces who will be within the Act, and who will be outside the Act. Our understanding is—and I believe the conversations have taken place along these lines—that we will continue to receive our share of this, that this will be a shareable item under the Canada assistance plan. And it would appear that were Ontario to enter into the federal medicare scheme, then this of course would be not applicable, because we—

**Mrs. M. Renwick:** We would be covered then.

**Hon. Mr. Yaremko:** Otherwise we would be getting paid twice, you see, and I think that is the reason—

**Mrs. M. Renwick:** My interpretation, Mr. Chairman—the Minister will correct me if I am wrong—is that we would be given 50 per cent if we, in fact, participate in the federal medical health scheme. And that we will not, because this will remove from us the opportunity of having any other prescribed hospital care service. We can no longer have that. We cannot have any other service, once they have placed another Act covering—you see small Roman numeral ii; Canada assistance plan, I believe, refers to Roman numeral i. If at the time the cost is incurred, there is in force an Act of the Parliament of Canada other than this Act. The

Hospital Insurance and Diagnostic Services Act—if there is something to replace that, which will be a full medical health scheme, then we will not be covered.

**Hon. Mr. Yaremko:** Mr. Chairman, I repeat that my understanding is, and we want to—this is the federal interpretation. The federal interpretation of that section is that this item will continue to be a shareable item, and we will continue to send our claims right through as in the past. This will be our understanding, that this is shareable.

**Mrs. M. Renwick:** Mr. Chairman, is it easy for the Minister perhaps to tell me, where in the Canada assistance plan I might see that that is referred to?

**Mr. D. C. MacDonald (York South):** Have you supplementary correspondence?

**Hon. Mr. Yaremko:** I am saying that the hon. member has placed an interpretation on this section which would exclude us or change this, and the position we are taking is that the hon. member's interpretation is wrong. The federal people have interpreted that section, and advised us that we will continue to share this. And I would hope that the hon. member would not change the federal thinking in this regard.

**Mr. MacDonald:** Have you any correspondence to prove that?

**Mr. P. D. Lawlor (Lakeshore):** How about the future?

**Hon. Mr. Yaremko:** I do not believe that is in writing, no.

**Mr. MacDonald:** Mr. Chairman, have you correspondence? My colleague from Scarborough Centre has indicated the normal interpretation of the English language as set down in that statute. Now, what you are in effect saying to us is that the federal government interprets it in the opposite direction. We are not arguing with you. We are saying, have you got that in writing?

**Hon. Mr. Yaremko:** I have said to the hon. member, that is not in writing. That is an oral discussion that took place in which this matter was discussed and this is the interpretation that was given, as I have given it in the House. And it is the hon. member's opinion that that is the normal interpretation. The normal interpretation that others have placed on it is what we are saying, that we will continue to share in this. We were instructed, and will continue to send in

claims for these moneys after July 1, as we have done.

**Mrs. M. Renwick:** Item 10, Mr. Chairman. What aid was paid to thalidomide children last year? They are paid at the discretion of the director.

**Hon. Mr. Yaremko:** The last amount that I have, for the fiscal year 1966-67, was \$12,175.

**Mrs. M. Renwick:** How many children are there, Mr. Chairman?

**Hon. Mr. Yaremko:** Twenty-one children.

**Mrs. M. Renwick:** And the \$20,000 item then, is that special assistance, or is that the allowance under The Family Benefits Act, number 24 of the regulations?

**Hon. Mr. Yaremko:** This is a specific item to cover that particular point.

**Mr. Chairman:** The leader of the Opposition.

**Mr. Nixon:** There are one or two comments that I would like to make on this particular vote, and the first has to do with the federal participation in the cost of the programmes that are outlined here. The Minister has indicated that in his department he will receive a federal payment to the extent of \$115 million. A large share of that I think would be applicable to the programmes under vote 2002. I am not clear as to why it has to be voted a second time by this Legislature, since the members of Parliament at Ottawa have authorized the appropriation of these funds on a shared-cost agreement, so that they cannot properly be spent, nor legally spent except under programmes authorized by the Parliament of Canada, and subsequently authorized by parallel legislation here.

We have been somewhat critical of the fact that the Minister has maintained at least to some extent, the categorical approach to assistance under the family benefits branch and he has justified this by saying it is to the advantage of at least some of the categories to receive this assistance under the old regulations and the old approach.

I was interested to hear him say a few moments ago that the basic difference was that the family unit was considered under the Canada assistance programme whereas this would be to the detriment of those receiving assistance; and he claims to have excluded particularly the blind persons allowance from this so that they can have

the advantage of the old approach which would put more dollars in the pockets of those suffering from this serious disability. Having examined some cases of this type myself, I have been much struck by the fact that the inspectors, if you can call them that, representing the Minister's department, when calling upon blind persons applying for assistance, will now look at the resources of the family as a whole. I know of one specific case where the wife of a young farmer who was going blind, had the responsibility of raising three children all under the age of four.

It was pointed out to him, that under these provisions, she was a trained teacher and could, of course, go out and earn a living for the family and that is what is going on now. There is no assistance that I feel should be paid to the gentleman concerned because of the affliction which came upon him.

Mr. Chairman, I remember one of the many great speeches made by a former member for, I believe, Woodbine, Mr. Bryden, in which he expressed a view that was echoed on all sides of the House with regard to the sort of assistance that should be forthcoming for blind persons and those suffering from the same kind of almost incomprehensible disability. They should have this assistance as a right, and they should not be docked by reason of any initiative on their own part or by any special abilities that they have which would permit them to assist themselves and their families in addition to the payments that are theirs and which should be paid by right.

I feel very strongly about this, Mr. Chairman, that we on this side—and I know it has been echoed by supporters of the government and the Minister himself—want to get away from the categorized approach to this sort of assistance. There is no doubt in our minds that, in assessing the needs of specific types and categories of difficulty, there has to be a larger measure of humanity than the regulations permit.

Often the regulations are imposed by the federal government, if we are going to participate wholly in the provisions of the Canada assistance plan. That these regulations do not meet the needs as we see them, as members in our own constituencies—that approach, I suppose, is the police state that the leader of the NDP was mentioning this afternoon. I thought that was a bit extreme. But the sort of thing that means an investigator comes into the home and picks out the sources of income that, in this case, the



mother would have access to if she were to leave the family and undertake a job on her own, is something that we should not permit to interfere with the fair and humanitarian approach to meeting the needs of these very unfortunate citizens.

I would sincerely recommend to the Minister that, although his programmes are under review—and I would say, Mr. Chairman, ours have been improved even in the years that I have heard this Minister and his predecessor try to justify them before the House—that while we are concerned with keeping down costs we are also concerned, and probably more concerned, with meeting the real needs of the citizens of this province who are afflicted with this kind of situation which is almost incomprehensible for those of us who sit here without any nearly-comparable difficulties.

I am concerned on these two points; one, as to the financing of his scheme—I would presume that federal money covers a very large percentage of the \$110.5 million that we are asked to appropriate under the second vote.

I would like to know if there is some possibility that we can move away from the severely-restricting regulations which seem to stultify any initiative on the part of those people who may have within their own abilities the thrust to overcome what is almost a completely debilitating feature.

I do not want to refer to specific cases, I have already referred to one as an example. I know the Minister is concerned about these matters himself, but another similar type of case concerns the payments which are available to mothers in receipt of what used to be the mothers' allowance. They find that, if they are going to go out and earn some funds to support their families above and beyond a very limited level, their support on the basis of the family benefits legislation is cut by a corresponding amount.

I think that there is a great case to be made, Mr. Chairman, for some sort of a compromise being worked out so that we can recognize the initiative of these people, at the same time realizing that there are others in the community who perhaps do not have the abilities in the broadest sense to overcome the difficulties that they face.

I would hope that some sort of an accommodation might be met and I would be interested in the Minister's views.

**Hon. Mr. Yaremko:** Mr. Chairman, the leader of the Opposition has placed his finger

on two very important points. This really is a major problem and one that we are more and more directing our minds to in this age of affluence. Where the bulk of our people earn substantial incomes, there is always that level of person who is just above, who earns, just a little more than an allowance. The basic reasons for that—and I think this is something that all of us can think about—is that the wages a man earns are geared to the job he does, the benefits we pay are geared to the type of family, so this is where this disparity very often comes.

There may be a man doing a job with one child and one wife, maybe getting along very well on that income, while another man, working right beside him earning the same income with a wife and five or six children or seven children, has difficulty. This is one of the great problems that have to be solved and in certain parts of the province it is more acute than in others.

We are doing everything we can to continue the incentive to enable people to feel that, if they have saved or accumulated something, they should not be penalized so sharply *vis-à-vis* the man next door who, in the course of earning, has not necessarily been going to the racetrack or to the beer parlour every day of the week, but who has, perhaps, lived a little more, a little better. For example, he may have acquired more of the hard goods than somebody who has gone without colour television or without some other item to save. We want to encourage thrift and the habit of saving.

Where this line should be, of course, is a difficult thing to decide at any one period. And also not to penalize a mother who is getting assistance from earning is something we have to bear in mind—because we have done this. She is permitted \$24 plus \$12 dollars for each dependent child, plus 25 per cent over that. Now whether that is sufficient, or not, I think it is still the best incentive that there is in Canada, if not in the continent.

Whether that is sufficient or not, of course, is a problem that is concerning me because I am convinced—and this is why I was so keen on vocational rehabilitation—that it is much better to assist somebody to assist himself than for the state to do it. The Provincial Treasurer's purse is not big enough to look after the needs and wants of the population.

**Mr. Sopha:** You are getting considerable help from the federal government.

**Hon. Mr. Yaremko:** Well he does; but it is the taxpayer—

**Mr. MacDonald:** The taxpayer?

**Hon. Mr. Yaremko:** —it is, as I say, the man on Manning Avenue and Palmerston and Euclid, some of my favourite streets.

**Mr. Sopha:** The Provincial Treasurer (Mr. MacNaughton), is spending money he has already got.

**Hon. Mr. Yaremko:** They are paying taxes. I may say this—the manner of voting is a matter which is now right across the board, with the government. The Provincial Treasurer has instituted we vote all the moneys we spend so the people know when this vote is—

**Mr. Sopha:** Yes, it is misleading. It should not be put down that way, it is misleading.

**Mr. Nixon:** Mr. Chairman, I think the Minister makes a good point when he says the Provincial Treasurer insists that this House votes approval of every dollar that is spent by the Minister, whether it is specifically detailed or whether it is sort of one of those items like his—unforeseen and unprovided. But if he is going to be completely honest, I think the hon. member for Sudbury makes an excellent point that there should be some line in these estimates that indicates that all of these moneys are not from the taxpayers as we see them here. That is, taxpayers at the provincial level.

I think that it would be worthwhile if this information were available and it is true, in other departments as well, if we were told on this particular item a large percentage is moneys that we do not have to collect by virtue of our responsibilities to levy provincial taxes.

There is one other point that I would like to make in leaving this vote as far as I am concerned, Mr. Chairman, and it has to do with the very close tabs that you keep on a new approach to welfare which is supposed to be on the basis of need and not means. When the Minister began his remarks this afternoon by reading a letter from someone it appeared to be, who had been in receipt of mother's allowance for some years and been able to educate her children who were now in university, and it sounded like a very good story indeed.

The Minister must also receive letters and calls from people who are complaining about the fact that your special fuel allowance is

cut off in March instead of June. How can you justify the tightness of a budget which will see a mother raising a family under mother's allowance, or the provisions of The Family Benefits Act, who really cannot afford to heat the house for two months of the year simply because your regulations are so out of whack that you pay the money on the wrong end of the summer?

This is a serious difficulty. I do not think these ladies phone and complain to me, their member, because they do not have a legitimate complaint. How do these things get so rigid that this is a difficulty that actually these women have to put up with under the circumstances of their other trials and tribulations?

Specifically, I would ask the Minister, do your regulations lay out the months of the year in which a special heating allowance is available?

**Hon. Mr. Yaremko:** Yes, they do.

**Mr. Nixon:** And if so, why is it not available for April, May and June?

**Hon. Mr. Yaremko:** One of the hon. members of the House asked me a question earlier this session and I replied thereto. In southern Ontario, we pay the fuel allowance over a period of seven months; and the fuel allowance in northern Ontario over a period of nine months because as anybody knows, the heating requirements build up from the fall and lessen in the spring. But for administrative purposes we send out a fuel allowance cheque; the fuel allowance is worked into the cheque on an even basis. Otherwise we would have to estimate the kind of fuel that would be required for the month of September, the month of October, the month of November and so on, and you get into an impossible situation.

One of our problems is that we have to rely upon the people, and this is where the family counselling will come—not necessarily in fuel but, for example, as we send out the monthly allowance cheque in one lump sum. When they get their cheques, they know that they have to buy food from the coming Monday and for the fourth Monday, and they have to budget and, of course, one of our challenges is to make sure that the people are doing this. I am not justifying either the—

**Mr. Nixon:** What is the last month that this special amount is payable?

**Hon. Mr. Yaremko:** April.



**Mr. Nixon:** Well, I think it is very difficult for these ladies, no matter how carefully they budget—

**Hon. Mr. Yaremko:** Well, now—

**Mr. Nixon:** Realize that from the end of April till the time it gets warm enough not to have the oil stove going, they have got to have the money.

**Hon. Mr. Yaremko:** Mr. Chairman, the rule is rigid and whether it should be that rigid or not I do not know.

**Mr. Nixon:** I do not think it should.

**Hon. Mr. Yaremko:** Maybe we should pay half the amount at first—extend it two months and divide it into two; then the last month's and divide it into two.

Maybe we should increase the amount. There should be perhaps more flexibility and that is something that we intend doing. I am going to have this business of the fuel looked into for southern Ontario and northern Ontario to see that it works out well and it may be that we may have to send out instructions to the people indicating to them that in this cheque is built in an allowance for fuel and that they must act accordingly. Now it may be that some woman may like to sleep with her windows wide open and get a lot of cold fresh air and spend the money on something else. It may be vice versa. I am just using that as a normal example.

**Mr. Sopha:** It is shocking that the Minister wastes our time with drivel like that.

**Mr. Chairman:** The member for Windsor-Walkerville; is your question on the same point?

The member for Wentworth.

**Mr. Deans:** Thank you. I also want to discuss this matter of the widow's plight, as it may appear. To begin with, the amount payable to widows is grossly inadequate. It is almost impossible to make ends meet if you have any family and what has to be taken into consideration is the fact that a woman trying to manage a family has more expense than a man trying to manage the same-size family, for the very obvious reason, that the man is generally able to conduct or to handle many of the minor repairs by himself. Most women are not able to do this.

If a woman needs the shingles replaced on the house she has to pay someone to do it because she is unable to do it herself. When she needs a little bit of minor plumbing

done, generally, she needs the plumber in, but there is no allowance for this, there does not appear to be as far as I can see.

As far as the fuel allowance is concerned, what is required is that you pay the entire fuel bill. I know of one case of a three-bedroom frame home; the amount of fuel allowance is \$91 a year. Now, this does not heat a house for eight months, not by any stretch of the imagination. No matter how you budget, it does not heat the house.

Supposing your bills mount up in the winter, there is no way. The amount is totally inadequate. It is not realistic. The amount allowed for these people to survive is not realistic. You must take into consideration the fact that a woman requires more to maintain a family if she is going to do so in a satisfactory manner and you have got to make allowance for these things.

**Mr. Chairman:** The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, I will be corrected if I happen to be on the wrong grant structure but—

**Mr. Chairman:** Are you on the same point?

**Mr. Bukator:** Yes, I believe I am. The problem is that we have all strayed a bit and I would like to give you an illustration of a case of a widow who received \$75 a month. Her husband, in that year, 1967, left her with a bit of a pension of \$600 for that particular year. According to the rules and regulations this pension is paid and I would like to read the portion that applies to this lady's case.

Table one of the guaranteed income supplement for 1968.

If you are single in December 31, 1967 and your yearly income in 1967, not including old age security or guaranteed income supplement was equal to \$600—

**Hon. Mr. Yaremko:** Mr. Chairman, I am sorry, I missed the opening remarks. Would the hon. member refer me to what he is reading?

**Mr. Bukator:** Yes. This is the guaranteed income supplement of \$30 to the widow.

**Hon. Mr. Yaremko:** That is a federal matter. That does not—

**Mr. Bukator:** I realize that, but where you come into the picture is when her supplement is cut off and the lady now gets \$75 a



month. I understand that welfare will assist people who are in need if they need more than the \$75 and the widow maintaining her home—

**Hon. Mr. Yaremko:** You mean the federal government cut her off?

**Mr. Bukator:** Simply because the previous year she had \$600, and because of that they say, "Well we have to adjust back—we consider our supplement on the previous year's income." So the lady now is getting \$5.60 supplement rather than the \$30. Can you imagine? And I condemn the federal government as well as this department if need be.

To put the record straight, your civil servants, the Deputy Minister and this gentleman here, and your office, are doing an excellent job trying to help people. And I realize that if you come within a certain framework they cannot do anything about it so we must talk to the Minister and the Cabinet Ministers to put the record straight and try to help the people in need.

What I am saying is that the widow finds herself not getting the \$105. She is getting \$82. So she turns to this department to ask for some assistance. We have letters in our files saying that if you are not getting the supplement you ought to write the federal government just as the Minister says, but in the meantime the widow is not getting sufficient to maintain herself. I think your people know the case I am talking about.

What I am talking about is this: Your framework is so rigid, the rules and regulations, the statutes under which you work are so firm, that you cannot go beyond into the next bracket. And if the lady needs some drugs—I realize she gets hospitalization and I realize she gets medical care. But \$82 a month to maintain a home and herself in this day and age is not enough and I know that if she appears before the municipal people as we have it now, they will refer her to the county, because you have a county system in Welland. That man is bogged down with a lot of work also and so an inspector comes and talks with the lady, and month after month the poor widow winds up with nothing more than the \$82. The fact remains that someplace, somehow, this government is not providing for the people that are in need and need badly.

I just gave you one case; no doubt there are hundreds like it. I believe that you, in your high office, dealing with the federal people, ought to sit down and instead of

having an overlapping of many departments, giving portions of assistance to families, I think one set of rules under one department head in this province, dealing with Ottawa, could very simply clear this situation up. As I understand it, it is a needs test and not a means test. If the people need, they will get assistance.

I know of many cases that are not getting sufficient help. As I said, your department, your people, have done very well for all the people as far as they can go but the statute does not provide assistance especially when there is sickness and especially when there are drugs needed.

And I say to you—and you must have many cases like that, you have received compliments, you have read that to us; you have also received similar problems such as I described to you this evening—we need more help for the persons on the bottom of the totem pole and they are not getting it.

I know not how you will approach this problem but I would think that possibly the new department that you are talking about can put this into one area, into one office, dealing directly with these people. When they need, they must get. At the moment they are not getting it.

**Hon. Mr. Yaremko:** Actually, Mr. Chairman, the hon. member, to the applause of the members of the Opposition, has just condemned the negative income tax. That is what the hon. member has—

**Mr. MacDonald:** Oh nonsense, we have—

**Hon. Mr. Yaremko:** They did that. They did that because they were applauding the condemnation of the negative income tax.

Interjections by hon. members.

**Mr. MacDonald:** Do not put words in our mouths. You do not know what we are saying to ourselves. We cannot let the Minister put words into our mouths.

**Hon. Mr. Yaremko:** I will explain to you. You see the negative income tax is this: A year having gone by—remember the income tax is in for the year passing not the year ahead—you file an income tax return and you say "Mr. Minister, last year I did not earn" you see, and then you get the money that you needed to live on last year. This is one of the difficulties—

**Mr. F. Young (Yorkview):** This is what you do with Ontario housing rates.

**Mr. MacDonald:** You do that with grants to mining municipalities.

**Mr. Nixon:** Just like OMSIP.

**Hon. Mr. Yaremko:** Will you give me an opportunity? I am not quarrelling with the hon. member; I am discussing a matter of importance to him. The hon. member does have a point. This is a difficult area, that the federal government has assumed responsibility for old age security because we all pay our percentage in our income tax and our \$240, and all this, that after a certain age everybody is supposed to be a responsibility of Ottawa, but that is not the case. They will only do that to a certain amount, then the balance falls at the present time under The General Welfare Assistance Act to the municipalities, which is of course shareable with us, 80/20; so that in turn, in this shifting back there is a dilution of the participations. This is something that I hope eventually we will correct. If we cannot cut all the agencies, at least we will reduce them to a minimum.

**Mr. Bukator:** What a complicated way of getting around to my little problem of hungry people. You certainly got back, and I appreciate the fact, Mr. Chairman, that this Minister is giving me a lesson in economics. I have a limited company that turns over a few dollars a year, and I have a few people working for me. I also happen to be an employee in that particular company, I also pay my tax. So you have taught me nothing in the last five minutes, but you have confirmed what I said. You say that it is complicated and it is mixed up and there are too many departments and it ought to narrow down to one department. If a person is hungry today, today he ought to get money to eat. That is simple. The person has to pay rent—

**Hon. Mr. Yaremko:** Mr. Chairman, let us get the record clear. If that lady is hungry and has not got enough to eat, then somebody is at fault. I have made the statement that in the province of Ontario, it is not necessary to go hungry and to go without food. If the hon. member will write me a letter and state that this woman has been hungry and without aid I will see to it that somehow this specific instance will be covered, and if the law has to be changed then it will be, but I have to receive proof from the hon. member. That is the kind of language that used to be in this House in the

1930's when there was a different government on this side of the House.

**Mr. Bukator:** Having touched on that subject, in the 1930's we were in the depths of a depression and the people who took this province out of that depression were members of a Liberal government.

Interjections by hon. members.

**Mr. Bukator:** Now, you brought that question up, not me. In 1934, a Liberal government took over and put the show on the road, and we have not had hard times since. We have not had hard times since that time.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. Bukator:** They not only did a good job from 1934 to 1943, but they put you people in office, and you have lived high on the hog ever since. You know not of the people who are struggling to live. I will get that file to you. It strikes me rather odd that one has to prove to this Minister; I think that he does not believe us, and I thought that we were honourable members in this particular House, who told the truth.

As far as you are concerned, nobody has asked you for your nickel's worth at all. When you want to make your speech, you get on your feet as I have done, and tell us what you think. I promise you that you will not add too much to this particular department because you know not of the people who are going without today.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Where were you at supper, George?

Interjections by hon. members.

**Mr. Bukator:** Having put the record straight, let us get back to the vote. I say to you, Mr. Minister, through the Chairman, that persons who are collecting the full amount of \$105 a month today, and have to buy drugs, cannot maintain themselves properly, and this government ought to assist because the federal government will pay their portion if your people were geared to assist immediately; but you do not have the staff. The staff that you have is good; I said that at the beginning and I say it now. But believe me, my hon. friend, there are a lot of people who are going without today because there is not enough money coming in to pay the rent, and the heat, and to eat, and maintain themselves if they need drugs. \$105 per month

will not do that, Mr. Chairman. I say to this Minister that it is about time that he updated his rules and regulations because if he lived within that bracket he would find that the bracket is not big enough.

**Mr. Chairman:** The member for Brantford has the floor.

**Mr. M. Makarchuk (Brantford):** Mr. Chairman, I have a problem here that possibly the Minister can tell me exactly. This woman is not going hungry, but it is the case of a 62-year-old widow, who has no income whatsoever. She owns her own home, and she owns a cottage at a beach, and she had finances of a hundred dollars. She has made application for employment with the local unemployment agency, and with various concerns in town and so on. She cannot get work. She has \$100 in the bank, and she can sell her property—it has been up for sale for three years—but she has absolutely no income. She has applied to your department for assistance and she has been rejected. Can the Minister tell me just how this woman is supposed to live?

**Hon. Mr. Yaremko:** Mr. Chairman, if the hon. member will send me the details of the specific case, I promise him that I will have it checked out and give him the reply in due course.

**Mr. Chairman:** The member for Sudbury East.

**Mr. E. W. Martel (Sudbury East):** Mr. Chairman, in going on with the discussion taking place now—respecting widows who have three or four children—I am quite aware that this is not a sufficient amount to live on. In a case I am talking about in particular, the woman went out and she took a job reading press three nights a week, so they immediately cut her pension in half. The reason that she did this was to keep her children because they were getting just enough to exist on and she was trying to provide a few of the amenities of life such as spikes for the boy in high school to encourage him to stay in high school, otherwise we are going to have four more on welfare eventually.

So this woman is working three nights a week from 12 to 8, in an effort to keep her children in school from being dropouts eventually, and her pension is cut in half. Now, the other aspect that I would like to touch on is this clause in the Act as it is now. This is “unemployable” and “disabled”; this is hair-splitting. Here you get people for

whom you cannot establish a claim because they are unemployable, yet they can never work. I have a case sent to me by the hon. member for Sudbury in my riding. The woman is 58, and she has never worked in her life. An Italian woman, nobody will ever hire her. She has had doctors look at her and her mental outlook is such that she is unemployable. Now, we split hairs. She cannot get a disability pension; now what is she supposed to live on?

We get her on municipal welfare for a while, but they are always breathing down her neck. These two aspects, I think, must be changed. This hair splitting on unemployable and disabled, and this assistance to mothers who are trying to raise their children and keep them from quitting school.

**Mr. Chairman:** The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, I would like to return to the fuel allowances. There has been quite some discussion on it a little earlier in the evening, and I would hope that I would have been able to speak at that time. This is one field that has given me many problems of late. I would like to suggest to the Minister that a letter or note accompany the last cheque for which a fuel allowance will be included so that the individual receiving the cheque knows—one month in advance—that there will be no more fuel allowance coming up and will budget himself accordingly. The fuel allowance, Mr. Chairman, does not take into consideration the fact that the month of May may be quite cold, and require additional funds. I would like the Minister to take into consideration the two suggestions that I have made.

As far as allowances to a widow are concerned, I think, Mr. Chairman, that they are not high enough, and there is one flaw in there which I will bring out by the use of an actual case in my own area. The widow received \$85 a month allowance. She lives in a fairly decent home, and has the opportunity to rent out a room to a boarder and does so; but as soon as she rents out the room—she receives \$40 per month for the rented room—her allowance was immediately cut by \$16 per month.

Now it is not worthwhile to the widow to take in someone for \$16 a month and have to completely housekeep in the room. I think that where a minor amount such as \$40 were collected for the rental of a room, and where the lady is providing accommodations in a



community in which accommodations are at a premium, and charging such a small amount, that she should have been allowed to keep the whole \$40 in this case.

I happen to be using one case that I know of, and I would assume, Mr. Chairman, that there are many other cases similar to this throughout the province of Ontario.

I would like to bring up one other point and that is where two members of the family are receiving some type of allowance. On the death of one member of the family—I am referring to a husband and wife, immediately the benefits are cut approximately in two. Say it is an old age assistance and a disabled person's allowance in the family; the husband with one, and the wife with the other. All of a sudden, the person that remains has to live on half of the allowance. There are certain bills that have been incurred at the death of the mate, and the individual finds that he or she cannot live on half the allowance. I think you should cushion the shock of the fact that the individual has died by decreasing, over a six month period rather than immediately, the total amount of income to that pair.

In other words, rather than having their pension cut from a total of \$150 a month to \$75, cut it down to \$135 the first month, \$120 the second, \$105 the third and then progressively until the individual gets what the single individual would be allowed. By cutting them off immediately on death, you make it too much of a hardship to the individual.

Mr. Chairman, I would like to bring to the Minister's attention the fact that an association has even made this a suggestion, and this was the Catholic women's league of the London diocese. It asked that the government phase out the reduction in pensions over a six month period—be this disability or any other type—over a six month period after the death of the spouse of a pensioner. All of these suggestions I have made, Mr. Chairman, I think merit serious consideration.

**Hon. Mr. Yaremko:** Would the hon. member send a copy of that last statement? I do not recall receiving it.

**Mr. B. Newman:** I made these suggestions one year ago, in the House, Mr. Chairman, and I thought they deserved consideration at that time.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, I just wanted to point out first of all, if I may, that I was finished with vote 2002 until the Minis-

ter referred to the applause which I gave to the member for Niagara Falls. When I spent a great deal of time today promoting the guaranteed annual income concept, I felt I should stand and read into the record that I certainly was not opposing the concept of the guaranteed annual income.

Needless to say, I was applauding the member for Niagara Falls for a lucid presentation. Particularly on the point that someone from Ottawa could sit down with someone from the Minister's department and sort out a lot of the inadequacies that we are working under as members of Parliament dealing with cases which come to our attention. For the Minister to say, "Give us an isolated case and we will deal with it," is not the purpose of this legislation.

The ceilings which have been imposed by this province which is not imposed by many other provinces for taking in the Canada assistance plan, is crippling the effectiveness of the plan. We have old-age pensioners living on \$2,400, in dire need in our society. We have single persons with a \$95-\$105 a month allowance who are first of all required to pay as much as \$60 a month rent for one room. And then they live or subsist on \$30-\$40 with malnutrition cases coming into our file, individuals in need of the extra assistance.

There is a small allowance made for that type of assistance, but it is not generally known, and I submit, Mr. Chairman, that many people live under these ceilings, or these allowances, not knowing there is even a small way of getting any assistance beyond that. The rates under the Acts refer to \$85, \$90, \$100 a month allowance for rents. Now I ask the same thing as the member for Niagara Falls, Mr. Chairman, that if the Minister will be realistic about the problems in our society today, take a newspaper and try to find a number of places to live for that rent, he will find that they are not available.

The only accommodation available under those rents is particularly inferior, if it is available, or under the Ontario housing corporation which we all know has a waiting list roving somewhere between 5,000 and 8,000 applications. We are not talking about something which is not real; we are talking about a very real problem that is with us, and as members we are facing it every day.

I would like to speak also about the heat allowance. I rose in the House and asked the Minister why, in the cold, earlier days of this spring, people were without fuel allowance, and he explained to me that while they were paid seven payments for fuel allowance, it was

for a period larger than seven months. I questioned the period of seven months, Mr. Chairman because I checked with the city hall on my first complaint of no heat, and found that the medical officer of health had issued requirements for a nine month 68 degree, 24-hour a day minimum for heat qualifications in our area.

I accepted the Minister's answer on that particular question, but now I question it under The Family Benefits Act, looking at section 7, item (a) for fuel where the budgetary requirements of applicants or recipients are determined—sorry, that is simply where it is determined that they need heat. Now for fuel—I will leave the territorial one out—under (b), for the months of September in each year to March in the following year. Granted it says later it can be paid in a 12-month period—it is not necessarily payable just in one monthly sum such as welfare allowances—but it is in fact based, according to this, for seven months and I question that the Minister was correct in his answer to me that it was, in fact, larger than a seven-month allowance that the people receive.

The landlord's relationship to a person in need is asked in one of the forms under general welfare assistance and I would just like to ask the Minister if he would tell me why this question would be in one of these forms and how it is, in fact, used? I have seen it used, much to my concern, on one occasion by a disabled epileptic man who was at one time living with his parents.

His parents were in dire need, they are now recipients of assistance by this government but at that time they were on the borderline and their son could not pay to them a small amount of rent. They had a ceiling on what he could pay as a tenant in his parents' house. Is this perhaps what the question of landlord's relationship refers to?

It is form 2, Mr. Chairman, general welfare assistance.

**Hon. Mr. Yaremko:** Mr. Chairman, the hon. member has now gone into the next vote. I assume then we have carried vote 2002. That is under municipal general welfare assistance.

**Mr. Chairman:** It is item 4 on vote 2003.

**Mrs. M. Renwick:** I am sorry, Mr. Chairman, did we go out of 2002? When the member for Niagara Falls was speaking, was he not speaking on vote 2002; he was speaking on municipal welfare?

**Mr. Chairman:** He did stray a little bit on the municipal but he was talking on vote 2002.

**Mrs. M. Renwick:** I beg your pardon, Mr. Chairman. May I continue to speak on vote 2003?

**Mr. Chairman:** We are still dealing with vote 2002.

**Mrs. M. Renwick:** All right. Now, could I ask then, Mr. Chairman—and I ask you to bear with me—what was wrong with my asking about the general welfare assistance?

**Mr. Chairman:** Because it comes under vote 2003, item 4.

**Mr. Sopha:** Mr. Chairman, I listened with great interest to the debate that has taken place on this vote and we have now occupied the better part of one and three-quarter hours and I would beg leave to say to you, sir, that my quasi-disillusionment with the debate is that it has never got down to the fundamental considerations that govern these items 4 to 9.

Before dealing with that, I just want to say in parenthesis, that it seems to me and I could be wrong, that I am struck with the impact that there is something a little bit ironic, if not near hypocritical, with the fact that Legislature here, has spent one and three-quarter hours debating the voting of \$110 million, when it got \$115 million from the federal government.

A \$5 million bonus for this amount which we are asked to vote again, a large part of it. We are asked to vote again as the beneficiaries, if you like, of the largesse of the federal government and at the same time, 1,500 miles way, the first citizen is condemning that government.

Now that seems to me to approach hypocrisy and I daresay that in the last five years, the contributions of the federal government to welfare in this province have been a great deal more than they were in the five years before that, by the way of comparisons. So, he is talking in Winnipeg—

**Mr. Lawlor:** By way of an election campaign.

**Mr. Sopha:** So he is talking in Winnipeg and I am talking here, in the Legislature of Ontario, voting \$110 million.

Now I wanted to say this—I understood from the Minister, and it was difficult at times to understand, but if I understood correctly,



at one time he linked in votes 4 to 9, need and family, and as I read them, and with the experience I have as one of Ontario's 117 ombudsmen, the common thread in 4 to 9 is need; and usually that need is associated with the family.

Why then, I ask rhetorically, is it necessary to have these different departments within the walls of this department of government? Why not scrap the whole business? If it is need and family we are dealing with and for whatever reason the applicant comes up to the counter of the regional office of Department of Social and Family Services, for whatever reason, whether he is blind or whether he has carcinoma of the lungs—and I will return to that later—or whether he has a heart attack and is unable to earn an income, or whether it is a widow in charge of the family unit when the breadwinner has been taken away, what does it matter about fitting the person into a category? Not at all. To me it is a matter of fundamental principle.

I am not interested in the development of Parkinson's law in The Department of Social and Family Services. When I see poverty around me besides having the shame, the degraded feeling in this affluent society—marked by conspicuous consumption where two people can pay \$16.05 for a dinner at the top of the Toronto-Dominion bank and never have a drink of spirituous beverage—in a society marked by that, I do not care about bureau chiefs within the laws of The Department of Social and Family Services, each presiding over his little statutory niche.

But I will tell you from experience, one of the disabilities it gives rise to—putting them in niches—that bureau chief then begins to surround the statutory responsibility with qualifications which inhibit the applicant from getting the money to meet his needs.

So it is, and a better example cannot be chosen than The Disabled Persons Allowances Act, where if an individual lost a leg just below the knee and the department can see that missing amputated member, there is no difficulty. Physical condition. There is very little difficulty in making a grant. But if it is carcinoma of the lungs, which may or may not have been stimulated by a carcinogenic agent in employment, you cannot get it. If it is a coronary thrombosis or a series of them that has utterly crippled the individual, that is outside the pale too. Oh, yes, and I have had the experience as recently as the turn of the new year, of the refusal of a person

with carcinoma of the lungs. I will bring the file. You shake your head. I will bring the file and I will drop it on your desk.

**Hon. Mr. Yaremko:** I was shaking my head at the coronary thrombosis.

**Mr. Sopha:** Physical illness—physical illness has been an inhibiting factor in making grants under that Act.

I return to my earlier statement of principle. I do not see why, as a legislator, we should be bothered about categorization of those in need of help; whether they be blind persons, elderly persons, disabled persons or entitled to receipt of moneys under the many categories within The Family Benefits Act itself. You see—and this does violence, this categorization within that department, to fundamental principles of justice and encompasses us all in the shame that must follow when we have to tell the constituent that we cannot do anything about it. Quite aside—quite aside from the embarrassment we feel when, through some error, usually in the department itself, there is an overpayment of moneys and the department is after the recipient for repayment to the Treasury just like the hounds in "Uncle Tom's Cabin," to get it back. Try as we might, we have to tell the person that they have to suffer the abatement of the future allowances in order that the department be paid back.

**Mr. Bukator:** The hounds did not do as well as this department.

**Mr. Sopha:** No. My friend from Niagara Falls says the hounds were rather laggard compared to the department because the department grabs the money itself by reduction. What a painful process when you have two elderly people, as I had recently, both in their mid-70's, barely eking out an existence. They had an overpayment and the department was hard bent in recouping the money for the Provincial Treasurer.

So I say, it all boils down to this: There is too much red tape in that department, too much bureaucracy, too great a departure from basic principles of justice. That is why I complain about the needs test. The needs test to me is only the means test in disguise, another bit of hypocrisy. As Roche Bucall said, hypocrisy is the tribute that vice pays to virtue, and the needs test is used as an appellation to masquerade the true intent of imposing upon the individual the means test.

**Mr. J. E. Stokes (Thunder Bay):** What about the federal government's treatment of Indians?



**Mr. Sopha:** We will get on to that under the proper vote, which is a little later on. There will be a great deal said about that. But really, I was not convinced about the validity of the war on poverty in our society. I have sat around here for nine years and I guess none of the rhetoric really got home to me to convince me. It was not until I read Gunner Myerdaahl's book, "Beyond The Affluent Society", that I really saw the argument against poverty, three of them basically, that have nothing to do with the needs test at all and nothing to do with the red tape; they have nothing to do with categories into which you try to fit people. We tie up tremendous energies among the poor. The abolition of poverty would release, for the benefit of society tremendous energy that is now surrounded by inhibitions and laws that cannot be broken down by those entrapped within it. Poverty is a high cost. It costs us more than the amount, far more than the amount we vote here; by maintaining a solid core of poor within our society we pay a great deal more in many, many ways; some of them sinister, insidious, evil; some in terms of hard cash, some in other ways, more spiritually degrading by having them.

Then, finally, to tolerate poverty in the affluent society is morally degrading to the rest of us. It is a spiritual assault, an assault on the spirit of those of us who enjoy the manifestations of the affluent society. Until in this country, until this department, which the member for Scarborough West (Mr. Lewis)—unhappily he is not here today. I am told he is in Montreal trying to get Lucien Cliche elected; he has a fat hope there in that but it is a hope. But as he used to say and he is perfectly right, this department ought to be self-liquidating—wonderful phrase, self-liquidating—it ought to liquidate itself and in the process of doing so, of course, it has nothing whatsoever to do with the categories 4 to 9.

The purpose, the object, the reason for the existence of this department, the basic, fundamental reason why moneys are voted by this Legislature has nothing whatsoever to do with names and labels that you put on. All I can say, having listened to this, is, how ridiculous to look across the counter at a person and, recognizing the economic need which can be ascertained very readily—if corroboration for it be necessary that corroboration can be sought very easily when the need is there—how stupid, I say, to then try to fit the person into a pigeon hole or a slot and say, "In this pigeon hole you will draw the

money that is allotted you". Really, human beings do themselves injustice in attempting to organize a government department in that way and I listened to the Minister. I came to the conclusion—as he answered the member for Niagara Falls and as he answered the member for Windsor-Walkerville and as he answered the lady from Scarborough Centre—I hope I am wrong—that he delights in it, he revels in it, he revels in the bureaucracy that it entails, the red tape that—

**Hon. Mr. Yaremko:** On a point of order, Mr. Chairman, I disabuse the hon. member's mind of that attitude completely right now.

**Mr. Sopha:** I did not hear what he said, Mr. Chairman.

**Hon. Mr. Yaremko:** I enjoy the work I do because I enjoy helping people that need help.

**Mr. Sopha:** I seek further support for what I say. I recall the day that he came in with the new form, took up the time of this Legislature to introduce to us a new form. Maybe the justification for the introduction of that form was that it had more questions on it on both sides—I recall they were on both sides of the page, no waste of paper there and maybe it had more questions on it than had ever been asked of an applicant before. That was the form under The Day Nurseries' Act.

I want to say finally that I guess basically I look upon this problem from the pragmatic point of view. Indeed, not a little from the point of view of obligation to my fellow man. I am one of those—I hope there are more here—who are able to speak rather sternly—no, that is not the word—frankly, are able to speak frankly to the people we see in our offices and point out to them some of the facts of life about assistance.

I do not like to talk in generalizations, but there is the case of a woman whom I inherited—if that is not too rude a word—from the federal candidate in the by-election a year ago and who has been with me ever since I got her a number of allowances under the various statutes. She came in recently and I said: "What is the trouble now. I thought everything was tidied up."

I said: "How much are you getting?" She said there were four of them and—I am just guessing, but I think she said it was \$276 a month they were getting. I said: "What is the trouble?" and she said: "It is not enough." I said: "How much is enough?" She said: "We ought to have about \$450." I had to

tell the woman that the tax-paying neighbours on the street would not tolerate it for one thing if they were drawing that amount from welfare. That merely serves to show that I do not approach the problem with the maudlin sentimentality that one frequently encounters from our friends to the left and who, most often, believe implicitly and without question the statements of those who complain.

**Mr. Stokes:** You enunciate the policy of your party, we will enunciate ours.

**Mr. Sopha:** Every sorehead, of course, in the country goes to those people and they accept without question what they say.

Interjections by hon. members.

**Mr. Sopha:** Well I guess I am a little bit from Missouri in that regard, but what I have stated here, what I do believe, my own approach—

**Mr. MacDonald:** The hon. member is wasting time again.

**Mr. Sopha:** It is too bad, the member just came in at the concluding part. He missed most of it. He went out. I only got around to you people—

Interjections by hon. members.

**Mr. Sopha:** I wish a lot more of them would hit the campaign trail with Douglas—he is in such desperate straits. Maybe he would be better off if he paid a few of them to stay here.

But it is all right—I have put forward the consideration, the fundamental consideration, that I view this vote. I can only hope, I say in conclusion, that the ultimate end of ridding ourselves of these categories and pigeon holes is the adoption of Stanfield's proposal made at London—the guaranteed income plan, or guaranteed annual wage, or whatever label. But one must assume that one attends the debate here and that these Tories over there are not too taken with what Mr. Stanfield has proposed as being a basic plank of the Conservative Party of Canada, because we have not heard any loud hosannas during these estimates or any statement of support for the philosophy that is embraced in that speech he made at London not more than three weeks ago.

**Mr. MacDonald:** I rise on a point of order, Mr. Chairman. A few weeks ago we had a meeting of the leaders of the House here to try to streamline the presentation of the esti-

mates and I just want, through you, to say to the Prime Minister that if the 20 minutes that we are aiming at for a lead-off is going to be violated as consistently by the Liberals as it has, and we have half-hour and three-quarter hour wastage of time such as we just had from the hon. member for Sudbury, then we will have to re-examine the gentlemen's agreement we have entered into because obviously it is not considered as binding.

**Mr. Sopha:** He was not even here when I was speaking.

**Mr. MacDonald:** Sure, because I left. I knew I had time for a breather.

**Mr. Sopha:** How could he know what I said—he was not even here.

**Mr. Chairman:** Order! Order!

**Mr. Braithwaite:** Mr. Chairman, speaking to the point of order, if there had been fewer interruptions from the left while I was making my speech it would not have been that long.

**Mr. MacDonald:** There were no interruptions from the left and it took 55 to 60 minutes. Now either the caucus does not understand that this is what we are working toward and they have to be informed publicly, or else we will have to re-examine the whole agreement.

**Mr. Nixon:** Mr. Chairman, if the leader of the NDP is going to get excited about this, I would say to you, sir, that while we had discussions to streamline the business of the House, I do believe it has gone rather well on both sides since those discussions. And I would hope, Mr. Chairman, that you would use your prerogative to get this debate back on the rails so that we can proceed with the business of the House.

Vote 2002 agreed to.

On vote 2003.

**Mrs. M. Renwick:** Vote 2003, item 4. Are there any municipalities under which work measures have been taken to relieve unemployment? I am looking at The General Welfare Assistance Act, section 3, where it states: "The Minister, with the approval of the government, may make arrangements with any municipality to have work activities to relieve unemployment in the municipality."

**Hon. Mr. Yaremko:** Mr. Chairman, that section has not been used for a good number of years.

**Mrs. M. Renwick:** I would like to ask about the work activity projects that are outlined in the Canada assistance plan—the activity projects to prepare people for entry, or return to employment, persons in need, or likely to become persons in need—I would also like to ask about the technical and vocational training programmes. Do we have work activity projects for these people who need this kind of assistance, that they may not become people in need or that they are being prepared for entry or return to employment? I realize we have the other—

**Hon. Mr. Yaremko:** Mr. Chairman, that section of the Act and the agreement has not—

**Mrs. M. Renwick:** Not binding, no.

**Hon. Mr. Yaremko:** —not come into effect as yet. The federal people are still working on the way that they will make these proposals to us. Now this is one area in which I may say that I think the discussions back and forth have been very good and very helpful. We initiated discussions at the turn of the year and I have had more recent correspondence with Mr. MacEachen. This matter will be taken up with someone after June 25.

**Mr. Chairman:** On vote 2003?

**Mrs. M. Renwick:** How many municipal welfare administrators are there, and how many regional welfare administrators are there? How many municipal, how many regional?

**Hon. Mr. Yaremko:** Mr. Chairman, in the municipal field there are about 70, I am advised, municipal administrators; and there are 19 at our own provincial level.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister, have there been special circumstances in any of the regions that the government has directed assistance to be paid to any applicants who may not be strictly eligible out of The General Welfare Assistance Act?

**Hon. Mr. Yaremko:** No, Mr. Chairman.

**Mrs. M. Renwick:** I would like to ask, Mr. Chairman, how many band welfare administrations there are?

**Hon. Mr. Yaremko:** Thirty-eight.

**Mrs. M. Renwick:** I would like to ask Mr. Chairman, is there is a breakdown in the amount in the last fiscal year ending May 31

of general assistance and under the heading “special assistance,” sometimes called supplementary aid? Is there a breakdown of how many cases of special assistance there have been?

**Hon. Mr. Yaremko:** No, we do not have those statistics, Mr. Chairman.

**Mrs. M. Renwick:** I would like to ask, Mr. Chairman, are there any bands or municipalities where the provincial contribution is 90 per cent rather than the 80 per cent because the number of persons receiving special assistance or general assistance is 6 per cent of the population or more?

**Mr. Chairman:** Is the member referring to Indian bands?

**Mrs. M. Renwick:** No. Bands or municipalities, according to my interpretation, where general assistance cases have been 6 per cent of the population or more then they can have a 90 per cent payment from the province rather than the regular 80 per cent. I just wondered if there are some areas in our province that are so unfortunate as to have to receive the 90 per cent?

**Mr. Chairman:** I just point out to the member, if it was Indian bands to which she was referring, vote 2011—

**Hon. Mr. Yaremko:** No, Mr. Chairman, the hon. member in this instance is correct. She is treating the item correctly, because the Indian band in this terminology as accepted is treated in the same way as the municipality.

**Mrs. M. Renwick:** Are there any of those areas, Mr. Chairman, where we do in fact pay 90 per cent from this government rather than 80 per cent because the situation requires it?

**Hon. Mr. Yaremko:** Mr. Chairman, may I just go back to the previous question the hon. member asked about the supplementary assistance. I have here monthly totals of the supplementary, of the special assistance groups, and I would say they work out to between \$8,000 and \$10,000 per month and the total amount in aggregate was just under \$1.5 million. Now with respect to the special situation—the six mill provision—I think there is one municipality, and that is Cornwall.

**Mrs. M. Renwick:** Mr. Chairman, I would just like to be sure I have the answer. Is the previous question correct; \$8,000 to \$10,000 per month in receipt of special assistance



and an aggregate for the year of approximately \$1.5 million to people requiring special assistance?

**Hon. Mr. Yaremko:** No, that is for the eight-month period that I have the statistics.

**Mrs. M. Renwick:** An eight-month period.

**Hon. Mr. Yaremko:** August to March.

**Mrs. M. Renwick:** That would be one and a half million out of how many, Mr. Chairman?

**Hon. Mr. Yaremko:** That is \$1.5 million. \$1,435,651.81.

**Mrs. M. Renwick:** Thank you, I see my error, out of the \$120,000 a year.

How many people receive special supplementary assistance for what, for some strange reason to me, Mr. Chairman, has a third category, "extraordinary needs?"

**Hon. Mr. Yaremko:** Mr. Chairman, there is "supplementary assistance" and "special assistance," and the figures I was giving were in relationship to "special assistance."

**Mr. C. T. Rollins (Hastings):** Mr. Chairman, item 5, subsidies re municipal administration—

**Mr. Chairman:** Order, please!

**Mr. Rollins:** Oh, I am sorry.

**Mrs. M. Renwick:** The Minister has not finished answering the question. We were questioning, Mr. Chairman, the number of benefits paid under the title, "extraordinary needs." Could I ask another question?

**Hon. Mr. Yaremko:** Mr. Chairman, I am advised there are about 4,000 persons receiving that type of assistance.

**Mrs. M. Renwick:** May I ask the Minister, does the province pay 50 per cent of the cost of the extraordinary needs?

**Hon. Mr. Yaremko:** Yes, that is shareable.

**Mrs. M. Renwick:** Rather than 80 per cent that it pays on some other special assistance?

**Hon. Mr. Yaremko:** Mr. Chairman, I think the hon. member and I should get on the same track, if I may use that expression. The supplementary assistance is that amount which we share with the municipalities up to the amount of \$20 which is by and large used for additional amounts of ordinary expenses, if I may use that terminology. As supplementary

assistance we share 80 per cent of that. The special assistance which is the individual types of assistance—the prosthetic appliances, for instance—we share 50 per cent; we will pay the municipalities 50 per cent.

**Mrs. M. Renwick:** Is there some reason then, may I ask, for it being 50 per cent. As we come to this particular category, is it not acting as a deterrent at the municipal level?

**Hon. Mr. Yaremko:** No, Mr. Chairman, this resolves into one basic fact, there is not enough money. We hope eventually to have all participation at about the same level. As we implement programmes, we start at a lower level perhaps because we have that many dollars, and we hope in the course of time to boost that up. It does not act as a deterrent.

**Mrs. M. Renwick:** Mr. Chairman, looking at these notes, am I correct in wondering if the service under the Ontario hospital services commission is only applicable to recipients in the districts and not to all recipients, in the same way as OMSIP?

**Hon. Mr. Yaremko:** I do not follow the hon. member. Which number is she on?

**Mrs. M. Renwick:** Item 4 is the one that I am speaking to. Under the Ontario hospital services commission, Mr. Chairman, I would like to ask if all people under this particular Act are covered?

**Hon. Mr. Yaremko:** If they are in a district, we look after them at the provincial level. That is, if they are in unorganized territories. If they are in organized territories, then the responsibility is that of the municipality which pays the premium or the cost—whatever the decision—and that is how it is dealt with. The Minister of Health (Mr. Dymond), advises me that he pays it.

**Mrs. M. Renwick:** I am sorry, Mr. Chairman, could I ask for that statement to be repeated?

**Mr. Chairman:** The Minister replied to the identical question earlier in the day. He said that all of them were paid, anyone on general hospital insurance.

**Mrs. M. Renwick:** Are you saying, Mr. Chairman, that the Minister said earlier today that all recipients under—well, we could not be under general welfare assistance because we were not discussing it, were we? To me there are not all—

**Mr. Chairman:** But the item of hospitalization came up, and it is the Chairman's recollection that this is what the Minister had said.

**Mrs. M. Renwick:** To my understanding, Ontario hospital services commission does not cover all recipients under The General Welfare Assistance Act, but it does cover the recipient in the territorial district, and I wondered why this is arranged this way.

**Hon. Mr. Yaremko:** This is a matter that is left to the municipal level. The municipality has a choice of either paying the premiums or absorbing the cost of hospitalization. Now, we are talking about the items on OHSC. In unorganized territories where there are no municipalities to take that up, we, the province, take up the whole thing.

**Mrs. M. Renwick:** Still speaking to item 4, why are the pre-added budgets not identical in The General Welfare Assistance Act, with The Family Benefits Act?

**Hon. Mr. Yaremko:** My understanding is that they are almost basically the same, and that they do add up to the same exactly. If the form is not exactly the same, the ultimate result in respect to the recipient is the same. Actually the variances are quite small, I believe. They used to be quite different. But as a result of the Canada assistance agreement, the two have been levelled off.

**Mrs. M. Renwick:** Mr. Chairman, I would ask you to bear with me for just a moment while I just look as quickly as I can at the charts to show that under family benefits, the highest amount in the chart is \$314, and under general welfare assistance, the highest amount is \$295, this represents a large percentage of the monthly payment in the difference, in my own view. I would like to point out that the ceilings imposed under The Family Benefits Act, are \$300 for four beneficiaries plus \$10 a month. Under The General Welfare Assistance Act it is \$300 and a maximum of \$69.20 in any week for a recipient with three dependants or less.

The \$10 a month item, I will agree, for each additional child is a pitiful amount to add. Any of us in this assembly could not add \$10 a month to look after a child. These are not in accordance with each other. I am just nonplussed to know why, if it takes \$314 to feed this certain family or clothe and house them, why it would not be identical under the general welfare system.

**Hon. Mr. Yaremko:** It so happens, Mr. Chairman, that the example that has been worked out for me is right within that. Under The Family Benefits Act, the total amount payable would be \$314 and under The General Welfare Assistance Act, it is broken down as follows: \$295 plus \$12 for utilities, plus \$8 for household supplies, which works out to \$315. That is the end result, which is the same. For a single person, under The Family Benefits Act, \$62, and under The General Welfare Assistance Act, the basic amount is \$47, plus \$8 for utilities, and \$7 for household necessities which is a total of \$62, so that the end result is almost the same, although the computation is different. I have asked why the forms should not be identical and I am advised that the general welfare assistance formula provides for coping with certain situations to a greater degree than, and to a different degree from, that under the family benefits.

Interjection by an hon. member.

**Hon. Mr. Yaremko:** It is a monthly period. That is the pre-added budget. I may say to the hon. member that I, too, have an aversion for forms, and I believe that they should be simplified. One form should, if possible, serve the purpose of many and I am hopeful that in the coming year, the matter of a variety of regulations, and rules and forms may be somewhat simplified. It is in the best interests of both recipient and administration.

**Mrs. M. Renwick:** Mr. Chairman, may I just ask one small question with regard to the question just given by the Minister? Am I correct in assuming from your statement that utilities under one budget are figured at \$8 per month, and under the other budget they are figured at \$12, and can there possibly be any reason for this?

**Hon. Mr. Yaremko:** We are talking about two different types of accommodation. The one instance was a single person. The other was a situation of a family unit.

**Mrs. M. Renwick:** Are the amounts allowed for utilities identical under both Acts?

**Hon. Mr. Yaremko:** No.

**Mrs. M. Renwick:** What could make the difference may I ask? The amount set aside for utilities under one Act, would it not be identical with the amount for the other?

**Hon. Mr. Yaremko:** Well, you see, you have to recognize the concept of the two different types of situations, that The Family Benefits



Act covers people over long-term needs, and the general welfare assistance is invariably a short term programme and there is that period whereby invariably the recipients have some resources of their own; if the situation changes they fall within the description that they should be long term cases, they come under The Family Benefits Act.

**Mrs. M. Renwick:** Mr. Chairman, I would just like to say to the Minister: If under this Act they are short-term needs, how do we get second and third generations of people living under welfare assistance?

I would like to ask—and also if I may Mr. Chairman, point out that to say the situations are different is ludicrous. The situations of the people under The Family Benefits Act and the people under The General Welfare Assistance Act are identical and this is what has to be recognized by this government. These are people in need, without money. Therefore, the situations basically are identical. The difference in the equation of amounts of money for utilities, amounts of money for their needs in categories, in my view, should not differ. They are identical situations. If people need \$12 for utilities under The Family Benefits Act, then the people under The General Welfare Assistance Act need \$12 for utilities too, not \$8.

May I ask a question, Mr. Chairman? Is there no guide in The General Welfare Assistance Act then to allow even a small asset, such as there is under The Family Benefits Act, the asset that is allowable under The Family Benefits Act of \$1,000 for an individual, plus \$200 for each child, \$1,500 for a couple? Is there no way that any small liquid asset can be preserved in any of this General Welfare Assistance Act? There just simply is not any. Am I correct in that interpretation?

**Hon. Mr. Yaremko:** There is nothing mandatory. That is a matter of discretion of the local municipality.

**Mrs. M. Renwick:** There is not. Is there somewhere in the Act that says that the amount of liquid assets that a person may have is so much, at the discretion of the municipality? Have I missed it somewhere, Mr. Chairman? Are they allowed to have liquid assets then, may I ask, under The General Welfare Assistance Act, and if so, how much? How much is the ceiling if the municipality can decide? Is there a ceiling such as under The Family Benefits Act?

**Hon. Mr. Yaremko:** That is a matter, as I say, which is at the discretion of the municipality.

**Mrs. M. Renwick:** Mr. Chairman, I believe I am at the end of this vote except to ask a couple of questions regarding form 2. I believe this is the form, and if not here, in some other form where one of the questions is referring to the debts that a family may have. In this particular problem being such a broad one in our society, with the easy accessibility to incurring debt these days, I think it is a very real question. Are there no allowances made to deal with these debts?

There is a question, I believe, in one of the forms referring to them and then I have just two small questions on form 2.

**Hon. Mr. Yaremko:** I am not as familiar with form 2, as I was with form 7 under The Day Nurseries Act. I am advised that there is no provision for debts. They can be payable out of the assets but not considered in terms of its relationship to the income. It is under The Day Nurseries Act which we introduced where we make provisions for payment of debts in deciding what payment should be made in respect of ability to pay for services there.

**Mrs. M. Renwick:** Could I just ask, Mr. Chairman, is the purpose of asking about these debts simply to correlate them with any assets that may be had? Is that a correct interpretation of the answer?

Are they, at any time, referred to the provincial debt counselling service in order, hopefully, that a small amount might sometime go into the pre-added budget to liquidate debts?

**Hon. Mr. Yaremko:** Yes, I do believe that that is the purpose of the debt counselling service which has been initiated. It comes under the grant which comes out of The Department of the Attorney General because of the historical reason for it coming into being, and I am advised that that is available for them.

**Mrs. M. Renwick:** Mr. Chairman, if I may say, that service is available under the government, but there is no provision under this Act to allow even a small payment a month off those debts. Therefore, the service provided by the government on the other hand is useless to these recipients under this department, it would appear.

Could I ask please about the question in form 2 for living accommodation after the landlord's name, the landlord's relationship to the applicant? Could I ask what the purpose of that question is?



**Hon. Mr. Yaremko:** My understanding is to establish the relationship in order to determine whether the rent, which is being charged, is a rent that is being dealt with really as between two strangers; that there is not some agreement with respect to the rent, so that whatever is granted in respect of the rent is a fair computation.

**Mrs. M. Renwick:** Just that it is a fair computation, Mr. Chairman?

**Hon. Mr. Yaremko:** If there is any other reason, I am not aware of it.

**Mrs. M. Renwick:** May I ask, under relatives, in number 12, where the prospective recipient is asked to list children and relatives and any persons not living with the applicant but who contribute to the care or support of the applicant, why there would be a listing of the other children and other close relatives not living with the applicant who, in my view, from just looking at this form, bear no relationship on this application unless you wish to assume that they, in some way, should be responsible at some time for some facet of the operation of the applicant?

**Hon. Mr. Yaremko:** That, of course, would be a piece of information that you want to know about the person that is being serviced and there may be—

**Mrs. M. Renwick:** What is the relevance of it?

**Hon. Mr. Yaremko:** There may be circumstances under which you would want to get in touch with other relatives. You see I do not know what the intent of the hon. member's questions are and it would be of assistance if perhaps she prefaced her questions and took positions.

I go on the basis that if we are going to counsel, if we are going to assist people to prevent these third generations from dependency, there has to be a rapport between the person servicing that individual and the person being serviced. In order to do that adequately you have to know all about the person. The idea of just saying: if you are a resident of Ontario and you say you have nothing to live on, we will give you a cheque for blank dollars—if that is something—

**Mrs. M. Renwick:** Let us not get off the question, Mr. Chairman.

**Hon. Mr. Yaremko:** —that the Opposition supports, we are at a parting of the ways.

**Mr. Sopha:** What is the reference to the third generation—what does that mean?

**Hon. Mr. Yaremko:** The hon. member says that there are people on the welfare rolls for three generations. I would like to know sometime how many there of that kind.

**Mrs. M. Renwick:** Mr. Speaker, when I am in your position I hope I will be able to tell you. I would like to just point out that in my view, Mr. Chairman—

**Hon. Mr. Yaremko:** By that time there may be a fifth or sixth generation.

**Mrs. M. Renwick:** In my view, the question 13 serves no real purpose. You are asking the applicant what relatives he has and you say to establish a rapport. With whom—with his relatives?

**Mr. Sopha:** I have often suggested that relatives should help out people.

**Mrs. M. Renwick:** That is right. If I may say as much as one can presume, that is in all likelihood the theme behind that question. If we find out who the person's relatives are, we will find out if the person will help support them. I think that is a very bad question in the light of the new look given to this department from the Canada welfare assistance that—

**Mr. Sopha:** Are you against relatives helping to support them?

**Mrs. M. Renwick:** I think that is an irrelevant question, my dear, I am a relative myself—

**An hon. member:** My dear, eh?

**Mrs. M. Renwick:** Or at least, hon. member—I use the term “my dear” quite frequently—I beg your pardon, Mr. Chairman.

To wind up vote 2003, I would simply like to point out that in this form the department has listed those relatives who will help—the hon. member for Sudbury—they have listed those relatives, the kind, devoted relatives, and in my view the next question is an irrelevant one.

**Mr. Chairman:** On vote 2003: The member for Hastings—I thought he had been up.

**Mr. Rollins:** On these municipal administration expenses—I ask the Minister, through you, Mr. Chairman—what percentage is paid to county units where there is more than one municipality involved?

**Hon. Mr. Yaremko:** Fifty per cent.

**Mr. Rollins:** Mr. Chairman, in view of the service that these county units give in this area, and the fact that the health units where one or more county or city is involved, are given consideration of 70 per cent, would the Minister encourage the service that they are rendering by increasing this subsidy for administration purposes?

**Hon. Mr. Yaremko:** I am sorry, I did not hear the hon. member, I was—

**Mr. Rollins:** Mr. Chairman, I will repeat this: Will the Minister—in view of the service that is being rendered by those county units where there are two or more in one unit—would he increase the grant to 80 per cent rather than 50 per cent in this instance?

**Hon. Mr. Yaremko:** Mr. Chairman, I will take the proposition and proposal of the hon. member under very serious consideration.

Interjections by hon. members.

**Mr. Rollins:** Mr. Chairman, on this vote—on item 5—I can only say that the county units as far as Hastings county and the city of Belleville and the town of Trenton, are giving a very efficient type of service to the individuals contained. I view of the fact that they are devoting their full time on welfare assistance and do not have to contend with other items which the department has—and I am referring to legal aid—they are giving a service to which I would hope the Minister would give serious consideration in order to promote the efficiency that these health units are giving as far as I am familiar with them in the county of Hastings.

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, before making any remarks on this vote, I would just like to be certain of one set of figures that the Minister gave. Is it correct to say that an unemployed single man in the city of Toronto, if he is on welfare, receives \$62 a month? What does that cover?

**Hon. Mr. Yaremko:** That does not include shelter.

**Mr. Trotter:** All right. Then what would the shelter include?

**Hon. Mr. Yaremko:** It can be up to \$43.

**Mr. Trotter:** It could be up to \$43? In other words, a single man in the city of Toronto would get \$43 for shelter and on \$62

would have to feed and clothe himself and pay car fare in order to live. In other words it comes, I think, to about \$105 per month to live on. Where in the world—of course this is what is wrong with the grant completely—where in the world can a single man live for \$43 a month in the city of Toronto? There may be some places but they are mighty hard to find and this is why the public welfare grants, certainly in large areas like Hamilton or Toronto, are completely cockeyed, and it is something that needs to be reassessed. They may get the \$43 for rent but they nearly always need more and this applies to the married man, whether he has a wife or has a number of children. The reason I dwell on this is that earlier the Minister said that no one in the province of Ontario needs to go hungry. "Write me; give me the case," he said. Unquestionably, if you talk to any social workers it is happening every single day, every single moment, certainly in the city of Toronto, that there are many people who go to bed without enough to eat, and if they are going to pay the rent, they must take it from what you allow for food.

If a person is able to get around they can get enough to eat once their money is spent from these grants, by going to the Scott mission or the Salvation Army. They will go from agency to agency at the end of the month when the money runs out, and if you do not believe me, all you have to do is to go down to the Scott mission or the Salvation Army and they will tell you that this is the case. Our system, whether it is under the new system under The Welfare Assistance Act or under the old system, is simply lagging behind the times, because the Minister, if he would only get in his Cadillac some day—his chauffeur-driven—

**Hon. Mr. Yaremko:** Mr. Chairman, that is typical of the hon. member. I have nothing to do with a Cadillac and if he will get down to brass tacks and try seriously—

**Mr. Trotter:** I am getting down to brass tacks.

**Hon. Mr. Yaremko:** Get off that line. I walk more in one week than you walk in a lifetime.

**Mr. Trotter:** I have the floor, Mr. Chairman. I have the floor.

**Hon. Mr. Yaremko:** On a point of order, Mr. Chairman.

**Mr. Trotter:** I have been sitting here all evening hearing your nonsensical statements that there are no people going to bed hungry and I am telling the Minister of Social and Family Services he does not know what he is talking about.

**Hon. Mr. Yaremko:** You are just blowing up a big balloon—I did not say there were no cases—I asked for the names of the cases.

**Mr. Trotter:** You get in your chauffeur-driven limousine and go down to the Scott mission any day of the week.

**Hon. Mr. Yaremko:** I have been by the Scott mission ten times more than the hon. member. I walk by there weekly.

**Mr. Trotter:** He simply does not care and it sickens me. You are just a typical Tory.

**Mr. Chairman:** Order! Order!

**Mr. Trotter:** You know, Mr. Chairman, this has been the trouble with this department, now the department of welfare, or whatever they call it.

**Mr. Chairman:** Order! Let us get back to the estimates, please.

**Mr. Trotter:** It has been the stepchild of the Tory party. They have had Ministers who just have not cared. This has been the worst politically led department in the government.

**Mr. Chairman:** Order! Order!

**Mr. Trotter:** I respect the civil service, but not this group.

**Mr. Chairman:** Order!

**Mr. Trotter:** I am right on the point. I am on the welfare grants and this is what brought this up.

**Mr. Chairman:** Your remarks directed to the Minister were not on the welfare grants.

**Mr. Trotter:** They certainly are.

**Mr. Chairman:** On vote 2003?

**Mr. MacDonald:** He is accusing the Minister of being like Trudeau, "No more of this free handout stuff."

**Mr. Trotter:** Do not go and push that. He is worried, he knows what is going to happen on June 25.

Interjections by hon. members.

**Mr. Trotter:** He is worried, we have got his number.

**Mr. Chairman,** when I began to speak on the Canada assistance plan—on vote 2002, which they said came under vote 2003—what I am concerned about in this respect is: There are a number of things under the Canada assistance plan that we in this province do not take advantage of. One of the most important things in the treatment of family and social services these days is to prevent people from becoming destitute.

For example in Alberta, they have passed an Act which is called, I believe, The Prevention Services Act, and under that Act, grants can be obtained whereby, under the same system the municipality pays 20 per cent, and the remaining 80 per cent is split by the federal and provincial authorities. Now, we have a situation here, for example, where in the prevention services, the big brother movement, and the big sister movement, or whatever they call it, lack grants. Under the legislation in Alberta, the government can get half their grant from Ottawa. We in this province should have similar legislation because I feel that there is little or no excuse that we do not help the preventive services like the big brother movement.

Unfortunately under the grant system here, this is the case. I say this in emphasizing the importance of helping those groups like the family counselling services that we have in Ontario. They are completely dependent upon the united aepal. We are far better, it would be far wiser to take advantage of the new legislation that Ottawa has passed recently, and I would like to know why we in this province do not have similar legislation to that in Alberta, and also in Saskatchewan. Now, what would happen in these organizations, in these counselling services, which do not have as many trained employees as they once had? Despite the fact of population growth, and the fact that the demands for their services are greater than ever before, they are less able to cope with the situation. The costs are rising and you can only get so much from charity. It is so highly important that we improve and increase the preventive services, and this government has been extremely lax in this area.

To give you a practical example, four or five years ago when the department was known as The Department of Public Welfare, an experiment was carried out with about 100 families that seemed to be chronically



on welfare. The government, from its own investigation—and it surprises me that this report of the government has received so little publication—found that 43 per cent of the families that are on welfare could be rehabilitated if they had some type of assistance. In many cases the mother could go to work if there was a day nursery. Despite what people say, or what the general public thinks of welfare, the vast majority of recipients of welfare do not want to be living off the largesse of—

**Hon. Mr. Yaremko:** On a point of order, I would just like to bring the attention of the member for York South, the leader for the NDP, that if he pays attention to the member speaking now, he will get the fourth major address from the member on welfare.

**Mr. MacDonald:** So what?

**Mr. Trotter:** Who is making the fourth one?

**Mr. Sopha:** Well, is there some rule around here that you are restricted in your remarks?

**Hon. Mr. Yaremko:** I do not know what item the member is speaking to.

**Mr. Trotter:** Well, first of all I was speaking on the general welfare assistance grants. It all ties in because the thing comes under the Canadian assistance plan, and when I got up on vote 2002, they told me to bring it up under this one. Now, I am going by the direction of the chairman, and it also ties in with general welfare assistance. Because it does not sink in, I would like to repeat it. It is a fact that if you took advantage of the Canada assistance plan as Alberta and Saskatchewan have done, you would get grants to assist in preventive work.

It would save you money on item number 4, The General Welfare Assistance Act if you could keep people off the welfare roll. Before I was so rudely interrupted, Mr. Chairman, I was referring to the test or experiment carried on by the department on how to help people who are receiving general welfare assistance under item 4 of this vote. It found that 43 per cent of the families could be helped by various things such as training and supplying nurseries so mothers could work. It found that the vast majority that are on welfare simply do not want to be there, despite what many say about those who are receiving welfare.

I would like to ask the Minister to find out, or tell me if he knows of anything of the

investigation carried out on rehabilitation of welfare recipients; and also for the Minister to tell me how any single man in the city of Toronto who is trying to keep up a decent appearance in order to get a job is expected to live on \$105 per month. Can he answer that?

**Mrs. M. Renwick:** On a point of order. With that answer, I would like to ask two small questions.

**Mr. Chairman:** I am sorry, the member does not have a point of order.

**Mrs. M. Renwick:** If the Minister is misleading the House, do I have a point of order? If that answer was misleading?

**Mr. Chairman:** Perhaps we could have the Minister answer the member for Parkdale, and then if the member for Scarborough Centre feels that there is evidence of his having misled the House, then perhaps she would rise then?

**Hon. Mr. Yaremko:** Mr. Chairman, I have explained with a great deal of clarity, if not at length. I see that the hon. member for Sudbury shakes his head on the word clarity. The emphasis of the department in the future is to be placed on prevention and rehabilitation. We will develop our own techniques as I announced this afternoon. The experience and the staff of the vocational rehabilitation services will be combined with the family services section under Mr. Amos to go into this field and, as I replied to the hon. member for Scarborough Centre, we are still in the process of discussing with Ottawa the work activity projects—the outlines of which have yet to be determined and the participation. And with respect to what other provinces are doing, I say that our participation under the Canada assistance plan is greater than that of any other province.

**Mr. Trotter:** Not on these points.

**Hon. Mr. Yaremko:** I must say that the Alberta scheme is something that I have not had the opportunity of going into and I—

**Mr. Trotter:** The Minister had better find out.

**Hon. Mr. Yaremko:** I intend to, but we are pursuing our objectives of prevention and rehabilitation—

**Mr. Trotter:** On this very point, this government I know likes to emphasize the importance of voluntary help and unquestionably those people who have been in volunteer

charity agencies have piloted and begun many of the projects that are now completely accepted by government. They have grown so large they have become part of government. But they still carry out many services and bring into the social welfare field many outstanding people. And they should certainly, be encouraged.

But the Minister, Mr. Chairman, seems to have a blind eye to what is happening to some of the very best of our volunteer organizations. In a modern day complexity of our society, with modern day costs, they simply cannot continue to provide the services they have supplied in the past. The one who has made the most noted appeal is the big brother group, and I think the family services association—another large volunteer organization. They make superb contributions to our society and are still doing so. But they are now caught in a crunch and their services are simply going to decline because they cannot keep pace with the costs. In order to retain people who have the ability and the qualifications in the social service field, they have to pay the salaries to compete with government. With the money at their disposal, they are limited and the government is ignoring these very valuable groups—because I feel, in many instances, you get more value for the taxpayer's dollar by helping some of these excellent but volunteer groups.

But the Minister says, "Well, I am going to look into what they do in Alberta." It is about time he does, because you can get federal help for these groups. Right now you do not get a cent. If you just do not get too obstinate and start to look around, you can find a lot of these groups can be helped. But the answers the Minister gives tonight are really frustrating as to the lack of leadership we are getting in this field. The Minister just does not know, that is all, he does not know.

**Mr. J. H. White** (London South): Mr. Chairman, I am one of those who was very gratified last fall when the government announced that it was taking over the full cost of the administration of justice. I say that by way of preface. Because it does seem to me that we should now consider taking over the full cost of welfare.

**Mr. MacDonald:** Hear, hear!

**Mr. White:** I am very glad to have support from both sides of the House on this and I am glad to be able to enunciate this point of view with some rationality, unlike the critics

for the Opposition parties whose destructive attack I think has helped no one.

**Mr. Sopha:** Somebody will squeal on you to the Premier.

**Mr. White:** Mr. Chairman, I point out to you that there is deliberate inequality in existence between the municipalities of Ontario, intended in many instances to drive a poor citizen from the hamlet to the town, from the town to the city, and from the city to the metropolis. I say that this is sometimes coupled with impoliteness verging on inhumanity, once again, in some instances, with the deliberate attempt of excluding that person from the community in which he has lived.

I think that the present arrangement is probably expensive in that it duplicates staff and facilities of one kind and another. I observe that municipal welfare has a stigma which is not attached, for reasons that are not fully comprehensible, to welfare from the provincial level, perhaps because municipal welfare is too personal. And perhaps it is too personal because it is local and because it comes from the community and is administered by other members of that same community. I see no advantage in the present arrangement.

I think that at one time, when communication was more time-consuming, before we had rapid transportation, before we had electronic means of communication of one kind and another, at that time there may have been very easily some rationale for the arrangement that is perpetuated.

But I am forced to say that in a vote here of \$38.5 million, to which the municipalities contribute no more than \$10 million, something less than \$10 million, that we should consider assuming all of the responsibility in fairness to the citizens who are benefited by welfare provisions of one kind and another—

**Mr. Sopha:** For the first time I see Cabinet material.

**Mr. White:** —and indeed in fairness to all of the citizens who are taxpayers. I think it would be a more humane, more effective and a more efficient way to administer this. I know that a change of this nature could not be introduced without very careful thought by this Minister and his wise and beneficent colleagues, and I would hope that in the months to come some attention might be given to this modest proposal.

**Mr. Sopha:** That is the new Allan Lawrence over there.

**Mr. Chairman,** I wanted to draw a matter in the administration at the local level of this General Welfare Assistance Act to the attention of the Minister and a dichotomy that I just cannot understand.

**Interjection by an hon. member.**

**Mr. Sopha:** Well, it is amazing, as we are in the ides of May, what measures of desperation Pierre Elliott Trudeau is driving other politicians and other parties to. Really amazing!

**Mr. Makarchuk:** He is going to kiss his way to power!

**Mr. Sopha:** My friend says Mr. Trudeau is going to kiss his way to power; I am not against an escalation of osculation, as long as I can share in it. To get down to specifics. I ask the Minister: I am correct, am I not, to take a hypothetical illustration? If a man, let us say, suffered from mononucleosis and he was off work for a period of seven or eight months recovering from the disease, that if and when he returned to work there would be no question of attempting to recover the money that he and his family had been paid in welfare. There is no question about that, there would be no attempt to recover the money? All right, fine.

Then I fail on rational grounds to understand where the difference is when the individual is off work because of traumatic injury and there are efforts made, very tenacious efforts made, to recover the welfare—paid to him from a court judgment—that he may later require. Now, on rational principles, I just cannot see the difference. Both persons are off work.

It happens that the one suffering from disease will go back into the income-earning stream, recoup, be able to support his family. The other is getting a judgment from a court for physical injury. Now why, in the second case, does the Minister permit the municipalities to take an assignment of the judgment to pay back the amount of money that they pay to the individual while he is recovering from his injury? I am just unable to understand that and it seems to be a cruel proposition to me.

Here, we have two cases where need is the determining factor. I cannot see that the type of disability makes any difference in the realm of recovery, and the state should not be involved whether at the provincial

level or at the municipal. The state ought not to be involved in recouping payments that were based upon need in the first place and indeed, in many cases—one that is very close and personal to me—by recouping the amount paid for the ultimate judgment it derogates from the individual's ability to rehabilitate and retrain himself.

You are taking from him money that he might use in a very productive way to fit himself to gain an income. The whole thing is a self-defeating proposition, just for the sake of feeling that the balance sheet is evened up and, of course, it is demonstrative of the philosophy that is more in accord with the forelaws of Elizabeth, than it is in line with modern social thinking.

There seems to be still, in this province, some vestige of an attitude that welfare is paid because it is an assuagement of the Christian conscience, of the necessity to be our brother's keeper and paid out of a grudging moral obligation to people who, in many cases I am sure it is felt, are ill deserving of it. I, for one, would like to see that replaced by a healthy and salutary attitude that the individuals are looked at from the basis of need.

Now I have said that before and this is part of the frustrations that I encounter with this department. I am only saved by the fact that at Sudbury we have such a remarkably, efficient, human, co-operative and thoroughly nice individual at the head of the local branch. Now for an Opposition member to have said that about my good friend Mr. Bellanger, I know he might be in danger of being moved out of there. I hope not. I hope he is with us for a good many years.

But Mr. Bellanger, let me just say, applies not only the pragmatic but the human approach to things. He and I spend our time, I hope I am not giving any secrets out of school, in trying to find ways to circumvent the red tape that exists at head office—the red tape. There are the regulations, and in order to do the human thing, we have to get around them.

Let me give you another illustration, because, as I say, time and time again, I do not like to speak in generalities.

Look at the foolish regulation they have at head office—that some stubborn civil servant no doubt dreamed up—regarding paying for repairs to a house. Supposing the basement of a widow's house is wet—water is coming in the basement and it renders it unfit to live in. The contractor who mends



those cement blocks cannot be paid in one lump sum. Supposing his bill is \$700 to fix the crack in the basement. He cannot be paid in one lump sum. She has to pay by monthly instalments.

She has to either persuade the contractor to take his payments in monthly instalments, or she has to go to a credit-granting institution, borrow the money—perhaps at an atrocious, usurious rate of interest—and pay him back monthly. Well, of course, she does not have to do it, but that is the regulation. That is the regulation. That is the red tape that we face and Mr. Bellanger has to go out in addition to his duties. You see, in that case the contractor cannot wait for the \$1,900 that is owing to him for fixing the widow's basement. He cannot wait—he needs the money—he has to pay his workers, so Bellanger—

**Hon. C. S. MacNaughton** (Provincial Treasurer): The price just went up rather sharply!

**Mr. Sopha:** So Bellanger—

**Hon. A. Grossman** (Minister of Reform Institutions): The price went up.

**Mr. Sopha:** Well, there is nothing funny about this.

**Hon. Mr. Grossman:** You said \$700, then \$1,900!

**Mr. Sopha:** Well, I used an illustration. I am dwelling on an actual case—\$1,900 an actual case.

Mr. Bellanger has to go out and find a credit-granting institution to lend the widow the money to pay the contractor. Surely that is not part of his duties as the regional administrator. But in order to effect the human end to the whole thing, he puts himself out to do it, whereas all they have to do at head office down here at Whitney Block, is change the regulations so that it is not paid by monthly instalments. If the repairs are justified and competitive bids are sought on the repairs, then when the contract is granted the department pays the thing in a lump sum.

If they want to recoup by increasing the grant under The Family Benefits Act, that is fine, that is a matter of bookkeeping. But really, I did not speak lightly before. These things are carefully reflected upon and I

raised them at the time they should be raised, under the administration of this statute, in order that we seek the most efficient way to achieve the ultimate ends of what we are trying to do.

That has nothing to do with forms. It has nothing to do with regulations. It has everything to do with rationality and the application of common sense to the statutory principles of the Legislature as laid down.

Now, I could not agree more with my friend from London South. I have never been able to understand that the government paying the lion's share toward the cost of welfare, is not this government, it is the federal government.

**Hon. Mr. Rowntree:** I wonder if I might enquire of the hon. member—

**Mr. Sopha:** Two minutes. Two minutes.

**Hon. Mr. Rowntree:**—what his point is because we have an understanding that we would not go past 11 o'clock.

**Mr. MacDonald:** Time. Time.

**Hon. Mr. Rowntree:** I know the hon. member would not want to put us in breach of that.

**Mr. Sopha:** Two minutes, I just wanted to state the reason and I can do so very briefly. I agree with my friend from London South. I simply do not see that the junior government, putting up the least amount of money, should have the administration, because it is known among the electorates that this is a provincial responsibility. People come to us to make their complaints but really we are powerless in the hands of the local administrators employed by the municipalities. We are powerless to intervene in the same efficacious way that we might at this level of government and for that reason, from the point of view of efficiency, I heartily endorse the proposal of the sometime, would-be, Minister of revenue of the province.

**Hon. Mr. Rowntree** moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to

certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow we will turn to the order paper and have second readings and House in committee and, thereafter, we will return to the estimates of the present department.

We will be sitting tomorrow night, Wednesday.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:15 of the clock, p.m.







ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Wednesday, May 22, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 22, 1968

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** Today among our visitors, we have in the Speaker's gallery, members of the Beta Sigma Phi sorority in Exeter; and in the galleries: in the east gallery, students from Sarnia Christian school in Sarnia, and the John A. Leslie public school in Scarborough; and, in the west gallery, students from Haliburton Highlands secondary school in Haliburton. Later this afternoon, students from St. Joseph's school in Windsor will join us in the east gallery.

We welcome all these visitors today.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

## THE ONTARIO UNIVERSITIES CAPITAL AID CORPORATION ACT, 1964

**Hon. C. S. MacNaughton** (Provincial Treasurer) moves first reading of bill intituled, An Act to amend The Ontario Universities Capital Aid Corporation Act, 1964.

Motion agreed to; first reading of the bill.

**Hon. Mr. MacNaughton:** Mr. Speaker, this amendment will permit the corporation to purchase from the Ryerson polytechnical institute bonds and debentures issued by the institute for capital construction projects that have been approved by the Minister of Education.

**Mr. Speaker:** Introduction of bills.

Orders of the day.

**Hon. M. B. Dymond** (Minister of Health): Mr. Speaker, before the orders of the day, on Friday, the hon. member for Scarborough East (Mr. T. Reid) asked a question of me, question 540:

In view of the reported statement in the *Toronto Daily Star*, May 16, by Doctor James Collier, chairman of the committee

of research for the Canadian college of family physicians, that Canada is 15 years behind Britain and Australia in research into family health care, does the Minister of Health for the province intend to create a realistic research incentive programme to encourage Ontario doctors in general practice to undertake research into such important areas of family health such as the effect of drugs used on a long-term basis which could not be done in hospitals; and (b) would the Minister consider specifically financial stipends as a part of the research incentive programme that has payment in place of normal income, which would release the family doctor from a portion of his office practice to pursue research?

**Mr. Speaker:** I would advise that my department first of all, does not altogether agree completely and wholeheartedly with Doctor James Collier and we are not quite certain that he actually specified 15 years. That apart, we were actively involved in supporting matters of this kind.

If any practitioner or group of practitioners submits a research project to us, it will be given every consideration by the research committee, which body recommends whether a project should be undertaken or not.

**Mr. Speaker:** The Minister of Tourism and Information has a statement.

**Hon. J. A. C. Auld** (Minister of Tourism and Information): Mr. Speaker, I would like to take this opportunity to give the House some amplification upon a matter which arose during discussion of my estimates a week ago Tuesday. At that time, the hon. member for High Park (Mr. Shulman), speaking on the vote dealing with the theatres branch and the censor board, stated—and I quote:

All the little bits that are cut out of the pictures are put together, and two years ago they were shown in this building in The Attorney General's Department to many of the senior civil servants. There was much glee at seeing this very interesting film.

The hon. member went on to describe this as—and I quote: "a super pornographic extravaganza."



Mr. Speaker, I had no knowledge of what the hon. member was referring to. I asked him for further information. Yesterday, I received a letter from the hon. member for High Park, in which he supplied some further details and in which he requested that I make a statement to the House. I am happy to do so at this time.

So that there can be no misunderstanding I will begin by reading the complete text of the letter to me dated May 21, 1968, from the hon. member for High Park and I quote:

Last week in the House you requested further details re the showing of the film made up of censored pieces. Among the facts I have checked are:

1. The chief censor, Mr. Silverthorne, has full knowledge of the film and its showings.

2. The picture was shown in Mr. W. B. Common's office, although Mr. Common was away. His office was used because the drapes allowed it to be darkened.

3. Among the civil servants present were W. C. Bowman, director of public prosecutions, and the chief magistrate, Mr. Arthur Klein.

4. There were no elected representatives present, although on a separate occasion, a film made at the University of British Columbia and banned in Ontario was shown to certain representatives, and I am told that the audience included the hon. F. M. Cass, and the hon. James Auld.

If you still wish all the details stated publicly I am quite ready to do so. However I have no particular wish to embarrass those individuals who followed a not-abnormal urge to see those films. I am perfectly willing to drop the matter providing that you make a statement in the House that you have obtained the film from the censor and have destroyed it. I trust that this situation will underline the overall ridiculous nature of film censorship and perhaps the Minister will reconsider his censorship policy.

By all means protect the young by grading, but surely adults can choose for themselves.

Yours, sincerely,  
Morton Shulman, MPP.

Now, to answer point number one, Mr. Speaker, Mr. Silverthorne has no knowledge, nor have I, of any film made up of cuts being shown to senior civil servants in this building, either two years ago or at any other time during the past 20 years.

Mr. M. Shulman (High Park): Does the Minister deny that the film was produced and shown?

Hon. Mr. Auld: That also takes care of points two and three. We come to what I think is the crux of the matter in point number four. In that case, Mr. Speaker, I am quite sure that the hon. member is referring to a screening which took place either in February, or early March, 1964, when the 16-millimeter film "Bitter Ash", produced by Mr. Larry Kent of Vancouver, was submitted to the censor board. The board communicated to me its concern about some of the scenes and dialogue in this film, and I asked to see it.

Since the House was then in session, I requested that the film and 16 mm. projector be brought to Queen's Park. This was done and the film was screened in the office of Mr. W. B. Common who was then the Deputy Attorney General. Among those present, beside myself, were the then Attorney General, yourself Mr. Speaker; Mr. W. C. Bowman, director of public prosecutions; Mr. David Coon, who was then chairman of the Attorney General's committee on pornography, and perhaps one or two others of that committee whose names cannot be recalled at the moment. Mr. Common was not there.

I emphasize, Mr. Speaker, that this was the feature film, "Bitter Ash". It was not a conglomeration of cuts. Subsequent to this screening, the producer of the film was asked to permit a number of eliminations. He refused to do so and the film was not approved for public exhibition in Ontario at that time.

Mr. Speaker, I respectfully suggest to the hon. member that this screening is the one to which he is referring. I note, however, in his letter, he states, "If you still wish all the details stated publicly I am quite ready to do so."

Therefore, if he still insists that a super pornographic extravaganza of censored pieces of film was shown by the censor board two years ago to a group of civil servants in this building, I invite him to make public the details.

Mr. Shulman: Mr. Speaker, will the Minister allow a question?

Hon. A. Grossman (Minister of Reform Institutions): It is his move?

Hon. Mr. Auld: No questions.

Mr. Speaker: The member for Scarborough East wished to ask a supplementary question

of the Minister of Health and I am sorry I did not catch his eye.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, simply a point of clarification, really.

Does the grant structure of the Minister for this type of research include stipends, that is to say, an amount over and above the research grant proper, which will act as an income supplement for a doctor who wants to, say, give up one-third of his time to devote to research over a period of a year?

**Hon. Mr. Dymond**: Mr. Speaker, just on what basis the stipend would be calculated, I could not say. It would depend on the project as proposed to the research committee; but stipends for the person supervising the research, and for those whom he must employ in the research, are all considered part of a research project.

**Mr. Speaker**: The member for York South has a question.

**Mr. D. C. MacDonald** (York South): My question, Mr. Speaker, is to the Minister of Municipal Affairs. In view of further representations, by way of a petition signed by 200 ratepayers, seeking a provincial-municipal audit into the so-called "Schoales affair" in connection with the London board of education, is the Minister in a position to indicate what action his department intends to take?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): Mr. Speaker, this matter, as I have indicated previously, is under study in my department and The Department of Education and The Department of the Attorney General. When we have concluded our studies, no doubt we will be indicating to the chairman of the London board of education what action we propose to take.

**Mr. Speaker**: The member for Wentworth has two questions from the other day.

**Mr. I. Deans** (Wentworth): Thank you, Mr. Speaker. To the Minister of Transport. In view of the comments of Magistrate Harry Williams as reported in the *Hamilton Spectator*, May 18, will the Minister make the necessary changes to The Department of Transport handbook for motorists re passing on the right?

**Hon. I. Haskett** (Minister of Transport): Mr. Speaker, the comment by Magistrate Harry Williams, as reported in the article to which the hon. member refers, reports the magistrate as saying that the department's

handbook for motorists does not go far enough in a section on passing on the right. He said the handbook is misleading because it does not point out that the shoulder passes are illegal.

May I quote first from the Act, sir, and say that section 73 defines, in subsection 1, the occasions on which an overtaking pass may be made on the right. Then in subsection 2, it says:

The driver of a motor vehicle shall not overtake and pass to the right of another vehicle where such movement cannot be made in safety, and in no event shall a driver make such movement by driving off the highway.

The driver's handbook, which we must recognize is written in laymen's language for succinct and easy study, likewise deals with passing on the right by first setting forth the occasions on which a right overtake may occur and then says:

You must not drive on the shoulder of the highway to pass another vehicle.

I must disagree with the magistrate and say that the handbook is quite correct. Contrary to what the magistrate says, it does point out that passing on the right by cutting over on to the shoulder of the road is not permissible.

**Mr. Deans**: To the Minister of Lands and Forests—will the Minister introduce legislation making the use of insecticides containing chlorinated hydrocarbons illegal in Ontario?

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in answer to the hon. member for Wentworth, the chlorinated hydrocarbons constitute a fairly large family of insecticides, as well as some herbicides, which have played a vital role in control of various pests throughout the world. About a half dozen members of this chemical family are characterized by being very durable or long lived and, therefore, have come in for some criticism in recent years among biologists throughout the world as a potentially serious source of pollution to fish and wildlife.

The principal members of this group are, of course, DDT, Aldrin, Dieldrin, Endrin, Heptachlor and Lindane—but DDT is by far the best known and most widely used. It is also the insecticide for which there is evidence now accumulating, that continued use of it may interfere with the reproductive ability of fish and certain birds.

Most of this research has been done in the United States and in order to establish the extent of the problem in Ontario, my department is working jointly with the Ontario water resources commission and other departments in a special investigative programme. The matter is also under study by the advisory committee on pollution control, an interdepartmental committee composed of Deputy Ministers.

Also, some steps have been taken already to restrict the use of DDT in the province, principally in the area of controlling black-flies and mosquitoes and in the regular forest insect control programme of my department. But until a closer study of the problem is completed, it would be premature to legislate against the chemical. This is a highly complex subject and, therefore, before leaving it, I would like to make three additional comments.

1. The federal government has jurisdiction over the registration and sale of insecticides in Canada, but not over local or provincial use.

2. Each individual pesticide has its own characteristics and within any closely related group there is a wide range of behaviour. Therefore, in considering legislation, it must be on the basis of individual chemicals rather than on whole groups. Otherwise, invaluable chemicals could be lost for legitimate uses.

3. If legislation were to become necessary, it is not certain that it would be administered by my department.

**Mr. Speaker:** The Minister of Highways has answers to questions placed the other day.

**Hon. G. E. Gomme (Minister of Highways):** In answer to a question asked by the hon. member for Cochrane South (Mr. Ferrier), the reconstruction of Highway 577 from Ansonville southerly for 0.7 miles was completed last year. The remainder of the road to Monteith is programmed for reconstruction. Pre-contract engineering is in progress. The road will be realigned in areas where existing geometrics are substandard.

It was brought to my attention that in one such area where the road runs in close proximity to the Driftwood River, existing conditions were potentially dangerous. It seemed to me that the installation of guide rails at the road's shoulder would have a psychological, as well as a physical effect in reducing the hazard.

I asked my district engineer at Cochrane to see what could be done in respect as a temporary measure, pending the proposed reconstruction. Subsequently, district forces widened the shoulder and installed guide rails at the critical location. The proposed reconstruction will be carried out at the earliest moment, consistent with the completion of the pre-contract engineering and the availability of funds.

And in reply to the question from the hon. member for Wentworth, the work of laying asphalt on the Queen Elizabeth Way, west of Highway 27, was being carried out by the department's contractor and not by department employees. The purpose of the work was to patch the Queen Elizabeth Way detour which was built as part of the construction of the Queen Elizabeth Way-Highway 27 interchange.

The work was done on the instructions of the department and was paid for by the ton of asphalt laid at prices and in accordance with requirements of the contract. The OPP constables were required to direct traffic and to protect the workmen on this very busy highway.

**Mr. E. W. Sopha (Sudbury):** I have a question, Mr. Speaker, for the Attorney General.

Does the Attorney General not agree that if Magistrate Bigelow adopts a policy, as he appears to do, that all fines for offences upon which he convicts persons under The Liquor Control Act, shall be paid forthwith without according time to pay, then in addition to refusing to exercise his discretion judicially, he is in violation of the law as set out in section 125 of The Liquor Control Act, section 3 of The Summary Convictions Act and section 694 of the criminal code of Canada?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, I do not agree with the proposition put forward by the hon. member for Sudbury.

**Mr. Sopha:** Then the Attorney General is wrong.

**Hon. Mr. Wishart:** I have faced the hon. member in court and heard him say that, too, Mr. Speaker.

**Mr. Sopha:** I can say that even to the Attorney General.

**Hon. Mr. Wishart:** The sections of the statutes to which he has referred make section 694 of the criminal code applicable to prose-



cutions under The Liquor Control Act of Ontario.

**Mr. Sopha:** Right.

**Hon. Mr. Wishart:** That section in turn states the circumstances in which the judge may require the fine to be paid forthwith and this particular magistrate appears to have been satisfied and to have had reason for the action which he took.

**Mr. Speaker,** the section which I have before me—

**Mr. V. M. Singer (Downsview):** He has to have had reason.

**Hon. Mr. Wishart:** Section 694 of the criminal code—

**Mr. Sopha:** Subsections 3, 4 and 5.

**Hon. Mr. Wishart:** Subsection 3: "A summary conviction court may direct subject to the provisions of this section that any fine adjudged to be paid shall (a) be paid forthwith or (b) be paid at such time and on such terms as the summary conviction court may fix." And then subsection 4 continues: "Where a summary conviction court directs that an accused pay a fine, the court shall not, at the time the sentence is imposed, direct that the fine be paid forthwith unless (a) the court is satisfied that the convicted person is possessed of sufficient means to enable him to pay the fine—"

**Mr. Sopha:** Right; Magistrate Bigelow did not even inquire.

**Hon. Mr. Wishart:** "(b) upon being asked by the court whether he desires time for payment, a convicted person does not request such time—"

**Mr. Sopha:** And he did request it.

**Mr. Speaker:** Order, please! Allow the Minister to complete his answer. The member placed his question without interruption and I hope he would extend the same courtesy to the Minister when he is replying.

**Hon. Mr. Wishart:** "—or (c) or for any other special reason the court deems it expedient that no time should be allowed."

**Mr. Sopha:** Well, he said he had a policy that he never allowed time.

**Mr. MacDonald:** That is his special reason.

**Mr. Sopha:** Will the Attorney General read subsection 5?

**Hon. Mr. Wishart:** Subsection 5: "The court, in considering whether time should be allowed for payment and if so, for what period, shall consider any representation made by the accused but any time allowed shall be not less than 14 clear days from the date sentence is imposed."

**Mr. Sopha:** He did not consider representation.

**Hon. Mr. Wishart:** Mr. Speaker, yesterday the hon. member for High Park submitted a supplementary question and, after I had answered his main question, I undertook to make further inquiry. It was relating to the same matter—the proceedings in Magistrate Bigelow's court on May 17. I now have the material which I requested and I am able to answer his question. I should like to advise the hon. members that I have reviewed the record of the six individuals who were referred to in the newspaper article of May 17, about which I received the inquiry yesterday.

Every one of these individuals had previous records for liquor offences. One man had four convictions in 1968—I am not using the names of the individuals.

**Mr. Singer:** Why did the Crown attorney say "no record"?

**Hon. Mr. Wishart:** I will come to that. One man had four convictions in 1968, another had eight convictions since 1966; another had 23 convictions since 1954; another had 28 convictions since 1963; another 32 convictions since 1957.

**Mr. G. A. Kerr (Halton West):** Birds of a feather flock together.

**Mr. Speaker:** Order! Order!

**Mr. Sopha:** All this is beside the point.

**Hon. Mr. Wishart:** And one, Mr. Speaker, had 67 convictions since 1954.

Interjections by hon. members.

**Mr. Speaker:** Order! It is absolutely hopeless for the members of the Opposition to ask questions and expect to get an answer if they will not give the Minister answering the question an opportunity to do so and I would respectfully request that they do that. If they have supplementary questions, the Minister of Justice has always been willing to receive them and answer them, and the proceedings of this House would be much more decorous and accomplish much more if

we could do that; and I would request that this procedure be followed. The Minister.

**Hon. Mr. Wishart:** Mr. Speaker, the clerk of the court at the hearing on the 17th indicated that there were no records in those cases because the benefit of the doubt was being given to the accused, at least the benefit of the non-production of records. The Crown did not adduce evidence of the previous convictions before the court. These were habitual persons returning, as the record shows, day after day, week after week—

**Mr. Singer:** Mr. Speaker, on a point of order, the record of previous convictions is not before the court and my friend the Attorney General knows what the record is.

**Mr. Speaker:** Order! If the member for Downsview has the record, or has seen the record and can produce it, then his point of order is well taken; but if he is merely speaking from hearsay knowledge, then his point of order is not well taken.

**Mr. Singer:** Mr. Speaker, I am speaking about the remarks made by the Attorney General who just announced that the clerk of the court said there was no record presented to the presiding magistrate. Now the record before the court did not show these previous convictions.

**Mr. Speaker:** The member's point is that the Attorney General has stated that the record did not show that. Now the floor is the Minister's again.

**Hon. Mr. Wishart:** I have the transcript, I have the newspaper article—the original article—before me, Mr. Speaker; and I refer to one case particularly—the others, I think, are all the same—"the clerk of the court says no record, Your Worship."

**Mr. Sopha:** Will you read that part?

**Hon. Mr. Wishart:** "No record."

**Mr. Sopha:** Would you read that part, Mr. Attorney General, where the magistrate says that he never allows time to pay a liquor violation?

**Hon. Mr. McKeough:** Let him answer the question.

**Mr. Speaker:** Order! Let the Minister answer the question of the member for Downsview.

**Hon. Mr. Wishart:** Mr. Speaker, the clerk of the court, as I have stated, indicated that

there were no records in these cases because the benefit was being given to the accused. I am sure my hon. friends, particularly those of the legal profession, know that on a second, third, or further offence, the penalties are much higher. In fact some of them give no option of fine; they mean jail terms. They are much increased fines for second and third and further offences.

**Mr. Shulman:** But that is not the point.

**Hon. Mr. Wishart:** But I am making my point at the moment. The clerk of the court indicated there were no records in these cases because the benefit was being given to the accused and the Crown did not adduce evidence of the previous convictions before the court. The resulting sentences indicate—the resulting sentences were \$10 fines—that the long previous records were not placed before the magistrate and he took no judicial notice of them. Consequently, these men were all treated as if they were first offenders. I do feel, Mr. Speaker, that the context in which this article in the newspaper was presented, and the questions relating thereto in this House, have overlooked a good many of the facts relating to the men before this court.

So far, Mr. Speaker, as I am concerned the magistrate in these cases acted completely within his jurisdiction and in accordance with proper principles which he applied with proper reason and understanding.

**Mr. Sopha:** May I ask a supplementary question?

**Hon. Mr. Wishart:** Yes.

**Mr. Sopha:** Does the Attorney General agree that the magistrate said that he had a policy of not allowing time to pay in liquor violations? And if the Attorney General agrees that the magistrate said that, does he then agree that this policy amounts to a refusal to exercise the discretion he is commended to exercise under section 694 of the criminal code?

**Hon. Mr. Wishart:** Mr. Speaker, to answer that supplementary question I would say that the transcript, which I think I may accept as reported in the newspaper, does say that the magistrate said that he did not allow time in liquor offences—of this type of liquor offence.

The criminal code, by section 694, which I read, gives him a discretion to refuse time for payment—

**Mr. Sopha:** Commands him to exercise his discretion.

**Hon. Mr. Wishart:** Unless a, b, and c which I read—he can apply those to his decision—unless the court is satisfied the convicted person is possessed of sufficient means and

(c) For any other special reason, the court deems it expedient that no time be allowed.

**Mr. Singer:** Is the special reason your secret record of convictions that was not produced?

**Hon. Mr. Wishart:** Well I suggest that if the magistrate was aware, although no record is produced for the benefit of these accused, that this accused would probably be back before him tomorrow on a similar charge that he might very well refuse time.

Interjections by hon. members.

**Mr. Speaker:** Order!

**Mr. Sopha:** Mr. Speaker, I am happy to report that, in Sudbury, drunks are given time to pay.

**An hon. member:** They are treated as people.

**Mr. Speaker:** The member for Port Arthur has a question?

**Mr. R. H. Knight (Port Arthur):** Mr. Speaker, I have a question for the hon. Minister of Municipal Affairs. Who will bear the responsibility for the loss if the municipality of Shuniah should lose a proposed \$2 million shopping complex following a decision of the Ontario municipal board on May 15 to delay until September 10 the hearing of Shuniah's application to amend its zoning bylaw on the grounds that the opponents to the application had not had sufficient time to study the Hardy report on regional government?

**Hon. Mr. McKeough:** Mr. Speaker, the form of the member's question suggests to me that he does not understand the function of private enterprise in a democratic society. We need, in my opinion, and I would think the member would agree, the combined energy of private enterprise and government to further the development of the municipalities and of the province. No venturesome action carries with it the assurance of success. There cannot be any responsibility for loss in instances where the necessary approvals to proceed are yet to be obtained nor where there is no assurance that approval will be given.

The proposal to permit a shopping complex in the township of Shuniah is a significant one in terms of its impact, and an amendment to the development policy of the planning area is therefore necessary. The prime reasons for the municipal board deferring the hearing of amendments to both the official plan and the zoning bylaw to permit a shopping complex in the township of Shuniah were, as I understand them,

1. The business men of Fort William and Port Arthur had insufficient time to prepare for the hearing.

2. The solicitor for Port Arthur stated that his case alone would require ten days to submit. The earliest possible time when the municipal board calendar permitted a hearing of two weeks duration was in September. Arrangements were, therefore, immediately made to continue the hearing at that time. The matter is before the municipal board for decision and I can therefore not speak about the implications the board will undoubtedly study before making a decision.

**Mr. Knight:** Mr. Speaker, would the hon. Minister permit a supplementary question?

If the Ontario municipal board, which is an arm of The Department of Municipal Affairs, can delay till September such an important hearing on the grounds of insufficient time to study the Hardy report, is it not reasonable for the Minister therefore to set back to September the department's deadline for receiving submissions on the Hardy report as requested by at least six municipal councils in the Lakehead area?

**Hon. Mr. McKeough:** Well, Mr. Speaker, that question was obviously written out. It is obviously not a supplementary question, and I would further state the Ontario municipal board is not an arm of my department.

**Mr. G. E. Smith (Simcoe East):** Mr. Speaker, I have a question directed to the Minister of Justice, the Attorney General:

As reported in the lead editorial of the *Globe and Mail* on May 20, a band of some 50 motorcyclists converged on Barrie, Wasaga Beach, Midland and Collingwood on Saturday last. Thanks to alert surveillance by the Ontario Provincial Police, there were no disturbances. However, residents of these communities are worried about future and perhaps larger concentrations of these noisy and dangerous vehicles.

What action, if any, does the government propose to take view of this threat?



**Hon. Mr. Wishart:** Mr. Speaker, the Ontario Provincial Police have sources of information by which they are made aware of the areas where disturbances are likely to take place. When so informed, appropriate steps are taken by the police to see that sufficient numbers of men are available in the affected areas and this usually reduces the chances of a disturbance. And that was the situation over the past weekend when it appeared likely large numbers of motorcycles bent on, perhaps, mischief, were converging on certain areas.

In addition to the confidential sources of information, all members of the force are alerted and are ready to report at any time where any activities or concentrations indicate that there may be trouble, difficulty, or any disturbance of the peace. This preparedness, we think, Mr. Speaker, will be adequate for the purposes for which the force is maintained.

I might say, Mr. Speaker, that we have discussed these situations not only just recently, but from time to time with the commissioner of the Ontario Provincial Police and with those who act as his assistants. Generally, in the summer months—as I think members of the House are aware—we provide additional numbers of Ontario Provincial Police, particularly in the areas of our beaches, and where large numbers of people congregate on certain holidays or weekend periods. I think members will agree that we have been able—through these means of being alert, prepared and using the information which is at our disposal—to prevent disturbances which cause trouble.

**Mr. D. A. Paterson (Essex South):** Mr. Speaker, I have a question of the hon. Minister of Justice and Attorney General.

Does the Minister regard the action of the Windsor police commission in not issuing a carnival permit for the annual emancipation day celebrations, an infringement of the Ontario human rights code and Canadian bill of rights?

Does the Minister agree that the issuance of a carnival permit for emancipation day would constitute more of a threat to public safety than the parade permit which has been issued by the Windsor police commission? The parade annually attracts thousands of people over the parade route.

**Hon. Mr. Wishart:** In answer to the first question, may I point out that the individuals concerned have already been in touch with

the Ontario human rights commission and that body, I am sure, will deal with any aspects of the matter which are relative to the jurisdiction of the human rights commission. In my own opinion, the decision of the Windsor police commission was a valid exercise of its jurisdiction, and it does not constitute any infringement in principle or otherwise of the laws of this country.

On the second question, Mr. Speaker, the hon. member asked me to give an opinion on what is really a hypothetical question. I do not propose to express an opinion upon that hypothetical matter, but I would assure him that the commission, that is, the police commission, dealt with the issue in an objective and a forthright manner, having full regard to the responsibility to the public and to the individuals who were making the application.

**Mr. D. A. Evans (Simcoe Centre):** Mr. Speaker, I would like to introduce to you, and through you, to the members of this House, 11 beautiful ladies from the city of Barrie who grace the area under the Speaker's gallery here. They have formed their own investment company and they are working on their first million.

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs):** Mr. Speaker, could we revert to the item "presenting reports," for a moment?

**Mr. Speaker:** I am sure the House would give unanimous consent to revert to the order of presenting reports?

Presenting reports.

**Hon. Mr. Auld** begs leave to present to the House the following:

The 1967 annual reports of The Department of Tourism and Information and the department of public records and archives, and the 1967 annual report of the centennial centre of science and technology.

**Mr. E. Sargent (Grey-Bruce):** Now that the estimates are over, eh?

**Mr. Speaker:** Orders of the day.

#### THE INSURANCE ACT

**Hon. H. L. Rowntree (Minister of Financial and Commercial Affairs)** moves second reading of Bill 60, An Act to amend The Insurance Act.

**Mr. Speaker:** The member for Lakeshore. Does the member yield to the member for High Park?

**Mr. M. Shulman (High Park):** On Bill 60, Mr. Speaker, I will be very brief. This bill makes a number of changes with one rather serious change. This one change no longer requires the automatic cancellation or suspension of a licence for non-payment of claims. I would suggest, through you, sir, to the Minister that this is a retrograde step; that when an insurance company is either unable or unwilling to pay a claim, an undisputed claim I say, their licence should be cancelled.

Making this non-mandatory, but a matter of discretion to the Minister, can lead only to abuse and to unfair pressure being exerted on the department and I would suggest to the Minister that this particular portion of the bill should be deleted.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Speaker, part 6 of The Insurance Act was passed in 1966 and the second reading took place on June 17 of that year. It brought into effect, I suppose, in an informal and non-mandatory and wholly voluntary way a scheme of insurance which was analogous to that of the province of Saskatchewan.

At that time, when that Act came into being, a good deal of debate went on in this House as to its merits and I would like to cite a bit of the debate on June 17 of that year at page 4871. The speaker was the then member for Woodbine, Mr. Bryden, and he said:

A few years ago, as we all know, a committee chaired by the hon. Provincial Treasurer, a senior member of the Cabinet both now and then, brought in a proposal that at least we should enact in this province legal provision for the principle of compensation without regard to fault.

That, in itself, was a retreat from rationality. It was an attempt, at the time, to head off the pressure for a public, government sponsored plan. At the time, the insurance companies retreated. They saw public pressure building up; they saw the possibility of the pressure actually inducing a full public plan, so at the last minute, as an eleventh hour conversion, they came back before the committee and themselves proposed a plan whereby compensation under certain circumstances, and according to certain scales of benefit, would be paid without regard to fault.

And then, when that legislation went through, it was supposed to take effect on January 1 this year. They projected it deep into the future, as you can see, and at that time a certain conversation at page 4874 took place wherein the now hon. Attorney General was involved:

Mr. Bryden says, "The hon. member does not believe political discussions are appropriate in this House". And the hon. Attorney General said, "Well, our thinking is so far apart when we bring in a provision for compensation without fault, which I consider an advance, he says it is a retreat". Bryden says, "Well, it certainly is".

The hon. Attorney General, "When we get that far apart, it would be senseless to indulge in a debate. I think there is merit in his suggestion that companies, perhaps, should be permitted to insure for the compensation without fault area sooner than the date set forth in the bill".

The debate raged for a considerable period of time. Our contention—the contention of the Opposition as a whole, as I see it—being that it was projected much too far into the future, there was no reason in the world why it should be set up in that way.

The Attorney General then conceded the point and he said, "Perhaps it, the compensation without fault areas, should be sooner than the date set forth in the bill. I shall certainly be glad to consider that and to take it under advisement".

He has certainly taken it under advisement. They are coming before this House under section 5 of this bill today, to again shoot it off into the future; to take the whole impact and worth of the bill away from us; and to delay it further.

Mr. Speaker, as members of this House, I suppose we have all been subjected at one time or another to university professors, students of political science and what not, attending before us, asking us numerous questions about lobbies, and as to how we feel the impact of lobbies operate in this House.

I shall say, at this point, decisively that there is one lobby, and I shall be pleased to tell the professors and anyone else who wants to listen, that there is one lobby that can operate most efficaciously in this House against the good of the people of Ontario; against the statement of Cabinet Ministers in the past, it was successful in gratuitous passenger cases with one of the grossest—

**Mr. Speaker:** Order, order. The member is not speaking to the principle of this bill. He is speaking to generalized action in this House. Would he please come back to the principle of the bill?

**Mr. Lawlor:** In this particular case, the lobby of which I speak has been most efficacious in bringing its will to bear upon

this House and upon the members of the government in protracting, delaying, putting off and not facing up to the implications of its own legislation. I would think that this House should be thoroughly opposed to the passing of section 5 under this Act.

**Mr. Speaker:** Is there any other member who wishes to speak to the bill before the Minister?

The Minister has the floor.

**Hon. Mr. Rowntree:** Mr. Speaker, I am glad to have this opportunity of replying to the points which have been raised.

The first point, as raised by the hon. member for High Park is really—I will call it a housekeeping item. The present wording of the Act says that in certain circumstances the licence of the sharing companies shall be *ipso facto* suspended or withdrawn. It is the view of the department, and it is also my own view, that the automatic *ipso facto* aspect of the situation is unfair and that it precludes the opportunity of a warning against the circumstances if it is merited.

I would say this, and not just for the records, but for the information of the members, that I have no particular sympathy for any insurance company whether it is refusing to pay an undisputed claim or whether its conduct is being tolerated or condoned at all. But I do think that in the name of fairness, if there has been an honest mistake—some of which I have knowledge of—they should not be in that situation where the suspension is absolutely automatic.

With respect to this latter matter, and the almost enthusiastic remarks of the hon. member for Lakeshore, may I tell him that the amendment, with respect to this section to which he makes reference, has nothing to do with a political lobby. It has nothing to do with a political party. It is not at the request of any insurance company or combination of companies. It is an amendment that comes about as a result of the conference of superintendents of insurance across Canada and in the various provinces.

When this section was first enacted, a date was put in—namely January 1, 1968.

One of the areas of legislation where the provinces have been able to achieve a high degree of desirable uniformity in legislation has been the Act of Insurance in the automobile field. Having in mind the nature of motor vehicle use in travel over provincial boundaries, it is of the greatest importance that

uniformity be one of the major considerations with respect to legislation.

We are ready to go with that section. This amendment has nothing to do with any change of mind, or anything of that sort. We are waiting for certain of the other provinces to come along with the legislation and this is in progress. It is not just wishful or hopeful thinking. We require this amendment so that we can bring the section in in conjunction with similar legislation in other provinces, and I am hopeful that this will not be delayed unduly in the days ahead.

But in the meantime, to protect the principle contained in the legislation which our friend from Lakeshore seemed to support, we want to protect that and not let it go just because there is a date limitation in it. We would like to see this legislation made uniform in the other provinces of Canada.

Mr. Speaker, this bill will go to the legal bills committee and there are some other matters pertaining to the bill which I would like to raise in committee, having to do with a constitutional matter which is currently before the courts. By the time it gets to committee, I hope to be in a position to give a full report on certain constitutional aspects of certain other sections at the same time.

**An hon. member:** I should like to ask the hon. Minister a question.

**Mr. Speaker:** There should be no debate after the Minister's statement. Every member has the opportunity to ask his questions and make his observations.

Motion agreed to; second reading of the bill.

#### THE PROFESSIONAL ENGINEERS ACT, 1968

**Hon. A. A. Wishart** (Attorney General) moves second reading of Bill 42, The Professional Engineers Act, 1968.

**Mr. Speaker:** The leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, this is the second opportunity we have had to consider a bill of this type in the Legislature. There is a real consideration that those professional people affected by the bill have to be deeply involved in the changes of any provision, and the only comment that I would like to make, Mr. Speaker, is to receive the assurance from the hon. Minister and the government that the pro-



fessional engineers have been involved, and that their organization feels that the best interest of the public at large and the profession itself would be served by this new approach to the governance of their profession.

**Hon. Mr. Wishart:** Mr. Speaker—

**Mr. Speaker:** Order. Order. Perhaps the Minister will answer at the end of the debate.

**Hon. Mr. Wishart:** Mr. Speaker, I must confess to the House that I had not intended to move second reading but had intended to make a statement before doing so and then ask the House for consideration. So, perhaps, if I might make the statement it would clarify the matter.

I am sure that hon. members, Mr. Speaker, will recall that when I introduced Bill 42, Professional Engineers Act, 1968, on first reading, I indicated that the legislation had been prepared before we had received the report of the Hon. Mr. J. C. McRuer. In view of that fact, we did not have an opportunity to consider proposed legislation in the light of the recommendations in that report concerning self-governing professional bodies.

Since the bill has been introduced in the House I have had the opportunity of considering the recommendations made by the hon. Mr. McRuer with the representatives of both the law society of Upper Canada and the professional engineers' association. I know that both these organizations are most interested in reviewing their legislative proposals in the light of the report, and I believe that their co-operative attitude is indicative of that which we may anticipate from all of the self-governing organizations. However, at the same time, I feel that we must recognize that some time will be necessary in order that not only the self-governing bodies themselves, but also the government, may consider the principle involved, after which we may arrive at a mutually acceptable proposal that will serve the self-governing bodies and the people of this province equally well.

I am sure that all the hon. members will agree with me that we do not want to impose legislation upon the vast number of people represented by the self-governing bodies without first giving those bodies an opportunity of considering the matter both among themselves and also with representatives of the government. In order to meet this problem in an equitable manner I propose preparing a draft model statute that will represent a basis for the consideration of the self-governing bodies so that they may then pro-

vide us with constructive comments and criticisms designed to provide a basis for the various aspects of the administration of self-governing bodies, in the light of the McRuer report. This draft bill, when it is prepared, will be circulated to the organizations that are concerned with it, and we will look forward at that time to their comments and their co-operation.

In the interval, Mr. Speaker, it is my intention that we should not proceed further at this time with Bill 42 and I would therefore now move that the bill be removed from the order paper.

**Mr. V. M. Singer (Downsview):** Mr. Speaker, may I speak to the motion?

**Mr. Speaker:** Before the member speaks to the motion, might I point out that this motion can be dealt with by the House by unanimous consent. The member for Downsview.

**Mr. Singer:** Certainly, Mr. Speaker, speaking on behalf of the official Opposition we give our consent to the introduction of this motion.

I wish to commend the Attorney General for taking this approach to the bill. I think it is the only logical approach that can be taken at this time. We are about to enter into the examination of a series of professional statutes for this profession, for the legal profession, accountants' profession, doctors, and on and on. I think that the recommendations of Mr. McRuer ought to be examined very carefully, as the Attorney General has suggested, and we do have a draft model Act.

Now this Act, I know, has been looked at by a great number of people since it was introduced. Unfortunately in the past, Mr. Speaker, some of these Acts have been known only to the governing body of the particular profession and the members of the profession are not informed. The engineers—my colleague tells me there are 23,000 engineers in the province of Ontario and I would think that, before we embark on a new series of professional Acts, it is incumbent upon the government to make sure that a copy of these Acts is in the hands of every member of that profession. Now this was not done here and I know my colleague from Ottawa can speak for himself. He and I have discussed this particular bill on many occasions and there is great concern among the members of the engineering profession in Ottawa that this bill might go forward in its present form.

I have had representations here in Toronto from people who are not professional engineers, but who are akin to professional

engineers and who are very concerned about many of the provisions in this Act. I think that the suggestion put forward by the Attorney General makes abundant good sense in withdrawing this bill now. When we embark on any new professional organization Act it should be in an established form—substantially in the form suggested by Mr. McRuer. All of Mr. McRuer's recommendations, perhaps, are not correct, but by and large I think they are good. After each profession has had full and ample opportunity to examine them, they should come forward as a group, because once these Acts are passed they are going to be there for a long, long time and they are very important to the proper carrying on of these various professions.

**Mr. Lawlor:** Mr. Speaker, we are thoroughly in accord, of course, too. The Act is substantially in the same form as the old and I do not think any great harm is going to be done to the professional engineers in the circumstances. Apart from that, if I may indicate to the House, I was almost prepared to filibuster against the bill if it came to that, and had a lengthy speech prepared point by point if this bill offended against the specifications of Mr. McRuer.

The first bill—and I think it has been indicated—that should go through this House as a model Act would be the law society Act which I understand from the hon. Attorney General is presently under consideration. With these thoughts, we are thoroughly in accord with the motion that the Attorney General has made.

**Mr. Speaker:** Is it the pleasure of the House that the motion of the Attorney General for the withdrawal of the motion for second reading of Bill 42 be carried?

Motion agreed to.

#### THE HOSPITAL SERVICES COMMISSION ACT

**Hon. M. B. Dymond** (Minister of Health) moves second reading of Bill 121, An Act to amend The Hospitals Services Commission Act.

Motion agreed to; second reading of the bill.

#### THE PHARMACY ACT

**Hon. Mr. Dymond** moves second reading of Bill 122, An Act to amend The Pharmacy Act.

Motion agreed to; second reading to the bill.

#### THE MEDICAL ACT

**Hon. Mr. Dymond** moves second reading of Bill 123, An Act to amend The Medical Act.

Motion agreed to; second reading to the bill.

#### THE HIGHWAY TRAFFIC ACT

**Hon. I. Haskett** (Minister of Transport) moves second reading of Bill 119, An Act to amend The Highway Traffic Act.

**Mr. Speaker:** The member for Downsview has the floor.

**Mr. Singer:** Mr. Speaker, I wanted to direct myself particularly to that section of this Act that deals with motorcycle helmets. This bill has a number of principles and I am sure that other members of the House will want to deal with other principles, but I wonder what suddenly changed the Minister's mind. The Minister, in introducing this bill, indicated that he was waiting for standards to be arrived at so that they could be properly enacted into legislation. Well this proposal about helmets for motorcycle drivers and riders has been before this House for quite a number of years, Mr. Speaker, and this Minister has dealt with it on quite a number of occasions. His first illuminating statement in regard to it was, "You would not expect me to interfere with the way people dress."

The Minister, I suppose, has now suffered a change of heart having been battered about this particular point for a number of years. He secondly came up with the idea a year or so ago that there were not any standards. But I wonder why the standards that are good enough for the various police forces in the province—the Ontario Provincial Police, the Metropolitan Toronto police, and for the Canadian army and so on—I wonder if those standards do not make enough sense to this Minister that this legislation could not have been brought before this House long before it was. What now has changed the Minister's mind?

You know, Mr. Speaker, what puzzles me about Ministers such as the Minister of Transport, and others of his quality, is that they cannot get up and say: "I am sorry we made a mistake." They always have to explain away in meaningless verbiage a lack of action over several years. If you go back with me, sir, and read the pages of *Hansard* when this Minister has attempted to answer the suggestions that have come forward from the



Opposition for a long period of time about the protection of people who ride on motorcycles, you must agree, sir, that the Minister's excuses were the most specious and ridiculous defences for a lack of action that have been produced before this House in a considerable period of time. And I lay at the door of this Minister the very serious incidence of tragedy that has happened in the years that he has neglected to take action against people who have ridden on motorcycles, either as drivers or as passengers, and have been very seriously injured. There is no point in beating a dead horse, Mr. Speaker, but those figures of death, of serious injury, of cranial injury in so many cases, resulting from people riding on motorcycles have been allowed to mount up in this province. They are the responsibility of this Minister. He deserves really no commendation for bringing it in at this time. This is a move that should have been taken many years ago. And the Minister deserves to be criticized—and very seriously criticized—for being so tardy in bringing forward this important piece of legislation.

**Mr. F. Young (Yorkview):** Mr. Speaker, I do not want to repeat what the hon. member for Downsview has already said, and I think he has put the case very forcibly. Some of us have been very interested in this legislation for a long time and we are delighted to see it now at last—at long last—introduced.

But the Minister did make a statement on first reading which I cannot let go by. That is, that he had to wait until standards were set, that up to this point there were no standards upon which he could base his legislation. It is an incredible thing when a Minister of the Crown has to wait for a private agency, the Canadian standards association, to set up the standards upon which he can base legislation. There is no reason in the world why this Minister could not have set up a committee of his own department some years ago and charged them with the responsibility of developing the standards necessary, because the groundwork had already been done. The British people have had standards, the American people have had standards, other nations have had standards for some time, and with the basic work that had been done, this Minister could have developed standards for the helmets within his own department. At last, the Canadian standards association did develop these standards and the Minister has finally, after long urging and prodding, acted. I understand that some of that prodding came from some of the members of his own party who be-

came very, very impatient with the kind of lack of activity that was being shown on the part of the Minister concerned.

As I said at the time when my bill was being discussed in the House, I welcomed the intervention of backbenchers on the government side. This was a real sign of progress and it indicated to me that some word had gone out, that they had better now start to talk on the right side of this issue, and they did. Finally, the Minister has come forward with this bill and we welcome the bill. As far as we are concerned, it is long overdue and welcome.

**Mr. G. Ben (Humber):** Even though most of the bill which I submitted last year has been incorporated in this bill, I am not going to find myself swayed by the motion of having a suggestion of the Opposition adopted as perhaps my hon. colleagues, the members for Yorkview and Downsview have, especially with reference to this helmet business, because there is one weakness in this which my friends seem to have overlooked in their glory of having something adopted that they suggested. That is, that it is the operator who is penalized for having a substandard helmet and not the person who has manufactured or sold the substandard helmet.

**Mr. Young:** The member had better not buy one.

**Mr. Ben:** Well, what does he know. The member for Yorkview all of a sudden switches horses in the middle of the stream and is now advocating the very principle we have been against for many years, that is, *caveat emptor*. The member for Yorkview says that *caveat emptor* should rule and that the operator of a motor vehicle should assure himself that the helmet which he buys in the province of Ontario comes up to certain standards. I say that should be unnecessary in this province.

**Mr. Young:** Okay, I go along with the member.

**Mr. Ben:** I say that an amendment should be provided here to penalize anybody who manufactures, sells or offers for sale a helmet to be used by a motorcyclist, which does not come up to the prescribed standards. And when the bill goes to committee, as it will, I am sure such an amendment will be brought forth and I trust that the Minister of Highways will adopt that and incorporate it in this bill.



**Mr. I. Deans (Wentworth):** Mr. Speaker, it is quite difficult to speak to the principle of a bill containing so many changes. We will have much more to say about them when we get to the committee stage.

There are two or three things I would like to say though, with regard to sections that are being changed. In section 10, for example—the certificate of mechanical fitness—I think the time has come when we must recognize that mandatory inspection is necessary in this province. It is not enough just to have the automobile checked when it is being sold. It is now necessary to take the steps to have a mandatory inspection at least yearly in this province at the time when licences are issued. In this way we will not have to have provisions such as this. We would then have assurance that each and every automobile being driven on the highways is in a reasonably safe condition. So I think section 10 does not go nearly far enough.

On section 12 my colleague, the member for Yorkview, has quite adequately stated our position on that. I think section 15 is a reasonably good move, I hope that the magistrates use caution in the handling of it, but I believe any person driving recklessly and excessively beyond the speed limit ought to be penalized on the spot.

Section 7—I had a comment, if I can just find section 7—in section 7, I fail to see the reason for this change. I hope that the Minister in his summing up might tell me why he is changing section 7 to eliminate the need for the lighting on the rear of the cab part of the trailer. I do not see the reason for it. I think it would be better, since they do not have any form of bumper guard to have better warning lighting, and all the people will be aware of the fact that it is a different kind of apparatus that is on the highway, different from the normal truck with the bumper at the back or the normal automobile with the bumper at the back. This has nothing to protect you in any way.

Other than that, I feel the introduction of the bill was a move in the right direction and during the committee discussions or debate I will have more to say on each individual item.

**Mr. Speaker:** Is there any other member? The member for Welland South.

**Mr. R. Haggerty (Welland South):** Thank you, Mr. Speaker. I endorse the bill that operators of motorcycles wear helmets that

comply with safety regulations, but I believe we should go a little bit further. I have two youngsters who have motorcycles. I see one thing lacking on them, and this is the crash or roll bars. I think this is something that should be in this bill—crash and roll bars—because this would certainly cut down on the accidents, loss of limbs and so forth.

**Mr. Speaker:** Is there any other member who wishes to speak?

**Hon. T. L. Wells (Minister without Portfolio):** Mr. Speaker, in speaking on this section about crash helmets for motorcyclists, I think that it should be put on the record of this House, after having heard the self-adulation of many of the Opposition members who are taking credit for this legislation that this recommendation was contained in the report of the select committee on youth, which was presented to this House last year and contrary—

**Mr. Singer:** It was not self-adulation, it was criticism for the slow action.

**Hon. Mr. Wells:** —contrary to the remarks of the member for Yorkview who, of course, feels he has the answer to everything, and who referred to the fact that government members were now getting up and talking about it this year, I think it should be pointed out that at least ten government members signed this report last year, which was presented—

**Mr. Young:** Why was it not introduced last year?

**Hon. Mr. Wells:** —in the late stages of the session.

Interjections by hon. members.

**Mr. Speaker:** Order! The Minister is straying from the principle of the bill. The debate is on the principle of the bill and the Minister will confine himself to it.

**Hon. Mr. Wells:** The section concerning motorcycle helmets is an emanation from one of the recommendations of the select committee on youth, the report which was presented last year, and in due course implemented in legislative form by this government this year.

**Mr. D. C. MacDonald (York South):** That report was only one of the many prods.

**Mr. Speaker:** Is there any other member who wishes to speak? The Minister has the floor to close the debate.

**Hon. Mr. Haskett:** Mr. Speaker, the members have referred to a variety of items from this bill that is the traditional collection of unrelated items. I shall try to deal with those which I think were of most significance. A number of members have spoken of the mandatory use of helmets by the riders and passengers on motorcycles and I can only conclude that all are in favour of what we are doing. In introducing the bill, I made it abundantly clear why we had not acted earlier and I think it makes good sense. I said, at that time, that a new section of the Act requires the operators and passengers of motorcycles to wear helmets. The department has encouraged the wearing of helmets in the past but we have not made them mandatory for one excellent reason: There was no set of standards that could realistically be specified for the kind of helmets to be worn, and without such standards, a law to prescribe helmets would be ineffective.

Just recently, the Canadian standards association published specifications and performance standards for motorcycle helmets. These standards and specifications provide an authoritative basis to which we may refer and, therefore, it now will be practical to make helmets mandatory. As I noted, this requirement will apply to the passengers as well as operators. In case there is any doubt on the point, I would add that it is my intention to make regulations expeditiously when this amendment is approved.

I make no apology for the position we have taken. The member for Downsview, who has been an exponent of helmets being made mandatory, took the occasion earlier in this session, to demonstrate to this House a collection of smashed helmets that would not have served to protect the riders at all but might have, very well, increased the injury—if not the death—of the riders wearing them. I think that the action that we have now taken is one of responsibility.

One of the members referred to vehicle inspection; that a general periodical inspection would be more useful than the regulations which we have brought in with respect to passenger vehicles being sold privately requiring a certificate of mechanical fitness.

With the mechanical fitness certificate now being developed, and which will come into effect this year, the inspection required of used vehicles being transferred from one owner to another whether privately or through a used car dealer will make this area of vehicle safety very useful to our people. It

will cover something like 600,000 passenger vehicles per year.

Enquiry was made with respect to the matter of section 7, removing the necessity for truck tractors having a cluster of red lights on the rear. A truck tractor alone, relieved of its trailer or semi-trailer, is only an ordinary length vehicle and so it does not need to be equipped with the cluster of red lights which indicate to an overtaking motorist that there is a long vehicle ahead of him. I think this is just removing an unnecessary redundant piece of equipment.

The member for Welland South, I think it was, Mr. Speaker, enquired with respect to mandating crash bars on motorcycles. The matter is under consideration but, because of the wide variety of vehicles that pass as motorcycles—some small and some large, we have not yet seen fit to bring in any regulation with respect to crash bars. While in larger vehicles they might serve a useful purpose, in smaller vehicles they might prove more of a handicap than a help, and we have not yet settled on where a line might be drawn that would assure that those equipped with crash bars were being usefully served and those that would not profit by having crash bars were not included.

We are not satisfied that crash bars are an essential answer. In some cases they might prove useful. If and when this becomes convincing we can take action on it.

**Mr. Ben:** On a point of order. I understand it is customary for the Minister to wind up, but usually the Minister answers all the points that are raised by the individual members. The Minister neglected to speak on the point of making any amendment thereto, making it an offense to sell sub-standard helmets or manufacture. Would he please comment on that?

**Mr. Speaker:** Of course, as far as the debate is concerned, what each hon. member says in the debate is entirely of his own volition and the answers which the Minister having carriage of the bill gives, are entirely of his volition on what he feels are necessary to contribute to the debate. Normally, the Minister does endeavour to answer the questions which are raised.

I do not know whether the hon. Minister would wish, at this time, to add anything to what he has said. If not, we will put the motion.

Motion agreed to; second reading of the bill.

## THE CENTENNIAL CENTRE OF SCIENCE AND TECHNOLOGY ACT, 1965

**Hon. J. A. C. Auld** (Minister of Tourism and Information) moves second reading of Bill 65, An Act to amend The Centennial Centre of Science and Technology Act, 1965.

**Mr. Nixon:** Mr. Speaker, just a brief comment. The bill gives the director a new name and also gives the board the right to delegate some of its responsibilities.

As I understand the workings of the board of the centennial centre, since its inception, they have delegated the authorities that this bill permits them to delegate. It seems that this is permission that is granted long after the board has been making use of it.

I do not suppose the board in total meets on a regular basis to consider the day-to-day governing of the business of the centre, and I was wondering if the Minister would either explain why this legislation is now needed or what change in plans would require it?

**Hon. Mr. Auld:** Mr. Speaker, the leader of the Opposition says the—

**Mr. Speaker:** Order! Perhaps the Minister would wait until we see if there is anyone else who wishes to engage in this debate and then he can wind it up.

Is there any other member who wishes to speak on this matter? The Minister has the floor.

**Hon. Mr. Auld:** Mr. Speaker, as the hon. leader of the Opposition says, the full board of trustees meets, I think, three or four or five times a year. It has appointed, by its bylaw, an executive committee which meets, I think, every couple of weeks. As, I understand, customary in these kinds of operations, the activities of the executive committee are confirmed or otherwise by the subject of meeting of the full board. This change was requested by the board to presumably give, to the executive committee, certain authority which it otherwise might not have felt it had and to clarify its position to delegating the taking of action rather than the routine business which it was conducting previously.

Motion agreed to; second reading of the bill.

**Clerk of the House:** The 1st order, third readings.

## THIRD READINGS

The following bills were given third readings upon motion:

Bill 93, An Act to amend The Private Hospitals Act.

Bill 94, An Act to amend The Medical Services Insurance Act, 1965.

Bill 108, An Act to amend The Highway Improvement Act.

Bill 109, An Act to amend The Local Roads Boards Act, 1964.

**Clerk of the House:** The 8th order; committee of the whole House; Mr. A. E. Reuter in the chair.

## THE PRIVATE INVESTIGATORS AND SECURITY GUARDS ACT, 1965

House in committee on Bill 7, An Act to amend The Private Investigators and Security Guards Act, 1965.

On section 1:

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, I shall have to give a little background to my first question having to do with section 1. Somewhere hidden deep in the labyrinthian corridors of the Ontario Provincial Police office we have hidden, in this province, a Minotaur. Not all the threads of all the Ariadnes, nor all the Theseus' will be able to locate our peculiar bull. With that peculiar introduction, Mr. Chairman, I would ask—no I had better not let the cat out of the bag. Under section 3—

**Mr. Chairman:** Section 1?

**Mr. Lawlor:** Section 3, Mr. Chairman, please. Under The Private Investigators and Securities Guards Act of 1965, section 3 thereof, appointments are made, and it is this that comes into question now.

**Mr. Chairman:** Very good.

**Mr. Lawlor:** Now, under that appointment of section 3, there should be a registrar of private investigators and security guards who may exercise the powers and discharge the duties vested in or imposed upon him by this Act, or the regulations, under the direction of the commissioner. That is part of the Minotaur in the labyrinth, Mr. Chairman. Under the amendment that is being proposed, under that situation, I would take it that the commissioner for security guards and private investigators was a civil servant, appointed



under the terms of The Civil Service Act of 1961 and 1962, and through the commission, and having a certain status in appointee. What my position comes down to is this question. The Minister taking it wholly into his hands at this stage to make that appointment, and to take it out of the civil service commission which should, I take it, have exercised the role in the appointments to this date. Is this a political appointment now and hereafter, Mr. Minister?

**Hon. A. A. Wishart (Attorney General):** The Act to which the hon. member is referring, section 3, does provide for an official. A person to be called a registrar of private investigators, and security guards. But there is no provision for appointment. We have looked at the section, and considered if the appointment should be under The Public Service Act, and whether it should be a statutory appointment.

Having looked at The Public Service Act, it would appear that if it were a civil service appointment, the powers which are given to the civil service commission read in this manner:

Provide the commission shall evaluate and classify each position in the classified service, and determine the qualifications therefor. Shall assign persons to positions in the classified service and specify the salaries payable.

So it is quite apparent that the civil service function is not so much the appointment of an official of this stature, but to find, evaluate and classify positions within the service and fix the range of salaries and so on.

There is the further consideration that a statutory appointment, setting forth as this statute does, the duties and powers of that individual, should be one made by the Lieutenant-Governor in council. This also would prove the validity of his authority, the directions which he may give, and the certificates which he may issue—so that this is not really a great, earth-shaking thing.

But since the statute was lacking any method or indication of how he should be appointed, and having considered it, and decided that it should not properly fall within The Public Service Act, we felt we should amend the Act to provide for appointment by the Lieutenant-Governor in council. This is the type of appointment that should fall to the Lieutenant-Governor in council, for appointment.

**Mr. Lawlor:** That is just the point. As I understand it, it is rather a trifling matter.

In a way, I agree with the Attorney General. It is the question of these appointments. The Minotaur is already appointed. We have a commissioner of security guards in this province at this time. He must have been appointed, I take it, under the terms of the Act of this present time, The Public Service Act, is that not so? What is the reason for the change if this is the case?

**Hon. Mr. Wishart:** I do not think that I can give any reasons other than I have given that there is no method of appointment. We did have an official Act as such.

**Mr. Lawlor:** Well, how did you appoint him then?

**Hon. Mr. Wishart:** I do not know that he had any formal or proper appointment really, and, therefore, to correct that situation and perfect it is the purpose of this amendment.

Moved by Hon. Mr. Wishart that section 2 be deleted.

**Hon. Mr. Wishart:** Perhaps, Mr. Chairman, I might say on that motion, that having looked at the situation, which was intended to cover the guard moving with a security situation such as Brinks, or some other situation of that kind, that it is not the security guard we were attempting to cover and licence under this bill.

These are the security guards who guard corporations and establishments, industries, locations where there is a simple movement of goods from one spot to another, such as from a bank to a bank, or trust company. This was not deemed necessary so, therefore, I move that this section be deleted.

**Mr. G. Ben (Humber):** Mr. Chairman, I am rather amazed that the Attorney General would get up and suggest that this particular section be deleted from the Act. If any particular group should be stringently covered by legislation, it is the group that composes security guards, guarding money being transported, or valuables, as in the instance of Brinks. Where do you see more firearms, in a city or anywhere else? It is on these Brinks guards.

They stand on a corner with a weapon in their hand and with their finger on the trigger. It is a wonder that people are not injured, and it is only a credit to these people that the people are not injured by these guns going off accidentally. But when the Attorney General gets up and suggests that these people ought not to be brought into the scope of this legislation, I am amazed. I can only presume that

a great deal of pressure or lobbying was done by the people in the business of transporting moneys and valuables. I suggest that this is one section that ought to remain in here, because if anyone has to be covered under The Private Investigators and Security Guards Act, it is the people who guard the transportation of valuables.

Hon. Mr. Wishart: Mr. Chairman, I would point out that the issue of firearms comes under a different Act altogether, and I believe, although I have not got the citation before me, that it is part of the criminal code arrangements. While our provincial police have some authority in that regard, it is not any part of this Act at all. Those persons who are issued firearms are cared for, insofar as that feature is concerned, under separate legislation altogether.

Mr. Ben: They are security guards.

Hon. Mr. Wishart: They are security guards, but as I say, not in the sense in which we intended to define or cover security guards. They are being armed under a different piece of legislation altogether. They do not stand about on premises, and they do not meet the public coming to places of business and so on. That is the type of thing that we wish to cover under this Act. A security guard is not a person who just moves in the transportation of valuables from one bank to another. So we have decided that we should not include this piece of legislation in the bill.

Mr. Ben: Could you tell me why it was included in the first place unless The Attorney General's Department thought that there was some justification for its inclusion?

Hon. Mr. Wishart: Mr. Chairman. I do not know that I can go into the reasons that prompted someone to add that section, but having considered it, we do not consider that it is necessary or wise in this legislation.

Mr. Chairman: The member for Lakeshore.

Mr. Lawlor: May I say rather flippantly that the Attorney General is a spoil-sport. He is spoiling all my fun today and a considerable amount of work. However it is all to the point and to the good. The section is highly ambiguous—as I read it.

And to answer the position of the member who spoke just previous to myself, these points are covered—I think you will agree, Mr. Chairman—under section 4 of The Private Investigators Act. Under section 2, certain people are taken out of the Act and in a

sense you are putting them back in—or at least the most that you were doing is trying to spell out what you mean by the employers and not by the employees of these guards. What you have added in here is the business of being provided with firearms.

And then if you compare, say, Tippet-Richardson as a moving company without firearms and Brinks with firearms, then Brinks is already covered without question. I think you were trying to cover a greater range of activity here. Right from the beginning I could not see your object. The Act seemed to be sufficiently clear. And that the guards who were provided for under the definition section and under those who would not have to be provided—who would not have to take out licences under—subsection (g) of 2, the Act as it is appeared perfectly rational, and I am glad to see it withdrawn.

Section 2 deleted.

Section 2, formerly section 3, agreed to.

Section 3, formerly section 4, agreed to.

Bill 7, as amended, reported.

#### THE CHILDREN'S INSTITUTIONS ACT, 1962-1963

House in committee on Bill 63, An Act to amend The Children Institutions Act, 1962-1963.

Sections 1 to 7, inclusive, agreed to.

Bill 63 reported.

#### THE LORD'S DAY (ONTARIO) ACT, 1960-1961

House in committee on Bill 41, An Act to amend The Lord's Day (Ontario) Act, 1960-1961.

On section 1:

Hon. Mr. Wishart: Mr. Chairman, on section 1, I move that clause (a) of subsection 3 of section 5a, as contained in section 1 of the bill, be amended by striking out the word "and" at the end thereof and by inserting in lieu thereof "or at any trade show or scientific exhibition and".

I might just say that the bill as it reads would provide for horticultural or agricultural fairs, and such things as the Canadian national exhibition and trade show, and would include such things as the home show or perhaps the

boat show or a purely scientific exhibition. We have enlarged it to that extent.

**Mr. D. M. Deacon** (York Centre): Mr. Chairman, in connection with section 1 I am concerned that this law can be passed by a council without plebiscite. In many municipalities which have facilities in which Sunday activities have been taking place, there is a strong feeling on the part of the citizens that their peace of the day will be greatly disturbed by a bylaw which could be passed by council on pressure from a small group. I think there should be consideration given to requiring that any bylaw have a plebiscite approval in the next election, rather than having it where council can just merely pass a bylaw without referring it to the public for support.

**Mr. Chairman:** Perhaps we could deal with the motion of the Attorney General to amend section 1 and then we can deal with the member's suggestion.

Motion agreed to.

**Mr. Chairman:** The member for York Centre had made certain remarks regarding further suggested changes in section 1. Would the Minister like to reply to those suggestions?

**Hon. Mr. Wishart:** I spoke at quite some length on second reading of this bill and I think almost anything I might say now would be perhaps repetition. The principle which we discussed then on this particular point raised by the hon. member is that we felt it was proper and reasonable to allow a local municipality at its level to determine what types of exhibition or show—such as are defined in this Act and limited to certain trade, horticultural society, or agricultural fairs, and that sort of thing—when they would hold them and what type of activities they would permit. All of this they may put in their bylaw.

And there is no prohibition in this bill to say that if a council decides it wants to take the question to the people of the local municipality I would think, although I have not studied the law on that question, I think they would have the right to do so. But it seemed a cumbersome method that in every case you must insist in legislation of this kind that there must be a plebiscite or a referendum to the people. We felt it proper to say, "You may hold this type of fair or exhibition, scientific exhibition, and you may define the type of activity that may be carried

on thereat and you may do this with your own judgment and you may suit the locality which you govern", whether it be a large metropolitan urban city or a small town or a small city. And I think this is a proper principle to follow. To insist, I think, in a bill of this kind that across the board there must be a reference to the people on every occasion was something we considered very thoroughly and discarded.

**Mr. Deacon:** Mr. Chairman, I am sorry the feeling was that this should be discarded because so often in cases of this sort the councils take action at the time of the year when many of the residents are away and it quietly goes through; and before they realize it the bylaw has been passed and suddenly it is very difficult to reverse the trend. In the city of Toronto, I know there was a plebiscite when they opened Sunday and it had the public support. When the public is in favour as indicated by a plebiscite I cannot see why they cannot have an open Sunday. But I do feel that so often when council takes action without proper notice to the people of the municipality, there is no opportunity for proper public opinion to be assessed. And that is why I feel, even though it is cumbersome, that in an important matter of this sort that the public should be consulted through a plebiscite.

**Hon. Mr. Wishart:** Mr. Chairman, two points occur to me as I sit here. I do not want to prolong the discussion but it does seem to me that a local municipal council usually holds office in some municipalities one or two years, and I think now some three years at a time. They are answerable at a very close and intimate level to the people they represent and I am sure they pick up the local consensus.

I do not think there is great danger of a local council—in a municipality, let us say, which had a strong feeling or sentiment against a certain type of activity coming in—I do not think there is much danger of the members of that council—who are so intimate in their knowledge of local conditions, who know most of the people they represent, who are able to assess local feeling—I do not think there is much danger of them going against the grain, against the opinion of the people for whom they sit as representatives on council. That is one point.

The other point, sir, is that this type of exhibition is a pretty mild form of, let us say, recreation, education, entertainment. I do not think there is a great danger in that



area. Furthermore, I point out that this type of thing is generally held in a municipality perhaps once a year—a week, or two or three days. Even the Canadian national exhibition, I believe, now runs something like three weeks or better, but these things would occur perhaps once in a year in a particular municipality, so that the frequency of the occasion is very small. The knowledge of the governing body, the municipal council, is very great, and I think very responsive to public opinion. If it should go wrong then there is the opportunity, of course—those gentlemen know they have to go back and face their electors more frequently certainly than members of this House, and this is the place where we feel the discretion, the judgment, should be placed in the municipality.

**Mr. Chairman:** The member for Humber.

**Mr. Ben:** Mr. Chairman, I would like to rise and speak in support of the statements that have been made by my colleague from York Centre, with reference to The Lord's Day Act.

First of all, I should say that I think it is a misnomer to call it The Lord's Day Act. It has been chopped up so much that the good Lord has been left with nothing but the name. I take issue with what the Attorney General said about the council being able to rescind what has been done by itself or by a previous council, because the Attorney General well knows that once a statute is passed, once a bylaw is passed, it is like today's news, which is something that you wrap tomorrow's garbage in and people forget about it. Furthermore, because these things only occur once a year, be it for two days, one day, two days a week, or three weeks as with the Canadian national exhibition, it is more inclined to leave people's minds. It is something that passes and it does not become an issue again until the exhibition comes up.

**Mr. Chairman:** Order please! The member, I think, is discussing the matter of the principle of this bill which was fully debated at second reading.

**Mr. Ben:** The suggestion is that a plebiscite should be required. This is what I am speaking to. Giving my reasons why I think a plebiscite—

**Mr. Chairman:** The entire merits of this provision were debated at second reading—the principle of the bill.

**Mr. Ben:** But under this particular section we deal with it clause by clause. I am deal-

ing with clause 2, of paragraph 5(a) of item 1, or paragraph 1, in Bill 41, and it is apropos to what was already said by my colleague, that he does not feel that section 2 should be permitted to stand because a council can pass the necessary amendment without a plebiscite. I concur in the points he made and I want to state my reasons.

**Mr. Chairman:** I would point out to the member that this bill was fully debated in principle at second reading and that the member for York Centre was really out of order as well.

**Mr. Ben:** I suggest he was not out of order because this is not a question of principle; this is a question of amendment and I can move an amendment to subsection 2 or I can ask that it be struck out and I can so move. Now, I am permitted to speak to that. In this particular instance I said that the Canadian national exhibition runs for three weeks and liquor is not permitted at the Canadian national exhibition. The municipal council, by approving the exhibition being open on a Sunday, in essence, is permitting the selling of liquor at the Canadian national exhibition on Sunday. Who is going to supervene in this particular instance? Is the liquor control board going to be able to upset the local council who say that you can keep the exhibition open on Sunday pursuant to an Act to amend The Lord's Day Act (Ontario) 1960-1961.

For this reason I say that it should be incumbent upon the council to go to the people and have a plebiscite to determine whether or not they wish liquor to be sold openly in their municipality on a Sunday. I say to you that the people will not countenance such a thing and in the case of an exhibition, for instance, where is the plebiscite going to be carried on—in the city of Toronto where the fair is located or in Metropolitan Toronto since the Canadian national exhibition is now under the jurisdiction of the council of Metropolitan Toronto?

Again, this is a weakness that you have not covered here in that particular section. Why should a council of the municipality of Metropolitan Toronto be permitted to pass legislation which would enable the city of Toronto proper to be burdened with an exhibition on Sunday which sells liquor if it does not so desire?

For this reason I concur with every statement that has been made—

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Pass a bylaw.

**Mr. Ben:** They cannot pass a bylaw because the Canadian national exhibition is governed by the municipality of Metropolitan Toronto, not by the council of the city of Toronto.

**Mr. Chairman:** Would the Minister care to reply?

**Hon. Mr. Wishart:** No, Mr. Chairman.

**Mr. Chairman:** Shall section 1, as amended, stand as part of the bill? The member for Niagara Falls.

**Mr. G. Bukator (Niagara Falls):** Mr. Chairman, I did not support this bill on first reading and I do not intend to support this bill on the second reading. The Lord's Day Act—this is second reading? Third reading, committee of the whole House, I beg your pardon, but I did not support it on second reading.

The member for Dufferin-Simcoe (Mr. Downer) originally did not support the original bill. The only man in this House that stood against it on principle—and I realize, Mr. Chairman, I am a little more on principle than I should be on this clause, but I must make this particular portion of my comment, I hope in sequence, so that it will make sense at least to the people who will read at home, that I have stood against this particular effort.

My leader was good enough to say that this is a matter of conscience and each member of his particular group can vote as that member sees fit. This particular section, to open the fairs to people who want them, by vote or by council—if they care to pass a bylaw it can be done without a vote of the people. I know, since the stand that I took on this particular bill not too long ago, that my hand has been strengthened by many people of this particular province, Mr. Chairman, and they, too, feel as I do that this should not be broadened. If I had known the statute as well as I should have when I was here in 1961-62 I would not have supported that bill at that time. So I have not come to the conclusion where I believe two wrongs make a right. This is opening the door further—and I hope I am wrong—to other activities that no one in this province wants, or very few people do.

So I say to you, Mr. Chairman, and through you to the hon. Attorney General, I make my stand against—

**Hon. Mr. Wishart:** I really hesitate to oppose the hon. member for Niagara Falls, but he is speaking entirely on the principle of

this bill. He had one opportunity and he took some advantage of it, and while I always enjoy listening to him speak I think he is just speaking again on the principle of this bill. Surely we are not going to get into that habit, I trust. I do not mind an infringement occasionally but if he is going to continue in this vein I, for one, would say that I hope he will be very brief because he has already had a very full opportunity to speak on principle, which he did.

**Mr. Chairman:** May I say to the member that knowing him as well as I do I realized that he would be brief. That is why I permitted him to proceed.

**Mr. Bukator:** Mr. Chairman, I think on important issues such as this there should be an exception to the rule. This is my opinion and I will be brief, Mr. Chairman.

**Mr. D. C. MacDonald (York South):** Why should he violate the rules of the House?

**Mr. Bukator:** Mr. Chairman, I have been sitting here with professionals since 1959 and they all have violated the rules of the House. I say to you—

**Hon. Mr. Wishart:** Two wrongs do not make a right.

**Mr. Bukator:** You are definitely correct; it is not right. I agree with the Attorney General that it is not right to pass this bill because this is the second wrong. The people of this province do not want this kind of legislation.

**Mr. Chairman:** Shall section 1 as amended, form part of the bill? The member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** Mr. Chairman, I am concerned with the application of the words "or by any corporation incorporated without share capital by or under any special or general act". As I understood the intention of this legislation it was to enable us—

**Hon. Mr. Wishart:** Mr. Chairman, could I be permitted to say that the amendment reads—or the words I use in the amendment—would remove that restriction?

**Mr. Bullbrook:** The Minister just struck out the word "and" and put in "or at any trade show"—I cannot read my own writing, I am sorry.

**Mr. Chairman:** And scientific exhibitions.

**Mr. Bullbrook:** Scientific exhibitions "and", he did not strike out the words "or by any

corporation incorporated without share capital". Is that his intention?

**Hon. Mr. Wishart:** No, the widening by the scientific exhibitions—I do not have the language right in front of me now, but it would enlarge it so that that—

**Mr. Bullbrook:** Is it the Minister's intention to restrict the generality of corporations incorporated without share capital, to relate to a trade show? Is that it? And scientific exhibitions. I wonder then, might we have this back, because I am confused as to the intention.

**Hon. Mr. Wishart:** Otherwise, Mr. Chairman, if I may, to widen it completely to any corporation would mean that the hardware store on the corner could be open on Sunday. But limiting it to a scientific exhibition or a trade show that may be incorporated with share capital, it does not permit every industry to carry on business on Sunday.

**Mr. Ben:** Precisely. Should it not be written that way then?

**Hon. Mr. Wishart:** No, the language covers it very carefully.

**Mr. Bullbrook:** Mr. Chairman, we do not have to worry about the hardware store, we are not having any hardware store that is incorporated without any share capital. I would like for my own knowledge, before I am asked to vote, to have this read back to me. I must confess, obtuse or not, I do not know what is meant. What are we putting in and what are we taking out of this section?

**Mr. Chairman:** The motion reads as follows: "Clause (a) of subsection 3 of section 5 (a) as contained in section 1 of the bill be amended by striking out "and" at the end thereof and inserting in lieu thereof "or of any trade show or scientific exhibition and".

**Mr. Bullbrook:** Yes, Well then, relating as I read it now, it will now read "or by any corporation incorporated without share capital by or under any special or general Act or at any trade show or scientific exhibition and". That is the way it now reads? Correct me if I am wrong, but as I still read it, any corporation incorporated without share capital by or under any special or general Act is permitted, if the municipality exercises its prerogative, to carry on a trade or exhibition show that particular Sunday. This is my understanding. I suggest most

respectfully that this is too wide, because in effect what you are going to get, I can see, speaking personally—and we are in the happy position of being able to convey our personal thoughts in connection with this—is some propriety in the aspect of this legislation. But we have had the Attorney General in response to my colleague from York Centre saying, in effect, that he could envisage perhaps one or two of these exhibitions in a municipality during the course of a year.

I put this to the Attorney General, Mr. Chairman, first of all, you are going to have agriculture associations enabled, agricultural societies enabled, horticultural societies enabled, people operating trade shows enabled, people operating scientific exhibitions enabled, specifically, and then above that, we superimpose this generality which in effect permits every Lions club that is incorporated, every Kinsmen club that is incorporated, every Rotary club.

Now you look quizzical to me. I ask the Attorney General to correct me and show me where I am wrong here. Perhaps I am not getting it through my head. As a read this it says: "Or by any corporation incorporated without share capital by or under any special or general Act". Now, then we go on and say: "Or at any trade show".

I am putting it to the Attorney General that the words "or at any trade show" do not in any way amend or restrict the application of the general words in connection with corporations without share capital. Now I invite him to correct me if I am wrong there, and then I would like to continue, because the Attorney General is looking quizzically at me. Maybe I am wrong.

**Hon. Mr. Wishart:** Well, Mr. Chairman, I simply point out if the hon. member will refer to subsection 3 (a) it starts off: "Any exhibition or show that is conducted by any society or association to which The Agricultural Societies Act, The Agricultural Societies Act or The Horticultural Societies Act apply"—

**Mr. Ben:** Or.

**Hon. Mr. Wishart:** "or" than "a trade show or scientific exhibition".

**Mr. Ben:** But this is not—

**Hon. Mr. Wishart:** All right, the member interrupted me and perhaps he threw me off the trail—"or by any corporation incorporated without share capital by or under any special general Act". Those are the ones without



share capital. Then "or trade show or scientific exhibition—"

**Mr. Bullbrook:** I am sorry, I could not hear the Minister.

**Hon. Mr. Wishart:** Can you imagine the Lions club holding a trade show or scientific exhibition? Perhaps they do, I do not know.

**Mr. Bullbrook:** First of all, if I might continue—

**Hon. Mr. Wishart:** If they do, is that bad?

**Mr. Bullbrook:** No, the Minister is talking about proliferation. Just a few moments ago, addressing my colleague, the member for York Centre, he thought perhaps one or two a year. Now, let us look at the factual aspects of this. Now he is saying, in effect, is it bad for the Lions club to have their trade fair? Well, it might not in essence be bad, but let us at least have some degree of unity in the Minister's thoughts. What he is saying, in effect, is perhaps a municipality can consider one or two of these. I suggest most respectfully to the Attorney General, I do not agree with his interpretation of this one iota.

**Hon. Mr. Wishart:** I think the member is confusing the issue.

**Mr. Bullbrook:** Perhaps I am. I am very able to do that. Unfortunately, perhaps I do confuse the issue. But I suggest this, Mr. Chairman: let us not attempt to convey to my colleagues here that a municipality might only be subjected to one or two, perhaps three. With the general wording of this section, every service club can go to every municipal council and put forward a position that they are putting on a trade show next Sunday. In effect, therefore, every Sunday of the year you can have the Lions club having their so-called trade show with their Bernard Brothers' midway without the people themselves for a whole year having the opportunity to take issue with that.

**Hon. Mr. Wishart:** Does the member think a council would do that?

**Mr. Bullbrook:** I think the council might do anything. That is what I think.

**Mr. MacDonald:** The point is—the statute permits that.

**Mr. Bullbrook:** The point is this: It is not incumbent upon me to evaluate the position to be taken by an individual. Nor especially,

Mr. Chairman, is it incumbent upon the Attorney General to evaluate his legislation from the point of view of the propriety of the position of a municipal council. I think the incumbency in this Legislature is to protect the people of Ontario and you just cannot go at it from the point of view of saying you might have one, two or three. This general legislation opens it to 52 a year and the Attorney General knows it just as well as I do.

**Hon. Mr. Wishart:** Mr. Chairman, the whole Municipal Act is premised on the basis that we permit, through the legislation in this House, a discretion of municipal councils. I have forgotten the section, my hon. friend probably remembers the number—it is pages long. Municipal councils may pass bylaws for a thousand and one things. How can the hon. member stand up and say that this Legislature should not, in its legislation, say to the local municipalities: "Here is an area in which you are free to legislate. You are the proper people to legislate on this subject."

And I still cannot conceive of the example he quotes that in a municipality where the people will be opposed in their thinking to some type of trade fair or scientific exhibition—that is what they were opposing—that there would be one, every day in the week, or every Sunday in the year, either by their own municipal council—

I think this is such an exaggerated example that it would never come about. Because if the sentiment of that municipality were such that the people were not favourable to have that type of exhibition, which would be scientific—perhaps a trade fair, homeshow, boat-show, something of that kind—I cannot conceive how their council could make the mistake more than once.

**Mr. Bullbrook:** You took the words out of my mouth, Mr. Attorney General. I was going to say, perhaps I did exaggerate. I think we are both guilty here. You have a tendency to—

**Hon. Mr. Wishart:** Perhaps I am minimizing.

**Mr. Bullbrook:** Yes, that is exactly what I was going to say. I talk about 52; you talk about one or two. Right? So, we are both guilty in that respect.

I happen to be a lawyer, sir, and you happen to be the lawyer in the province of Ontario, and what I am directing to you,

through the chairman, is this: that the wording of this statute enables this proliferation that I am talking about—this possibility—and I do not—

**Hon. Mr. Wishart:** It does.

**Mr. Bullbrook:**—know for one reason why we have to put these words in before, “by any corporation incorporated without share capital.” Why do we not restrict the corporations’ activities?

**Hon. Mr. Wishart:** Well, Mr. Chairman, I do not want to talk too much longer on this—the section surely means that a corporation without share capital can conduct any exhibition or show. That is the language; that type of corporation can conduct, because those words relate very definitely and closely, an exhibition or show conducted by a corporation without share capital and I am skipping the horticulture society, the agricultural association, so that the corporation without share capital is limited to an exhibition or show that is the type they can conduct.

Now that is the corporation that is not making any profit, whose purposes are charitable and which does not turn its money to the benefit of the people who incorporate it—a charitable type of thing.

The only other type of show that could be conducted would be a trade show or exhibition. That is the limitation of that section.

I think, Mr. Chairman, I could not add much more to that.

**Mr. Ben:** Mr. Chairman, the Attorney General is a just and upright man and I acknowledge him to be a just and upright man. He takes deep umbrage when anybody ever impugns his motives and justifiably so. But I say, Mr. Chairman, that the Attorney General here is unintentionally, deliberately misleading the House. I put it that way to be kind to the Attorney General because the Attorney General is implying that non-profit organizations can only put on trade shows or scientific exhibitions—he nods his head that my statement is correct—and I say to you, Mr. Chairman, that this is not what the section states.

If the amendment said, being a trade show or scientific exhibition, that is, restricting the shows or exhibitions that the non-profit organizations could put on to trade shows or scientific exhibitions, then I could see the purpose of the Attorney General’s amendment. But, it does not say that. It simply says, “or any trade show or scientific exhibition,” which

means that non-profit organizations can put on a girlie show on a Sunday.

**Hon. T. L. Wells** (Minister without Portfolio): Are you in favour of the CNE opening on Sunday?

**Mr. Ben:** No, I am not in favour of the CNE opening on Sunday nor am I in favour of this Act.

**Hon. Mr. Wells:** Well, we are in favour of it.

**Mr. Ben:** And I hope the House will recognize the “nays” when this matter is put to a vote.

**Hon. Mr. Wishart:** Perhaps, Mr. Chairman, an interjection here might shorten this debate. If the hon. member would note that the bylaw referred to under subsection 3 of section 1, provides that the municipality may not only pass the bylaws but the latter part of it says any activities specified in the bylaw, that is, subsection 3 (b). In other words, the municipality has the controlling hand—they can stop the girlie show; they simply provide that that type of thing is not permitted in the carrying on of the exhibition. So they control the thing and that is where the control should lie, I say again.

**Mr. Ben:** Now, Mr. Chairman, the Attorney General is deluding himself. The councils of municipalities of Metropolitan Toronto will sell their grandmothers, and their mothers, in order to raise taxes and they will put on girlie shows if need be. They are prepared to sell liquor on Sunday at the exhibition. They are prepared to sell liquor any day at the exhibition. Now what makes the Attorney General think they are not going to permit girlie shows down at the exhibition—with liquor?

**Hon. Mr. Wishart:** Our laws permit—

**Mr. Ben:** Oh, you are being naive.

**Hon. Mr. Wells:** Mr. Chairman—

**Mr. Ben:** Do you have a point of order? If you have not, sit down.

**Hon. Mr. Wells:** Can I ask the hon. member a question?

**Mr. Ben:** You may ask me a question.

**Hon. Mr. Wells:** Mr. Chairman, can I ask the hon. member if he has seen a girlie show at the exhibition in the last three or four years?

**An hon. member:** He is getting old.

**Mr. Ben:** I will tell you, the Canadian national exhibition was so cheap that it would not import any girlies, and all the girlies turned into old women.

**Hon. Mr. Wells:** There have been no girlie shows at the exhibition.

**Mr. Ben:** So, we have not had a girlie show for about 20 years.

**An hon. member:** You have looked for them, have you?

**Mr. Ben:** But the fact still remains—

**Mr. Chairman:** Order!

**Mr. Ben:** —that the proposed amendment, as phrased by the Attorney General, will permit any kind of a show by a non-profit organization and it will not be—the Attorney General shakes his head; before he nodded his head, now he shakes his head. I am getting a split personality just watching the Attorney General. Yes and no, like in the fullness of time.

**Hon. Mr. Wishart:** I am shaking my head to indicate disagreement.

**Mr. Ben:** Now. So I suggest that the hon. member for Sarnia is right—it is a proposition.

**Mr. Chairman:** Shall section 1, as amended, form part of the bill?

**Mr. Lawlor:** May I just say—I do not want to take any time on it though I think there may be a little misapprehension about it. I thoroughly agree with the member for Sarnia that the full amplitude and the full range of shows controlled no longer through this Legislature, but by municipal councils, can be envisaged under the terms of this section. There is no question about that, including girlie shows if it should be so. We are, on this side, in this group, in a free vote. As far as I am concerned, I am wholly in favour of the amplitude and of the section as it stands.

Section 1 agreed to.

**Mr. Chairman:** Section 2—the Minister moves that section 2 be deleted, shall the motion carry?

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, perhaps the hon. Attorney General would explain the usefulness of the section as it was in the Act on second reading, and what in fact, the deletion would accomplish?

**Hon. Mr. Wishart:** The brief answer, Mr. Chairman, is that section 2 is unnecessary. It had reference to daylight time and it is now unnecessary.

**Mr. Nixon:** Now. What has happened since you introduced it?

**Mr. Lawlor:** The sun came up.

**Hon. Mr. Wishart:** It is not necessary to be stated in the Act.

Section 2 deleted.

Section 2, formerly section 3, agreed to.

Section 3, formerly section 4, agreed to.

Bill No. 41 reported.

## PROVINCIAL COURTS AND JUDGES

House in committee on Bill 64, An Act to provide for provincial courts and judges.

On section 1:

**Mr. Chairman:** The member for Downsview.

**Mr. V. M. Singer (Downsview):** Mr. Chairman, section 1, the definition section in part (a), says judge means a provincial judge appointed under this Act. When we compare section 1 with the definition section of The Magistrates Act, which is chapter 226, and which would be repealed if this Act passes, the word "magistrate", which is now replaced by the word "judge", is there defined to include a deputy magistrate.

Now the Attorney General did, by use of the device of having deputy magistrates, attempt to grade the various gentlemen who occupy that position presently in the province of Ontario. It is not unknown that some of those who were looked upon with less fervour were kept at the position of deputy magistrate for a long time. Some never seemed to be able to emerge from that rank. In addition, the title of deputy magistrate was often reserved for people who were without legal training.

I think that this device had some use. It was one of the very few ways he had of asserting any discipline over that bench. He is going to hear more about this as the vote goes on. It was through the use of those appointments. Now, my substantial question on this section, Mr. Chairman, is why, since this section of chapter 266 was of value under the old Act, do we not have deputy judges here? Thus the Attorney General would have some little bit of control.



**Hon. Mr. Wishart:** Mr. Chairman, first of all, I would say that the use of the deputy magistrate provisions was very minimal, and not of much use. Someone who had taken the position of deputy magistrate, and was appointed, has not, in my memory, been turned away from the magistrate's bench. Under this Act, we have the judicial council to assist in the selection of appointments to the judge's bench.

Also, there is provision for assessment and review of the conduct of those persons who serve on that bench. I think that the proviso for the extension of the jurisdiction of the judges—set forth in section 9, I believe—provides that a judge shall not exercise that powers of part 16 of the code, for instance, unless he has been a member of the bar. Also, he has to be so designated by the Lieutenant-Governor in council.

There is still an area in that Act wherein you get a chance to weigh the quality of the person appointed, so that I think we will avoid, and I say this carefully because I would not wish to be misinterpreted, certain types of appointment that we were, perhaps, prone to make heretofore. I speak of governments down the years.

I think that we will get a quality of judge that we do not need to concern ourselves about as a probationer, as it were, and I think that we discussed on second reading of this bill, the question of probationary periods. It is something which we considered, weighed and abandoned, and I do not think that it would work. I really do not see how it could work when you are selecting a person of quality, and eminence and ability and character. How could you say to him: "Come away from your practice and we will put you on probation for two or three years"?

**Mr. Bullbrook:** When we get to section 4, even the Attorney General should be in order.

**Hon. Mr. Wishart:** And then as I say, as his work is carried forward, it will be reviewed, and examined by the judicial council. I think that we are wise to go to that step when we are seeking under this Act—as one of the prime purposes of this Act—to get persons of eminent qualifications upon our provincial court bench.

**Mr. Singer:** Mr. Chairman, the Attorney General chooses his words very carefully. I think that his phrase was he "cannot recall anyone being turned away from the magistrate's bench." I am not quite sure what the significance of that phrase is, but I do not

think that it is very different from what I said, because there are a few people around the province of Ontario who seem to have been deputy magistrates for a very long period of time. Now whether this is a turning away or turning in, or a welcoming or evicting, I do not want to parry words. But the fact is that the Attorney General has had occasion in the past to not promote from deputy magistrate to magistrate for reasons that are best known to the Attorney General and his predecessors. I would suggest that some of those reasons have been because of the difficulty under which he has found himself on certain occasions. This is one of the very few ways in which he has been able to assert discipline. Now, I am trying to help the Attorney General and it is the only purpose of my remarks.

I am trying to give him just a little lever whereby he can assert some control. I am not going to be out of order and talk about the probationary period until we come to section 4, where it properly belongs. And I am going to have a bit to say about that, Mr. Chairman. At this point I would think that the Attorney General would well assist himself in the very serious task that he faces, by expanding the definition in section 1 (a), saying that judge means provincial judge or deputy-provincial judge as appointed under this Act.

**Mr. Ben:** Mr. Chairman, may I ask a question of the Attorney General? You made reference to subsection 2 of section 9. That is, the qualifications of a person who can act as a magistrate under part 16, of the criminal code.

**Mr. Chairman:** I wonder if we could deal with section 1?

**Mr. Ben:** Well, he just raised that point and I would like to ask a question of clarification.

**Mr. Chairman:** Just because the Attorney General was out of order, that does not mean that it can be carried on.

**Mr. Ben:** Well, just let me ask The Attorney General: is the word "or" missing after the word "years in a"—

**Mr. Chairman:** It is out of order. Section 1, please? The member for Sarnia.

**Mr. Ben:** A point of order, Mr. Chairman.

**Mr. Chairman:** Will you state your point of order, please?

**Mr. Ben:** The hon. member for Yorkview (Mr. Young) raised the subject of deputy-judges, suggesting that section 1, which is under discussion, ought to be amended to provide for deputy-judges. The Attorney General replied that it was not necessary, that in essence there was a category of deputy-judges in the clause. In essence, this is what he said. In so saying, he referred to subsection 2 of section 9.

**Mr. Chairman:** What is the point of order?

**Mr. Ben:** I am asking him, is the word "or" missing after "years in a" of section 2? If it is—

**Mr. Chairman:** Order!

**Mr. Ben:** I am addressing my remarks to you.

**Mr. Chairman:** This is out of order, and I so rule.

**Mr. Ben:** I am addressing my remarks to you on a point of order.

**Mr. Chairman:** I have ruled you out of order.

**Mr. Ben:** I am out of order, in rising on a point of order?

**Mr. Chairman:** What is the point of order?

**Mr. Ben:** Sieg heil!

**Hon. A. Grossman** (Minister of Reform Institutions): George, watch your ticker.

**Mr. Ben:** I am watching my ticker. When he says that I cannot rise on a point of order, I have to watch my ticker.

**Mr. Nixon:** Mr. Chairman, if I might speak to the point raised by my hon. friend. It seems to me as these various points come up as we go through the bill, they will be able to be raised in an orderly fashion. I agree with my hon. friend that it was raised by my friend to my right a few moments ago, but surely we can take in all these points as we go through, without difficulty here.

**Mr. Chairman:** Look, we will deal with section 1. The member for Sarnia has something on section 1.

**Mr. Bullbrook:** I confess, Mr. Chairman, that my question was that during the course of remarks of the Attorney General, relating to the government's position relating to judges defined in section 1, the Attorney General had read subsection 2 of section 9 and used

the word "and". I wondered, for the purpose of clarity, if this is what the Attorney General meant? "And"?

**Mr. Chairman:** Surely we can deal with that when we come to it, in the relevant section?

**Mr. Bullbrook:** Sir, recognizing that you have made a ruling in connection with my friend from Humber, I realize that, and I will not carry that further. But it is significant to me.

**Mr. Singer:** If a point is of essential importance to this section perhaps it could be clarified now.

**Mr. Chairman:** We will deal with it as we come to it. Shall section one stand as part of the bill?

Section 1 agreed to.

Sections 2 and 3 agreed to.

On section 4.

**Mr. Singer:** Mr. Chairman, yesterday and today, we have seen an instance where the Attorney General is another one of those members of the Cabinet who is unable to say: "I am sorry, I cannot do anything about it". Or: "I am sorry, we have made a mistake". Or: "I am sorry that the magistrate in question might have done the wrong thing". The answer that could well have been made this afternoon, as a result of the reference to Magistrate Bigelow, the answer that should have been made, in my humble opinion, is that "the magistrate did make a mistake, and I have instructed the Crown attorney to appeal".

**Mr. Chairman,** the difficulty—and it is focused on section 4—is that under the old Act and to a far greater extent under the new Act, the Attorney General is completely removed from any control of it once he has appointed—under the old Act—magistrates and—under the new Act—judges. And it is an exercise in futility to have the Attorney General stand in his place and say, in answer to the question originally posed by the member for High Park (Mr. Shulman), "I will look into it and see what I can do"—because there is nothing you can do. There is nothing you can do under the old Act or under the new Act, unless the Attorney General is prepared to instruct his Crown attorney to lodge an appeal.

Now that is about all you can do. You can call the magistrate in, and the magistrate

in effect could say: "I am not going to come." You have no right to discipline a magistrate, and one of your predecessors found this out. One of your predecessors, in that most difficult office, at an annual meeting of magistrates determined that he was going to tell them off because they were making too much noise when somebody was playing the violin. And he did. And he proceeded to tell them off in no uncertain terms. And you know what happened next year. The magistrates did not come to the meeting that he called them to. Magistrates do not have to come.

What concerns me, Mr. Chairman, is that we are losing complete and absolute control, and the government will not admit that this in fact is the case. And every time the Attorney General rises in his place to answer complaints made by members of this House about the conduct of certain magistrates, the Attorney General goes through the same nonsense. He says: "I will look into it. I will look at the record, and I will see what can be done." And the answer inevitably is—nothing can be done, and the magistrate is always right.

This afternoon we have an example where, in my humble opinion and the opinion of, I think, many members of this House, the magistrate was quite wrong. And I do not think that there is any shame at all attached to people in government who say: I am sorry, we made a mistake, or one of our officials made a mistake, and we are going to try and do something about it; but no, that is not what we do. We go through this charade all the time, and we talk about temporary appointment. The Attorney General on second reading said, "this is a very difficult thing." How are you going to induce people to abandon their practice and go in on this temporary appointment? Has it ever been tried? This was the last thing that the Attorney General threw at me. And I suggested to him he should be brave. Even if it has not been tried, try it in Ontario.

Mr. Chairman, I must admit that I have not done my homework well enough, because I did not need to look any further than our own statute to find where it had been tried, and where it has been in effect for a great number of years. Let me refer to section 4 of the old Magistrates Act—I am sorry, section 3 of the old Act. It says this: "Except as provided in subsection 2, magistrates shall hold office during pleasure." That is subsection 1 of section 3 of the old Act. Section 2 says: "A magistrate who has held office for

two years, may be removed from office before attaining retirement age, only for misbehaviour or for inability to perform his duties", and so on.

As you put those two sections together, and as you think about them a minute, you will realize that there is a two-year probationary period in the old Act. So, when the Attorney General stood in his place the other day, and asked, "has it ever been tried?"—I apologize that I did not do my homework properly, I should have said, "yes, not only have you tried it, you have had it in your own statute for all these years."

If it was good enough under the old section, why are you so shocked about putting it into the new Act? Why are you aghast at this idea?

**Hon. Mr. Wishart:** It was not good enough.

**Mr. Singer:** It was not good enough, no. My complaint, Mr. Chairman, is that the Attorney General is trying to be a good fellow to the whole world. He feels that he has a bounden duty to protect the wrongful act of anyone who comes under the aegis of his department. There could not be a better example than that nonsense about the OPP the other day, when the hon. Attorney General would not apologize. You were going to explain to this fellow from Nova Scotia who had been locked up overnight and his car taken away, that maybe the OPP did not investigate far enough.

Would it have been embarrassing to say, "I am sorry, we made a mistake. We apologize"? I do not think there was any shame attached to saying, "I am sorry, we made a mistake, a magistrate has done the wrong thing, or we have appointed the wrong kind of a magistrate." Surely it would make abundant good sense, Mr. Chairman, that we have a probationary period, so that we can have a look at these magistrates and see whether or not they are performing properly once they have first been appointed.

I do not think there is anything embarrassing about it at all. The precedent that the Attorney General was looking for was in his own Act. For those reasons, sir—and I feel very strongly about this—I am going to propose an amendment to section 4. That section 4 of the Act be amended by inserting a new subsection 1, which will read "except as provided in subsection 2, a judge shall hold office during pleasure". That subsection 1 be amended by renumbering it subsection 2, and be further amended by inserting after the word "judge" in the first line thereof, the



words in quotations marks "who has held office for two years"; and that subsection 2 and 3 be renumbered respectively as 3 and 4.

It takes very little research, Mr. Chairman, to discover where I got the wording. It is the same wording as is in the old Act. It provides for the same probationary period; the only difference from the old Act and my amendment is that the word "magistrate" is replaced by the word "judge".

**Hon. Mr. Grossman:** You said that did not do any good.

**Mr. Singer:** At least it is something. And at least, Mr. Chairman, at least it gives us some control.

Let us look for a minute at section 4. A judge may be removed from office before attaining retirement age, for misbehaviour, or for inability to perform his duties properly. Those are the only two reasons.

What is misbehaviour? Misbehaviour in my mind—and I do not know that there are any decided cases on this, I do not think that this section has ever really been used, this removal section. Misbehaviour would contemplate putting his hand into the public till, stealing money, being bribed, that sort of thing. Most unusual, and I do not think to my knowledge, that it has happened in the province of Ontario. Inability to perform his duties properly. Well, that would probably amount to senility and little else. It does not mean lack of desire to perform his duties. If he likes to sleep in in the morning; if he likes to get out early and go and play golf; if he is abrupt; if he is rude; if he does not do what the criminal code tells him, that does not mean he has an inability to perform his duties. So you cannot get at him on any of those things.

We go through the ridiculous charade, Mr. Chairman, that we went through this afternoon, when the Attorney General, the chief law officer of the Crown, has to say that Magistrate Bigelow had better reasons than appeared. What does that mean? It must mean that Magistrate Bigelow knew something and was making his judgment in some way contrary to what was on the record. He knew of the criminal record of the people without that record being introduced into the record before him. And if that is what the Attorney General said, it is all the more reason, Mr. Chairman, why we should have some safeguards here.

If you cast your eyes over to section 8—and I do not want to talk about section 8 at

the moment because that would be out of order—he has got three categories for the review board to look at. They can review misbehaviour or neglect of duty, or inability to perform the duties.

Now, the neglect of duty, which is a new phrase that creeps into section 8, is not in this section 4. So I would presume that while the review board can slap the magistrate over the wrist or summon him, he does not have to come. He does not have to come if he does not want to, because once he is appointed he is there for life. If he has neglected his duty there is nothing you can do under section 4. You cannot get rid of him. You can only get rid of him under section 4 if he has misbehaved—which has to be criminal—I would think that is the only reasonable interpretation—or if he is unable to perform his duties. If he neglects it, it does not matter. You can not carry that through to section 4.

I say, Mr. Chairman, that in this most important new bill if we want to have some power of review—and I suggest we should have that—there has to be a probationary period. And the probationary period as in the old Act is eminently sensible. And this was why I made my suggestions about section 1 and the deputy judge. The Attorney General has used, even his predecessors have used, the device of deputy magistrate to discipline people and to hold them back because he did not think they were performing properly. And they stayed there. They sat on the same kind of cases and performed them as badly as they had before, or as well as they had before, and were kept at the level of deputy magistrate. It is a sham and it is a charade, and it makes no sense.

I think, Mr. Chairman, if we are embarking in a new field, and we are going to pay substantially better salaries, and we are going to have a better system—we all hope we are going to have a better system—for goodness sake let us take every possible step and make sure that we can review these procedures in a reasonable way. I do not think that this is going to be a political abuse any more than the power of review is going to be a political abuse, any more than the power of appointment is going to be a political abuse.

If the probationary period is a reasonable one, I do not think any successor to the present Attorney General, or the present Attorney General himself, is going to exercise his discretion in any worse manner than he exercises it in appointing people.

By and large that discretion has been well exercised, and if the discretion has to be exercised not to confirm an appointment after the probationary period has expired, I do not think there will be any criticism that it has been done for political purposes. So I plead with the Attorney General, Mr. Chairman, and I plead with the government that we put some safeguards in this bill, and I would urge upon every member of this House, that we support an amendment in the form that I put it, or an amendment in a similar fashion. There have to be better provisions in this bill to provide the safeguards that we need.

**Mr. Lawlor:** On second reading of this bill I brought to the attention of the House, at that time if you recall, the clause in question in The Magistrates Act. I threw it out at that time to bring it to the attention of the Attorney General, as an attempt to give it some perusal. There seemed to be some merit in it; and it is worthy of some consideration. However, having given it that consideration and thought about the matter, and with the obvious intent of the Attorney General in mind, I must agree to what I believe his position will be, that is with the quality of people he has in mind to take them out of their law offices, to attract them at all.

We often inveigh against the quality of the deputy magistrates.

Goodness knows many of the magistrates should never have been appointed above deputy magistrate, but the fact is we have not been able to draw upon the substantial legal talent of this province in this particular kind of work. We have not been able to get the quality of man to deal with these offenders, a man of perspicuity and a man who has some heart and who has intelligence. We have left that and we have these squabbles in the House day after day because of the quality of some of the magistrates that we have to contend with. This ought not, in the future, to take place.

I think the Attorney General has taken deliberate action to see that it does not take place. He has done two things, with his judicial council, in the business of appointing these magistrates for the first time in our history. It is not perfect, but it is a step forward; a long step forward toward getting some kind of objectivity into the appointment of these people; in having some kind of screening process gone through; in taking it out of the political realm to a considerable extent and not making it a question of patronage any

longer. This is all to the good and I cannot help but affirm it. Fine. And as far as the dismissal of these men is concerned, for the first time again in our history, and the history of any jurisdiction that I know of—and I have looked into some of the American ones in the past few weeks—here we are making major moves toward the settlement; toward the screening; toward the general public; toward the legal profession and others to come forward and make complaints and say some magistrate does not carry out his functions.

The wording is sufficiently wide, I suggest to you, in section 4, to bring these magistrates under review. Certainly the effect of seeing a magistrate complained about time after time cannot help but be cumulative as well as the benefits to be derived from this insulated body, which can act judicially with respect to the magistrate. McRuer had a long passage which I quoted on second reading and which I will not bother doing again, but it is worthy of perusal; saying that, as things stand, the Attorney General is the last man in the world to take any proceedings against the magistrate no matter how hopeless he may be.

The judges, his fellow magistrates, will not do so. You can see why—the personal relationships. The judges will not do so. They want to remain aloof and apart. Who does? The legal profession is afraid to, by and large, because members may have to appear before that magistrate in the next few days. They are certainly not currying any favour in that quarter and they avoid it. So the general public is left on its own. For the first time in our history we have been able to establish some process whereby the graver kinds of wrong and the graver kinds of inquisition, the arrogance and presumption of magistrates may be curbed, and I am wholly in favour of this Act.

**Mr. E. Sargent (Grey-Bruce):** Mr. Chairman, in supporting the amendment of the member for Downsview, not knowing the terminology of the legal profession but speaking as a man who has been in public life for many years, I think this is a great area here where the government could work on behalf of the people. We have in the county of Grey and the county of Bruce two of the most incompetent magistrates in the province of Ontario, and I say this publicly, that I know that—

**An hon. member:** I do not want to represent you.

Another hon. member: Not in Bruce anyway.

Mr. Sargent: We have, Mr. Chairman—

Mr. Chairman: Perhaps the member had better keep to the amendment.

Mr. Sargent: I will keep to the amendment but the Attorney General knows of the numerous complaints he has had from the law committee of Grey county on behalf of Magistrate Stewart whose decisions in court leave a lot to be desired and who is dictatorial. He persecutes the accused, he throws the book at everyone he can, and there is no hope for redress on the part of people. This man who holds the high office of magistrate in Grey county has recently, I understand, been elected president of the magistrates of Ontario. Now this is a yardstick—

Mr. E. A. Winkler (Grey South): He must be a very unpopular fellow.

Mr. Sargent: Well, I think in his group of magistrates he is in line with the rest of them and so they elect a man who is part of the game. And in Bruce county we have Magistrate McClevis. In the past 20 years we have put up with the inefficiency and the incompetency of this man and I think it is high time that the people of Grey and Bruce counties, through me, their elected representative, let you know that we want a change insofar as redress and performance is concerned on the part of these magistrates. They should be acting on the side of justice, and they are persecuting people that come into their courts. I think it is time that we, as elected representatives, had the guts to stand up and say that there should be justice in our courts of Ontario and we have not got it in Grey and Bruce counties.

Mr. MacDonald: If that was said by anybody else in the House they would be chastised by the hon. member for Sudbury.

Mr. Sargent: If you believe these things you should have the guts to say them, too. I think it is high time we stand up and speak for our people; and this is my job right here. I do not know the high-flown terminology of the courts, but I know there are great injustices being done and it is time we did something about it. We have recourse through this legislation, Mr. Chairman, that will protect people and not just the people who get elected as magistrates by their political pull, and I think it is time we got

back to democracy and fair treatment for all people.

Mr. Winkler: Mr. Chairman, may I say as a representative from the same part of the country that it may be from time to time I would disagree with the odd decision myself. But by and large the people of Grey and Bruce counties do not agree with the view just put forth by the member for Grey-Bruce.

Hon. Mr. Wishart: It is not often that I find myself so violently in disagreement with the hon. member for Downsview, but he and I approach the matter of his amendment from such opposite directions that I must say I am just going in completely the opposite direction; I turn my back upon it.

He suggests that we have the probation of the judges. I cannot accept that. I do not think it will work. It is not used in our higher courts in the appointment of judges, the Supreme Court, the county and district courts.

He says that, because we had it in our present Magistrates Act, that is a reason to adopt his amendment and to maintain the situation. We are approaching a new Act. We are endeavouring to get a new court.

The hon. member for Grey-Bruce—I would say to him that we are seeking by this Act to create a new status for the courts before which most people go, where the great majority of our cases are tried. We are seeking to get judges of quality, judges of character, judges of ability, judges who will have security of title and judges who will be independent. These are the secrets, I think, of justice; not political appointments, not poor quality persons who cannot make a living at their profession and who are raised to the bench as a sort of last resort.

I have never stood in this House and, in the words of the hon. member for Downsview, said to any member about the conduct of the magistrate, "I will look into it and see what I can do." I have never said that, and I never will say it. What I said to the hon. member for High Park yesterday, or the day before, was that I will look into the background of this case and find out if there were not further facts which justified the conduct of this magistrate in refusing time for payment. That I did, and that I reported upon. But I have consistently and always said that there is no place in justice, in the administration of justice, for any Minister or for any member—any Minister of any government, or any government body to interfere or direct or tell



or instruct a magistrate or a judge how he shall conduct his court.

If he goes wrong, I may disagree with him, and I have the right to appeal through the Crown attorneys, through the office of the Attorney General. The accused or the defendant has a right to appeal. Any party has the right to appeal. That is the place to put him right. But to say to him, and to have him stand in fear and trepidation that the Attorney General is going to call him up or summon to his office and say, "Look, you should have given that man time to pay his fine. You should not have found him guilty. You should have not have assessed such a severe penalty, or you should have let him off. You should have been lenient"; imagine what an intolerable destructive thing that would be and how it would destroy the administration of justice. Nothing could do more to lower the grade of justice which we, I think, by and large generally enjoy.

Interjection by an hon. member.

**Hon. Mr. Wishart:** Let me continue for a moment, please and I will permit the question. We recognize the whole purpose and meaning of our action here in bringing forward this provincial Act as being that we did not have in our magistrates' courts a quality of justice with which we were satisfied. We recognize there are faults. And I do not wish to stand up here and criticize certainly any individual magistrate, but I think we must say—and I think that this was apparent from our approach to this legislation—that we felt the quality of justice in the courts that are conducted by our magistrates—sometimes called police courts, which I do not like—was poor in many instances, partly by reason of the appointments, partly by reason of the salaries that were paid, partly by reason of the facilities that were provided. And we have moved in the bill—if I may be permitted, Mr. Chairman, I shall try to stay with this section and speak to it. We have moved, however, generally in this bill to improve the facilities. These things we have in mind, to improve the method of appointment, to give a security of tenure, to seek and obtain a quality of person who will give us a high quality of justice. We are not to seek that man and say to him, "Come forth, and leave your occupation which is your profession and come upon our bench, but be subject to dismissal by the Attorney General or by the government after you have served a time". I think that would first of all defeat the primary purpose and object of this legislation, and would result secondly, in our getting a

very poor quality of person who would accept our invitation to serve upon the bench of this court.

I do not feel that the magistrate should stand in fear and trepidation if he is exercising a judicial discretion in an honest conscientious way. If he misbehaves, if he neglects duty—

**Mr. Singer:** No, not neglect duty.

**Hon. Wishart:** Yes. Well, perhaps not in section 4. The hon. member for Downsview went further and referred to the section where the term "neglect of duty" is stated. And I say, if he misbehaves, if he becomes unable to carry out his duties, he may be dismissed, after an inquiry. But the hon. member went further, Mr. Chairman, to section 8, and spoke of neglect of duty where he can be brought before the judicial council. I do not want to move to that section, but I do say that there are means here which I think are reasonable and proper—without a political arm reaching out and touching the court; that above all we must avoid. There shall be no taint of the political arm in appointment or in reprimand, or in direction of that bench. That we must avoid. To put him on probation and say that the Attorney General can look at him and after a time tell him, "You must go", or "I am not going to promote you"—what good does that do? We have departed from that section in the present Magistrates Act.

We have four deputy magistrates now. Supposing you find a deputy who does not come up to your idea of quality. Is it any good to leave him there? You are only extending and living with what you recognize to be a poor, a bad situation, which gives rise to remarks such as were uttered by the hon. member for Grey-Bruce. I do not say that his remarks related to the deputy magistrates, but that is the type of thing that you would live with, and that is the type of thing we have had; that is the type of thing that we are departing from. I must say, Mr. Chairman, that in the discussion of this amendment, I appreciate very much the remarks which were given to this House by the hon. member for Lakeshore.

**Mr. Singer:** Mr. Chairman, the Attorney General, in answering my argument insofar as this amendment is concerned, has set up a straw man and then attempted to knock him down. If by implication or in any words I uttered in my earlier remarks, I suggested that there be political interference, then the Attorney General will have to show them to me. Because believe me, I did not say it and I did not think it.

Hon. Mr. Wishart: I wrote it down and it will appear in *Hansard*.

Mr. Singer: Yes, yes, all right. This is my substantial complaint and it continues to be my substantial complaint about your role in this regard. I have on occasion brought complaints about magistrates before this House. And we have had inquiries in the background. And every time it has come up—and it has come up about half a dozen times in the last half a dozen years—the Attorney General comes back and is the apologist. My concern is that the Attorney General, if he wanted to be non-political, as he says, in this role—and I think he should be—should come back and say, “I think the magistrate is right,” or “he is wrong”. This afternoon there was an example where he could well have said, “I think that the magistrate is wrong, and I have instructed the Crown attorney to enter an appeal. I think the Crown attorney should enter an appeal. He had that privilege, because the Attorney General garbled the record this afternoon, to create a wrong impression. What he meant was, the magistrate was aware of the records of these people, the criminal records which were not before him in the court. The Attorney General garbled the record to excuse the magistrate, and I say that is not his role. There is political interference. There is political protection.

I say that anyone, even the Attorney General, and even this advisory committee, could make a mistake. I see nothing wrong with the two-year probationary period. I see nothing wrong with it at all, Mr. Chairman, and I would think that, if we want the impartial justice the Attorney General talks about, we could well go along with the provisions of the old Act. The Attorney General is very convenient in his memory. He studied the old Act far more than I did, and when he stood in his place on second reading of this bill and said, “Where else in Canada has it ever been done?” he neglected to say it has been done in his own Act.

It is more than passing strange, Mr. Chairman, that the Attorney General is so sensitive to this suggestion. He says in one breath that he wants justice without fear of political interference. I could not agree more and I do not think any hon. member in this House could agree more, but I suggest that, day after day, when he rises in his place to defend some things that are indefensible, he departs from that role.

Occasionally, magistrates may make mistakes. Occasionally the four that you men-

tioned who are still deputy magistrates may not be as capable as they might be for a variety of reasons. Is it any benefit to the people of Ontario that they are kept there with a lesser title and get less pay? That is what you are doing. They are there now. You are going to be stuck with them. How are you going to get rid of them after this bill?

Hon. Mr. Wishart: By sections 4 and 8.

Mr. Singer: I see. So you are going to start over again, are you? You are not going to confirm all the ones that are there now?

Hon. Mr. Wishart: They are subject to the provisions of this Act—

Mr. Singer: Oh, how and where, Mr. Chairman, can you tell me wherein, under the provisions of this Act, have you any greater power than you have under the old Act?

Hon. Mr. Wishart: Section 4, section 8.

Mr. Singer: Oh, section 8 is the wrist-slapping section. That is all it is.

Hon. Mr. Wishart: That is your opinion.

Mr. Singer: So all the effect of section 8 is that you have a reference under section 4, that is all. Section 8 is a wrist-slapping section, that is all it is. It makes no sense at all, Mr. Chairman.

I say that the Attorney General, in giving a very weak defense, set up a straw man and attempted to knock him down because the words that he attempted to put in my mouth were not there and I am surprised at the Attorney General for digging his heels in and being so arbitrary in this particular kind of reform when, day after day, we get examples of why this kind of precaution is important.

Mr. Sargent: Mr. Chairman, I agree with the Attorney General that there is a great need for upgrading the legislation protecting our rights in the courts. The very reason we have this bill is evidence that there is need for it.

But the Attorney General, Mr. Chairman, mentioned that anyone objecting to the operation of a magistrate or judge could appeal to the Attorney General.

I challenge him to tell the House in how many cases of these appeals there has been a magistrate chastised or a judge chastised in the past ten years. This just does not happen.

Now we have, in section 4, the definition of removal for a cause and the main clause,

Mr. Chairman, is for the inability to perform his duties. This is a very wide "open sesame" here. In other words, the second clause is misbehaviour. How do you define misbehaviour or inability, for the removal of a magistrate? What would you say to the fact that all these lawyers of a county, in their association, unanimously asked for the removal of a magistrate and went to the Attorney General's office, and he did nothing about it? How do you remove a magistrate or a judge under this legislation?

**Hon. Mr. Wishart:** Under section 4.

**Mr. Sargent:** How do you interpret then a man who, in his interpretation of law, persecutes people and the lawyers come to you and say we want this man removed? Do you remove him?

**Hon. Mr. Wishart:** It comes under this Act. Under this new Act, they will have a redress under the section we are debating.

**Mr. Sargent:** I am trying to follow it. I read the Act and all I find is that a man when he is 65, retires. I do not know if performance is the best yardstick in Ontario. How many judges or magistrates have you removed in the past ten years?

**Hon. Mr. Wishart:** Quite a few.

**Mr. Sargent:** Quite a few?

**Hon. Mr. Wishart:** Magistrates.

**Mr. Sargent:** For misbehaviour or for inability?

**Hon. Mr. Wishart:** A number.

**Mr. Sargent:** Pardon? I did not hear you.

**Hon. Mr. Wishart:** A number have resigned.

**Mr. Sargent:** Have you ever removed a magistrate or judge for the most important reason—for the way he defines the law; the way he interprets the law as written?

**Hon. Mr. Wishart:** He is subject to the direction of a higher court.

**Mr. Sargent:** Well, Mr. Chairman, I think that in every area of our lives, of the thousands of vocations we have in our democratic set-up, everyone has to perform to maintain and hold on to their jobs. The Attorney General is one, I think, who is doing a great job in trying to bring these changes about.

But I do not think, Mr. Chairman, that by this legislation, which my friend and col-

league from Downsview is trying to upgrade, that we are going to solve the real need—which is to give the members of this Legislature a chance to say how these magistrates and judges interpret the law that is written. I think there is so much persecution going on in the courts of Ontario today, as outlined by my colleague from Sudbury regarding this Magistrate Bigelow. These are shocking things that have been allowed to happen in a democratic society today and I think we should support this amendment.

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, I, too, listened to the remarks by my friend from Lakeshore and I was not so—

**Mr. Lawlor:** Did you take them to heart?

**Mr. Sopha:** —I was not so ready to form the conclusion about them that the Attorney General formed. I nearly regretted it when— if my friend from Lakeshore meant to say it—that he heartily endorsed the principle in section 4 as it stands. If he meant to say that, then I was not nearly so impressed by what he said as I would have been if the member for Riverdale (Mr. J. Renwick) had been here, and had let us have the benefit of the observations that he made a year or so ago when he sat up in the back row, in which he indicated—I thought it was the policy of that party—that he would just as soon see magistrates elected as in the United States. He made quite a deposition on that score.

**Hon. Mr. Wishart:** You would not agree to that?

**Mr. Sopha:** I will get to that in a moment. It is becoming terribly difficult under the new order of things now that they have 20, of determining, at any particular point in time, just where they stand. They appear to be men of shifting principles.

**Mr. Lawlor:** Different principles—

**Mr. Sopha:** Now the Attorney General, of course, says that he could not—how did he put it—

**An hon. member:** At least, we have got principles.

**Mr. Lawlor:** We live them today.

**Mr. Sopha:** How did he put it—in such a flourish—he could not be more in disagreement with the member for Downsview and I do not wonder because the Attorney General has made a 180-degree turn to starboard or port? He is now going south where he used



to go north and, of course, on his new slate, he wants us to take the canvas completely blank and he is going to paint in for us a completely new panorama of how his provincial judges are going to be appointed.

Of course, the reason for that is that in 25 years, there has been such neglect in this area that the Attorney General is—

**Hon. Mr. Wishart:** Fifty years.

**Mr. Sopha:** I only deal with the life of this government, that is all. I do not go further—that is long enough for me to go back.

**Hon. Mr. Wishart:** Do not go back any further.

**Mr. Sopha:** The life of this government—25 years come August 11—August 4—25 years on August 4 and there was such a neglect in this vital area to the health of our society in its organization that the Attorney General is now all but ashamed of that neglect.

What was the measure of the neglect? Well, at one time, west of Sudbury, they had only one magistrate who had legal training. That is not so long ago—just one on the bench. That in his own community, Sault Ste. Marie, beyond Sault Ste. Marie to the west, they did not have one magistrate that had any legal training and, to the horror of those who normally defend persons accused of crime at the Lakehead, they had a former police commissioner as a magistrate. His name was Hake, and I understand that practice is repeated in the Metropolitan area where a former police sergeant—well, it is not that defence counsel are against policemen, it is just that they have a faint suspicion that if a policeman is appointed a magistrate, that he may have something of an intellectual investment, from experience and years of training, habit, environment, and that he might have developed a predilection to accept, without question, the evidence of police witnesses.

And that is what magistrates' courts used to be called, Mr. Chairman, they used to be called "police courts" and the magistrate himself used to be called a "police magistrate." A more horrifying coupling of terms you could not imagine and the enlightened society, of course, rejects that connection out of hand. It used to be a great preserve, of course, for defeated candidates of the Tory party and I think that was the ultimate reward for being defeated, that one might expect an appointment to a magisterial post.

And we Canadians, awfully supercilious as we are, inclined to be intellectually snobbish

on many occasions, we look down our noses at the American practice of electing judicial officials. They elect them and we say, "How horrible," and the Attorney General interjects when I speak and says, "My friend from Sudbury would not approve of that."

No, we Canadians say that is a terrible method of filling magistrates' benches or judicial benches. We do not elect judicial officials; in many cases we defeat them. And that is what this government did, of course, throughout the length and breadth of this province for 25 years—defeated candidates ascended the magisterial bench.

Of course, there were far too many in the total number, there were far too many of the lay variety of magistrates on the bench. In the nine years I have been in the House, from time to time with periodic frequency, this House has had to review as its bounden duty, the daily conduct of certain magistrates.

The member for Grey-Bruce is closer to the situation than I am in that county. I would not use the language he used, but I recall that two or three years ago this Magistrate McClevis was under review in this House for an injudicial act, and for several days there was comment upon his conduct of his office up in Grey county.

I am not one to start to dart after the red herring the Attorney General laid down in order to distract us. Really I think there is some intention to distract us. He talks about us asking him to review the conduct of magistrates. And I hasten to say that that motivation was never in my mind or, to my knowledge, was in the minds of any hon. member on this side of the House. But what I do complain about is that consistent failure of the servants of the Attorney General, those 80 of them out in the province, who sit in their offices at the pleasure of the Attorney General and consistently fail to make the policy of the law known to the sitting magistrate, as is their bounden duty to do. Now to be specific, the other day that lad—I wish I could remember his name—that legal aid lawyer, he got up persistently—what was his name—Linden—notwithstanding that, Bigelow said to him: "You're wasting the time of the court and you're wasting your own time." This lad, according to the transcript in the *Globe and Mail*, nonetheless got up at every case and put the submission about why the accused should have time to pay. Johnston, on the other hand, according to the transcript—and I am sure of his name, I shall not forget it—Johnston for the Crown

never opened his trap. He never said a word.

**Hon. Mr. Wishart:** And Linden did not tell all.

**Mr. Sopha:** He never said a word. And if Johnston was truly carrying out his obligation as we would have him do—

**Mr. Singer:** He did tell it all. That is about as unfair a remark that ever has been made—that the defence counsel was going to volunteer records?

**Mr. Sopha:** If Johnston had been about his business, he would have been up on his feet saying to Magistrate Bigelow something to the effect: "With great respect, your worship, having read section 694 I think you are obliged to listen to what my friend Linden has to say in this case." But he never uttered a word.

And what I want to emanate from these corridors right adjacent to this chamber, is direction from the Attorney General or his deputy to his arms out in the province, to the effect of telling them what they ought to do in appropriate cases to preserve and assist the liberty of the subject—nothing more than that.

And one of the great beauties of our profession and the body of the law in its genius is that it is carried on in public under public review, with the public and the press present, exercising an intimate scrutiny of what goes on. And in that public forum it ill behoves the Crown attorney to sit idly by and see a magistrate pervert the principles of the law and do so in his face while he maintains complete silence about it.

I would merely ask in the Bigelow incident, if we may term it this, that the Attorney General if he has the time and if not him then Mr. Dick—call Johnston up and say: "Look here, young fellow." Call him up and tell him in the future that when this sort of thing occurs he should be on his feet protesting against all improper conduct.

**Hon. Mr. Wishart:** Mr. Chairman, I do not mind the hon. member being irrelevant, but he is away out of order.

**Mr. Sopha:** All right, well I am finished.

**Hon. Mr. Wishart:** I am glad the member has, Mr. Chairman, he certainly was ranging far afield.

**Mr. Sopha:** I just wanted to get it in focus, the Attorney General raised it himself. He

defended his conduct, you recall, by not interfering.

**Hon. Mr. Wishart:** Not on this.

**Mr. Sopha:** And I have merely now set out the type of interference by him that I want to see, that is all. During his estimates, we will get around to other things.

**Hon. Mr. Wishart:** Mr. Chairman, let us keep this to order, please.

**Mr. Sopha:** Fine! Now, I think my friend, very embarrassingly to the Attorney General, of course, pointed out that what his statute said has existed, I suppose, for three or four decades. Three or four decades it was the law of the province! My friend has pointed that out and now my friend, I suggest, offers a very acceptable and agreeable compromise. What he is merely saying in this amendment is that the Attorney General and his counsel of selection can make mistakes. They can err like all other humans and within a couple of months of the appointment of any individual to the magisterial bench, it can be determined that that person is utterly unsuitable to conduct his magisterial duties and indeed, he is a danger to the carrying out of the function and to the people who come before him. And he is saying that, in the short space of two years, that suitability can be determined and without any fuss or bother the Attorney General can take the necessary steps to remove him.

**Mr. MacDonald:** A growing number of people think the member is out of order again.

**Mr. Sopha:** All right. They may think. And if there is a growing number, error does not become the less error because it is multiplied.

Specific cases could be cited—I will not cite them—but specific cases can be cited where The Attorney General's Department, having appointed an individual to the bench has rapidly concluded that the individual was utterly unsuitable. I can think of one in Metropolitan Toronto. When the rumour around as to the grossness of his conduct became more apparent, it was rumoured around here that the individual would not be confirmed at the end of two years, but apparently that opinion changed and that individual is still on the bench.

As a compromise, the short space of two years I submit, in this amendment, is a very modest figure and I really wonder about the effort of the Attorney General in this new

area, this new programme that he is submitting to the House in utter and complete contradiction of what has been the history and experience in the province.

**Hon. Mr. Wishart:** Exactly, we are moving away from it.

**Mr. Sopha:** I wonder if it is a judicious use of his authority, in an overnight fashion, to try and transform what our inferior courts—that is how they are described in the law reports—into an atmosphere of the same majesty and independence and all the other environmental attributes that the superior courts have. I wonder if it is necessary?

**Hon. Mr. Wishart:** Mr. Chairman, I wonder if the hon. member for Sudbury was here when we debated this bill and discussed the principle on second reading? He seems to be verging now on the whole principle of this bill, and one would almost think, of his last remark, that he thinks that we should not perhaps move from this present situation to something that we deem will be a lot better. I suggest, in any event, that he is out of order in his recent remarks.

**Mr. Sopha:** Recently, around here, under the new programme, it is getting more and more difficult to attempt to say anything that is germane or relevant, without this out of order disease that has affected this whole place.

**Hon. Mr. Wishart:** Were you here on second reading?

**Mr. Sopha:** This whole place. An out of order disease. Over on the left here, we have such disarray that the leader of the NDP—

**Mr. Chairman:** Order!

**Mr. Sopha:** He wants to restrict our freedom of speech. What I have been saying in respect of this amendment, and I insist on saying and indeed I will say it, is that the Attorney General is in error, I submit, if he goes too fast and too far in painting this new picture that he seeks to paint about this new era in the magistrate's court.

It is us, we in this party who are suggesting a compromise, and that compromise is the two years in this amendment.

**Hon. Mr. Wishart:** You are suggesting that we stand still, that is what you are suggesting.

**Mr. Sopha:** Not at all, we are perfectly agreeable to accept your new method of

selection, which is borrowed from Mr. McRuer, and we compliment you for doing it. We are perfectly agreeable to that, and to most of the other sections of the bill. Not all of them, but most of them. But in this one, the member for Downsview is asking for compromise and asks you to stop short of plunging into this area.

Finally, the last thought that occurs to me. It always seems dichotomous to me where we in this Legislature, exercising the tremendous power that we do, that every four years we have to go and ask for another mandate at the ballot box. We have to have our conduct reviewed. I hesitate, in a modern and progressive and enlightened age, to accord to other people who exercise governmental—

**Mr. Chairman:** Order, please! This has nothing to do with the bill whatsoever, absolutely nothing.

**Mr. Sopha:** That is your opinion.

Interjections by hon. members.

**Mr. Sopha:** The Attorney General is saying—

**Mr. Chairman:** The member is completely out of order.

Interjections by hon. members.

**Mr. Chairman:** The member is entirely and completely out of order. We are debating an amendment to section 4.

Interjections by hon. members.

**Mr. Sopha:** Look, I am not going to be throttled in my right to free speech by your abuse, or your epithets. From the first day that I came into the House, I refused to knuckle under to the hon. member for York South.

**Mr. Chairman:** Order. We do have certain procedures, certain rules to follow. This bill has received second reading and it is in committee for consideration, clause by clause. I suggest to the member that he has been talking about the entire bill for the last half hour, and we are dealing with an amendment only to section 4 of the bill.

**Mr. Sopha:** I have been dealing with that amendment in all my remarks.

**Mr. Chairman:** The Chairman does not interpret them in that way.

**Mr. Sopha:** I want to make one final comment.



**Mr. Chairman:** On the amendment.

**Mr. Sopha:** The Attorney General is, in effect, saying that from the moment of appointment, he has gathered to himself these qualities of independence and tenure of his office. Fundamentally, what my friend from Downsview was saying was that to accord such privileges from the day of appointment is wrong. It is perfectly in the interest of society to say that we are willing to give you those privileges, as a magistrate, provided that we give them to them two years hence. That is what the amendment says, Mr. Chairman.

That is where we take our position, and I likened that—and I thought that the analogy was very accurate—that refusal to accord the independence of the privilege and security of tenure. I thought that the analogy was very apt, and I likened that to the necessity that we ourselves have of getting our conduct reviewed. I said if we have that why not them? This is the only review that we seek to impose—that at one point after they are appointed, two years after, say, in accordance with the amendment, that having performed satisfactorily for two years, then society is willing to accord them the right to sit on the bench during misbehaviour, and as long as they have the ability to perform their function. What is wrong with that as a reasonable alternative?

The good sense of that decision in respect of these courts should commend itself to every member of this House.

**Mr. Bullbrook:** Mr. Chairman, may I speak to the section and not on the amendment?

**Mr. Chairman:** That is correct.

**Mr. Bullbrook:** I would like to speak—

**Mr. Chairman:** The amendment pertains to section 4, and I think that the member has the privilege, at this time, of speaking to the amendment, or section 4.

**Mr. J. H. White (London South):** On a point of order, Mr. Chairman. I must say, sir, that this is not the appropriate procedure and the appropriate procedure has a lot to recommend it. This debate should confine itself to the amendment, or the section as amended, and the section as not amended should be dealt with after that.

**Mr. I. Deans (Wentworth):** Mr. Chairman, on a point of order. In this House, what the

member for London South says is not true. In this House, when the amendment carries, the section carries.

**Some hon. members:** No.

**Mr. Chairman:** When the amendment would be defeated, the section would carry.

**Mr. MacDonald:** And my hon. colleague would have no chance to speak.

**Mr. Chairman:** That is exactly right.

**Mr. White:** Mr. Chairman, I think that this is not correct.

**Mr. Sargent:** Why do you not take the chair?

**Mr. White:** If this were being given second reading, the defeat of the amendment would carry the section, because the motion in that case is that the bill be now given second reading. If that is amended and the amendment is lost, the bill proceeds to the next—

**Mr. MacDonald:** Mr. Chairman, if you need to be persuaded, I think that you will recognize the hon. member for London South as wrong once again. The rule and the procedure for years has been that an amendment in committee if defeated, carries the motion and that is the end.

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Why shouldn't it?

**Mr. MacDonald:** I am not arguing against it. I am just trying to straighten out one of your members.

**Mr. Chairman:** The member for Sarnia, on section 4.

**Mr. Bullbrook:** Mr. Chairman, I have not got into this vagarious discussion with connection to section 4 (1) before, and I have certainly got something to say. It has been touched on before, but I would like to direct a question to the hon. Attorney General with connection to the wording in this section.

**Hon. Mr. Rowntree:** This sounds like a filibuster to me.

**Interjections by hon. members.**

**Hon. Mr. Rowntree:** Do not tell me what we will do.

**Mr. Nixon:** The House leader is obviously out of order in his remarks. Surely you can get the debate back on the rail.

Interjections by hon. members.

**Mr. Bullbrook:** In my limited knowledge, I do not intend for one moment to dwell on a question of principle. I have sat here for half an hour, as everyone else, as well as the hon. Minister of Financial and Commercial Affairs and listened to the discussion.

Now I have something I want to put to the Attorney General—a question in connection with this section. It has been touched upon slightly before but within my limited knowledge of the interpretation of statutes, a court, usually, Mr. Chairman, will look at the wording of the statute and give it its usual and proper meaning. If it cannot find the usual and proper meaning, it will look elsewhere within the statute, and if it cannot find it there it will look outside the statute. Now what concerns me is this: In connection with the removal of judges from office, you speak of “for misbehaviour”, or “for inability to perform his duties”. I suggest, perhaps, these are nebulous words.

I hope that you will agree to some extent, but what concerns me is that when you are getting into the functions of the judicial council you use the words “or neglect of duty”. Now did you purposely keep out of section 4 the words “neglect of duty” because it concerns me that if a court in attempting to interpret section 4 finds in section 8 the words “neglect of duty” they might, in point of fact, come to a conclusion that you purposely left out of section 4 the words “neglect of duty” and come to a conclusion that you could not remove for neglect of duty?

**Hon. Mr. Wishart:** Well, Mr. Chairman, I hesitate really to answer the hon. member because his question is completely out of order. First of all, he is not talking to the amendment which was for the probation period. That is the subject that is before the House. Second, there is no neglect of duty referred to in section 4 at all. I would think, in any event, my short answer would be that while misbehaviour is not spelled out in a definition, and I think wisely not, nor inability, I think the judicial council will be able to interpret what they consider to be misbehaviour, but I would think that continued neglect of duty would well be misbehaviour.

**Mr. Bullbrook:** Well the point I make is that both the words “misbehaviour” and “neglect of duty” are used in section 8, whereas the word “misbehaviour” alone is used in section 4. Now a court in assessing

what is meant by misbehaviour in section 4 can see that you have used both words in section 8 and that you might not mean neglect of duty in misbehaviour in section 4.

**Mr. Chairman:** The member for Downsview has moved—

**Mr. Sopha:** Why would not the Attorney General answer that?

**Hon. Mr. Wishart:** Mr. Chairman, I think continued neglect of duty would well be misbehaviour. That is my interpretation.

**Mr. Bullbrook:** Well why do you use both words in section 8 then, please?

**Hon. Mr. Wishart:** We will come to section 8.

**Mr. Chairman:** Order please! The member for Downsview moves that section 4 of the bill be amended by inserting a new subsection 1 as follows: “except as provided in subsection 2, a judge shall hold office during pleasure”; and that subsection 1 of the bill be amended by renumbering it as subsection 2, and be further amended by inserting after the word “judge” in the first line thereof, the words “who has held office for two years” and that subsections 2 and 3 of the bill be renumbered respectively 3 and 4.

The ayes are 24; the nays, 65.

I declare the motion lost and section 4 carried.

Section 4 agreed to.

**Mr. Chairman:** I believe there is an amendment to section 5.

**Hon. Mr. Wishart:** Mr. Chairman, I move that section 5 of the bill be amended by renumbering subsections 2 and 3 as 3 and 4 and by adding thereto the following subsection. The subsection would be 2:

Notwithstanding subsection 1 a judge appointed as a full time magistrate after the 1st day of July, 1941, and before this Act comes into force, shall retire upon attaining the age of 70 years.

I also move that section 4 of subsection 5 as renumbered be amended by inserting after 1 in the first line the words “or two”.

**Mr. Chairman,** I would like to say that the purpose of the amendment was to take care of the retirement age where it is stated in section 5 to be 65 for new appointments. There are certain magistrates appointed after July 1, 1941, who were appointed at which time the retirement age was 70—and some of

them fairly recent appointments, who accepted the appointment in the thinking that they would serve until their age 70 came about. In order to be fair to them, the first portion of section 5, subsection 2, of section 5, takes care of a certain group appointed before the 1st day of July, 1941. The purpose of the amendment is to provide the retirement age of 70 for those appointed after July 1, 1941, because that was the retirement age at which time they received their appointment.

**Mr. Chairman:** Shall the motion carry? The member for Downsview.

**Mr. Singer:** Mr. Chairman, I wonder why the Attorney General sticks 65 there as the retirement age? Is that not a little early?

**Hon. Mr. Wishart:** The retirement age throughout the government service, and the studies and discussions we had, seemed to indicate that that was a good age to adopt as the retirement age.

**Mr. Singer:** Mr. Chairman, it is passing strange to me that the Attorney General would do this. He moves it back—the old Act had—

**Mr. P. J. Yakabuski (Renfrew South):** That is the second time for that passing strange phrase.

**Mr. Singer:** Oh we have the hon. member back with us. Welcome back. It is nice to see that you are here. Shall we pause for a moment and give him a bit of applause because he is here? That is good.

Now, Mr. Chairman, I say it is passing strange that we have an age of 65 in here, suddenly moving it from 70. It must be something more important—

Interjection by an hon. member.

**Mr. Singer:** Mr. Chairman, can you restrain the noise from Renfrew? He is in good shape this afternoon, but restrain him if you would.

**Mr. Chairman:** Order please! The member for Downsview has the floor.

**Mr. Singer:** Thank you, Mr. Chairman. I do not think that the comparison that the Attorney General made is a reasonable one. Supreme Court judges serve how long—75?

**Hon. Mr. Wishart:** I wonder if the hon. member would permit me to direct his attention to subsection 3 of section 5, and I could point out to him that whereas the retirement

age is 65 throughout the public service, considerable use is made of the extension of time up to age 70. Now this subsection provides that the judge may be reappointed to hold office during pleasure up to but not beyond the age of 75 years, so that I think the early retirement is a good proviso. But there is provision there for the government—at its discretion and at its pleasure—of reviewing performance. I think in the line of the discussion we have just had and the hon. member's own amendment, maybe there is some virtue in having the lower retirement age with the discretion to continue.

**Mr. Singer:** Well, I am very pleased. The Attorney General thinks that this is a very good way to get off in this new bill. Would that mean then, Mr. Chairman, that as of June 11 next that we can expect the resignation of the Attorney General, because as I examine the parliamentary guide and—presuming the information contained therein is correct—on June 11, 1968 the Attorney General will have reached the age of 65. If it is good enough for judges to retire at 65, surely it should be good enough for the Attorney General to retire at that time.

**Hon. Mr. Wishart:** Mr. Chairman, I cannot let this pass. I am not a member of the public service; and anyway, Ministers live forever.

**Mr. Sopha:** Mr. Chairman, the Attorney General says that 65 is the arbitrary age in the public service, but I can only say that we are not dealing with the government service; we are dealing with the judiciary. In section 4 he has accorded it all the independence and security of tenure that it could wish to have.

Now he turns around and says in section 5 "and in respect of a lawyer, a successful lawyer, an able practitioner of the law let us say, of the very highest calibre who, having reached the age of 63 years and is rather tired of the daily practice of law, decides to accept a magisterial appointment as a provincial judge in order to cap his career—in that form of retirement and in that area of public service—then the man, if he accepts an appointment from the Attorney General and is passed upon and his qualifications found to be all right by this council, then he has two years of occupancy on the bench with security of tenure. If he sits after that two years, then he sits at pleasure, which adopts the very principle that the member for Downsview was advocating in respect to section 4. So I ask



the Attorney General—may I ask you a question?

**Hon. Mr. Wishart:** Yes.

**Mr. Sopha:** In order to avoid that situation coming about—am I incorrect in my facts somewhere? At 65 he sits at pleasure.

**Hon. Mr. Wishart:** No, you are just incorrect in your conclusions.

**Mr. Sopha:** He sits at pleasure at 65, according to the section. In order to avoid that coming about, may I ask the Attorney General: is it the intention, as a matter of policy, to now appoint provincial judges, people who are in their forties, early fifties? Is that the intention?

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member takes the situation which does not, I think, seem relevant at all to me—the example that he takes of a person aged 63 accepting an appointment which could be concluded, terminated at age 65. Anyone doing that would do it with their eyes wide open. They would accept those conditions. Now, I doubt if very many judges, seeking appointment, would come forward at age 63 and be appointed. But if they wished to take that risk, I would say, and if they otherwise qualified, I can see nothing wrong. But to ask me if it is the intention to appoint judges aged 40—I do not think it is a question I can give any definite answer to. I would think, certainly, the appointment would be made some years in advance of their reaching retirement age. Certainly not at age 63 or 64. I should not expect this, but—

**Mr. Singer:** You are too old.

**Hon. Mr. Wishart:** I should expect there might be occasions when that could be done. I was not thinking of an appointment, really, on any bench.

**Mr. Sopha:** Well, all I can say is that it is a terribly unfair burden and risk to impose upon a man who, at the age of 60 years—63 years, might have many good years of useful service. He has to say to himself: "I can only look forward to two years of security and tenure." And on accepting the appointment, he may feel that he will be able to serve until 70, and therefore refuse the appointment because it is only a mere two years. It is perfectly improper for the Attorney General to say that it is a risk the man assumes. Many persons at 63 are at the very height of their intellectual powers—such as the Attorney Gen-

eral was at age 63. They might be persuaded to become magistrates—

**Mr. Singer:** At the age of 65 he has deteriorated.

**Mr. Sopha:** What I am pointing out to the Attorney General is that it might be in the interest of society to persuade an individual to come forward and accept the post—not a case of the individual seeking the post. I find it utterly incomprehensible—in the light of the fact that Supreme Court judges and county court judges sit until 75—that the Attorney General, in respect of section 4, wants to equate this court with the higher courts, that he arbitrarily lowers the age by 10 years. Ten years is a long time.

**Hon. Mr. Wishart:** Are you seriously suggesting that retirement age?

**Mr. Sopha:** Not 75, but I would compromise at 70.

**Hon. Mr. Wishart:** I think we could meet that compromise in subsection 3.

**Mr. Sopha:** No you cannot. I am sorry you cannot. If you do not meet it under section 1, then under 3 the occupant of the bench sits there at the pleasure of the Attorney General. And—whether motivated by good principles or capricious ones, or personal dislikes or for any other reason of that nature—the Attorney General is his lord and master and can remove him and refuse to appoint him. He can refuse to appoint him.

Now one further question, this re-appointment; the Attorney General knows the practice in the department, and we do not. May I ask, when a person is re-appointed after 65, under a section such as that, is the re-appointment for a specific period of time? Is it six months, a year, or—

**Hon. Mr. Wishart:** In my recollection and my experience, I think that it is almost invariably a year, but it may be less. Sometimes it is six months, but generally a year, usually a year. On an annual basis.

**Mr. Chairman:** The amendment to section 5 is carried.

Sections 5 and 6 agreed to.

On section 7:

**Mr. Sargent:** The makeup of the judicial council is running true to form as all our control of rights of people in this province.

Starting at the lowest level in police commissions, at civil level, we have the police commission composed of the judge, the magistrate and mayor. And now, at the local level, the police commission will consist of two judges and a mayor—one elected official. Coming down the line—the Ontario police commission is composed of judges and magistrates and one elected official.

**Hon. Mr. Wishart:** Mr. Chairman, I must correct the hon. member if he will allow me. The appointment of a police commission, a board of police commissioners, under The Police Act, is to consist of a head of the council, a judge of the district or county court, and one other person. He does not have to be a magistrate and in many cases he is not a magistrate.

**Mr. Sargent:** I must apologize. I had thought that the control of law had been as mentioned, a judge and a mayor, in my time. I am sorry that this is changed. But I do want to make my point that in this judicial appointment here, we have a chief justice, a chief judge of the high court, a chief judge of the provincial court, and the treasurer of the law society of Upper Canada and two persons in clause (f)—two persons appointed by the Lieutenant-Governor in council. In

other words, we have all judges, at this point, comprising the judicial council. I take it that the two other persons would be lay people or citizens. Is that right Mr.—

**An hon. member:** Not necessarily.

**Mr. Sargent:** Not necessarily?

**Mr. Singer:** They might be citizens.

**Mr. Sargent:** I am trying to make the point—that if we want to be truly democratic in this, that clause should be qualified. I do not think there is a chance in *hades* of it happening, but I would suggest that clause be amended to include two members of the Opposition in the legislative assembly.

We want to have true democratic principles—getting elected people on this board is very important. I think that most members of the Treasury benches will agree that for the government, for the Attorney General, to have complete access to what is going on in this high court here is wrong. We should appoint, not two citizens, but two elected members of the Opposition of the legislative assembly.

It being 6 of the clock, p.m., the House took recess.



# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Wednesday, May 22, 1968  
Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, MAY 22, 1968

The House resumed at 8 o'clock, p.m.

## PROVINCIAL COURTS AND JUDGES

(Continued)

**Mr. Chairman:** House in committee on Bill 64, section 7:

**Mr. E. W. Sopha (Sudbury):** I would like to ask the Attorney General if this bill went to the committee on legal bills?

**Hon. A. A. Wishart (Attorney General):** No, Mr. Chairman, I think the hon. member was not here at second reading.

**Mr. Sopha:** The Attorney General said that before.

**Hon. Mr. Wishart:** And there was quite a full debate—it bears repetition. We thought we would deal with it in committee of the whole. I might say, on section 7, while I am on my feet, Mr. Chairman, the composition of the judicial council will be found almost exactly as recommended by Mr. McRuer, except that we have added, I think, two at-large, which perhaps meets the suggestion of the hon. member for Grey-Bruce.

**Mr. E. Sargent (Grey-Bruce):** On a point of order, I did not hear that.

**Hon. Mr. Wishart:** The hon. member was suggesting when we adjourned at 6 o'clock that the judicial council should be a little broader. I would point out to him that Mr. McRuer, in his report on civil rights, recommended the appointment of a judicial council at page 540 in his second volume, to be composed of the chief justice of Ontario, the chief justice of the high court, the chief judge of the county and district courts, and the treasurer of the law society or someone appointed by him. He reiterated that in his summary of recommendations which, I believe, is found on page 570.

We have added to his recommendation for the judicial council, I think you will note, after the treasurer of the law society, at subsection (f) "not more than two other persons appointed by the Lieutenant-

Governor in council," and they might be citizens at-large as it were. So we have expanded somewhat on the recommendation of Mr. McRuer.

**Mr. Sargent:** Could the Minister advise, is there any probability that this would be taken out of the realm of politics, that they would be in the area of a labour representative or somebody, a responsible person who has proved himself a good citizen? When I mentioned it could be a member of the Opposition, I meant it could be a member of your party in the next two years.

**Hon. Mr. Wishart:** It will not be political.

**Mr. Sargent:** If you define that as two members of the Opposition, it could be members of the official Opposition, and it could be your party in two years' time.

Interjections by hon. members.

**Hon. Mr. Wishart:** The hon. member would hardly suggest, surely, that if we appoint two members of either of the Opposition parties or perhaps on the government side, we would be taking it out of the realm of politics. I do not think that would follow.

**Mr. Sargent:** Elected people.

**Hon. Mr. Wishart:** I would not want to say that at this moment about the two persons under subsection (f)—the two other persons would be elected—I think we can trust the Lieutenant-Governor in council to select two citizens who will meet with the approbation of the public generally.

**Mr. R. F. Nixon (Leader of the Opposition):** A very trustworthy fellow, that Lieutenant-Governor.

**Mr. D. C. MacDonald (York South):** He will watch carefully.

**Hon. Mr. Wishart:** Yes, I am sure he will. I would hope that would follow.

**Mr. MacDonald:** It is like appointments to Senate, they are always non-political.

**Mr. Sopha:** The Attorney General is demonstrating his great reluctance to take this bill to the legal bills committee.

**Hon. Mr. Wishart:** No, no. There was no urgency to do that.

**Mr. Sopha:** There were a few legal bills before the Easter recess that got Royal assent, which did not go to the legal bills committee. Whatever his reasons, they are locked within his own breast. Had it gone to the legal bills committee, of course, many of the matters discussed this afternoon could have been discussed in the informal atmosphere of this committee and would not have to be raised in committee of the whole.

I was not here when the bill received second reading, that was on a Friday. I read the account on Saturday. Normally on a Friday I travel to my constituency 250 miles away to meet with my constituents.

**Hon. Mr. Wishart:** Mine is 500 miles away but I stay here.

**Mr. Sopha:** Then again I comfort myself with the knowledge that I am fairly regular in my attendance. I am here much more than the Premier (Mr. Robarts). I am here much more than the leader of the NDP. Only the leader of the Opposition is here more.

**Mr. J. H. White (London South):** That simply is not true.

**Mr. Chairman:** Let us get back to section 7.

**Mr. Sopha:** I should like to ask the Attorney General in the light of sections 7 and 8, they have to be read together, I should like to ask—

**Hon. Mr. Wishart:** I cannot hear the member.

Interjections by hon. members.

**Mr. Sopha:** In the light of sections 7 and 8, is my understanding correct that what will happen is that the Attorney General will select a name for appointment, or a number of names, and he will then forward these names to the judicial council and ask them if they will recommend any or all of the names that he places before them? Then the Attorney General will make his selection. Will those be the mechanics of appointment, or something very close to that?

**Hon. Mr. Wishart:** I am sorry, Mr. Chairman, what section is the hon. member referring to?

**Mr. Sopha:** I am reading sections 7 and 8 together.

**Hon. Mr. Wishart:** Mr. Chairman, if we may move to section 8 for the moment then—

**Mr. A. B. R. Lawrence (Carleton East):** Let us carry section 7.

**Mr. Sopha:** No, we do not want to do that.

**Hon. Mr. Wishart:** Well, perhaps I may be permitted to answer, Mr. Chairman. Section 7 is concerned, I think, practically altogether with the composition of the judicial council, and we pretty well, I think, covered that.

Then I have to move to section 8 to answer the hon. member. It is the function of the judicial council, at the request of the Minister, to consider the proposed appointment of provincial judges and make a report thereon to the Minister.

So it would be at the request of the Attorney General, and I presume he might very well see fit either to ask the judicial council to nominate persons, or perhaps to suggest names which they could review or consider and examine and then report back to him that they have qualifications for appointment. Then follows the section about discipline.

**Mr. Sopha:** The final determination is with the Attorney General?

**Hon. Mr. Wishart:** Right.

**Mr. Sopha:** And the Lieutenant-Governor in council?

**Hon. Mr. Wishart:** Right. The responsibility, as Mr. McRuer said in his report, the final responsibility, must rest—his words are at page 541, of volume 2, and I think I might take a moment, Mr. Chairman, to read that:

Consideration should be given to the appointment of a judicial council composed of the chief justice of Ontario, the chief justice of the high court, the chief judge of the county and district courts, and the treasurer of the law society of Upper Canada, or someone appointed by him.

As I say, we have gone a little beyond that, adding some at-large appointments. I continue to quote:

The Attorney General could consult with such a council and secure its recommendations as to the qualifications of those considered for appointment. The Attorney General and the Lieutenant-Governor in council must take the final decision and responsibility, but the judgment of such a judicial council would do much to mitigate the power of political influence and reduce the risk of unfortunate appointments.



Those are the words of Mr. McRuer, and we have followed his recommendations, as you will find, pretty thoroughly throughout this entire bill.

**Mr. Sopha:** I just want to add one or two comments. I read very carefully those sections written by Mr. McRuer, and I am entirely sold on the idea because I see the possibility under sections 7 and 8 which must read together, that a new form of politics is created. There is a danger of a new form of politics.

I have gone to the bar conventions and I have listened to the lawyers, the provincial Minister of Social and Family Services (Mr. Yaremko), and I was there. We listened to their arguments about what influence they should have in the appointment of judges.

I came away with the feeling that the public would be much safer if appointment of judges was left in the hands of the politicians.

**Hon. Mr. Wishart:** We have not got the bar association in this bill.

**Mr. Sopha:** You have the treasurer of the law society.

**Hon. Mr. Wishart:** He is one of six.

**Mr. Sopha:** I just wonder about his inclusion.

The other comment I make is that the composition is terribly Toronto-oriented. I do not want to offend anyone in the House, but if one-third of the people live in Toronto, two-thirds live somewhere else. A good many of us live at quite some distance and we are awfully conscious, sometimes, of the domination of megalopolis. This body, as I see it, depending upon who the two in (f) are, will be composed completely of people resident in Toronto.

I would, therefore, feel that the orientation might be toward the appointment of, or the preference of, people within the megalopolis. But then again, I suppose there is some justification because more than half the lawyers in the province carry on their practice within—

**Hon. Mr. Wishart:** Yes, that is true. But it is not always true that the chief justice of the court found his origins in Toronto.

**Mr. Sopha:** That is good. Or for that matter, the chief judge of the provincial courts; he might conceivably come from somewhere else. I do not know if people live in Toronto a long time, whether they become

infected with it or not. I do not like to suggest the nature of the people who should be the nominees in (f)—their occupations—but I would like to see that at least one of them be a lay person.

**Hon. Mr. Wishart:** A lay person?

**Mr. Sopha:** A lay person, that is to say, not a lawyer.

**Hon. Mr. Wishart:** I would think so.

**Mr. Sopha:** All the rest are lawyers. I would like to have a lay view for whatever influence he might have.

**Mr. Sargent:** We are getting a bellyfull of lawyers and judges, I will tell you.

Would the Attorney General advise, at any time, would the hearings of the judicial council be open to the press?

**Hon. Mr. Wishart:** The meetings?

**Mr. Sargent:** Yes.

**Hon. Mr. Wishart:** Mr. Chairman, this hardly comes within the orbit of this section—

**Mr. Sargent:** I realize that, but it is a good point.

**Hon. Mr. Wishart:** I do not think I am prepared to answer this at this moment.

This is an administrative detail which will be worked out. It could very well be, but certainly, it is not within the orbit of our discussion here on this section. The answer is found in section 8(2).

**Mr. Sargent:** Mr. Chairman, would the Attorney General advise then—the Chairman has been very kind on the wanderings we have had today on this bill—

**Mr. MacDonald:** He certainly has!

**Mr. Sargent:** Very lenient. But what I would like to say is to the point when I ask the Minister where, along the line, does the average person get to make his objections to the hocus-pocus in our courts so far as the gowns, the lordship, all this terminology, the wigs, all this—all the jazz we have to put up with. Insofar as the average citizen walks into a court today, he is—

**Mr. Chairman:** On section 7?

**Mr. Sargent:** This is pretty wide, **Mr. Chairman**, it is not in this bill—

Interjections by hon. members.

**Mr. Sargent:** When do we get our chance to object to these lawyers and judges flaunting their robes and all this hocus-pocus? We do not have to put up with it.

**Mr. Chairman:** On section 7.

**Mr. Sargent:** Can I make my objection as a citizen to all this nonsense?

**Mr. Chairman:** Objection received.

**Mr. Sargent:** Going back into the centuries, we have to go along with this jazz—

**Mr. Chairman:** Section 7?

**Mr. Sargent:** Thank you.

**Mr. Chairman:** The member for Lakeshore.

**Mr. P. D. Lawlor (Lakeshore):** As fond as we may be of the member for Grey-Bruce, before we adjourned this evening he made one of his more absurd statements and suggestions that I want to speak on just for a moment. His hon. leader, that is, his federal leader, talks of a great man—Montesquieu. He was the one who originated the division of powers. If you have heard of the division of powers—

**Mr. Chairman:** Order, please!

Will the member please discuss section 7?

**Mr. Lawlor:** I am. I am talking about the two appointed members to whom reference has been made, Mr. Chairman. He has suggested the members of this Legislature form themselves and pass over the lines of distinction between the judiciary and the Legislature. I am saying that he is offending against one of the dearest impulses of his leader. I will leave it at that.

**Mr. Sargent:** What nonsense.

**Mr. Lawlor:** As far as the people involved are concerned it has been mentioned, and McRuer goes into it, that one would be a layman. Why not two? Who would be the other person in your mind—through you, Mr. Chairman, to the Attorney General? Would he be an eminent member of the bar or would he be a member of another profession, or have you any clearer position on that now?

**Hon. Mr. Wishart:** Mr. Chairman, again I think we provided for an enlargement of the judicial council beyond the recommendation of Mr. McRuer, which I think, perhaps indicates that we have a little independent latitude to think of our own procedures here. I

would not want to say that they would necessarily be eminent members of the bar—

**Mr. Sargent:** Or Liberals.

**Hon. Mr. Wishart:** Or Liberals, but they—

**Mr. Lawlor:** How does the NDP stand with you today?

**Hon. Mr. Wishart:** I think they just might be eminent citizens—might very well be laymen but I do not make that decision now.

Section 7 agreed to.

On section 8:

**Mr. Chairman:** The member for Sarnia.

**Mr. J. E. Bullbrook (Sarnia):** There are three matters in connection with this section that cause me concern, and I imagine also my colleagues are concerned.

The first one I want to discuss, I had already mentioned to the hon. Attorney General in connection with subsection 4. I ask him to cast his mind to this situation that the judicial council pursuant to the powers envisaged in subsection B in looking at the performance of provincial judges, they come to a conclusion that as a result of neglect of duty they should recommend that some action be pursuant to subsection 4. The possibility that since you do not have neglect of duty under subsection 4, and since you do have misbehaviour or neglect of duty in subsection 8, that you might find that the judge who is involving himself, or at least the review tribunal who are involving themselves in connection with the capacity of the judge, might be some difficulty. Now, you out of hand before dinner felt that there was no substance in what I said.

**Hon. Mr. Wishart:** No.

**Mr. Bullbrook:** There is not?

**Hon. Mr. Wishart:** No, I did not say that.

**Mr. Bullbrook:** You did not feel there was sufficient substance to include the words "neglect of duty" in subsection 4. Perhaps my interpretation is a little too restricted—I would say it was somewhat—in any event, you felt that I was out of order in even bringing the matter up?

**Hon. Mr. Wishart:** Because we were not on this section then.

**Mr. Bullbrook:** But I suggest to you, sir, that you do consider this. If you are going to retain the words "neglect of duty" in section 8 of this legislation you must find yourself in some circumstances of difficulty. Now, purely,

from the point of view of interpretation of this overall statute, I ask you to reconsider, if you would, before this legislation is passed, to put into section 4 the words "or continuing neglect of duty" which I consider the best or a better approach.

Alternatively, let us take the words "neglect of duty" out of subsection 8. Let us go along with what you say; let us say that neglect of duty is included in misbehaviour, and let us have uniformity in that statute.

Perhaps I am nit-picking here but I can see some difficulty. You have been before the courts and heard them talk about the Legislature in its wisdom, and what they intended here referable to section 4 and subsection 8. I ask you to consider.

I wonder if I might refer to the words at the request of the Minister. Much has been heard from the member for Lakeshore as to his joy at the removal of the judicial appointments from any political inclination at all. Frankly, I sometimes get to the high boiling point on this matter because I think I must say this—I think it was Bacon in his essay on social life or political life—that this was man's highest calling to be here in political life.

But I do ask you this, that I think that perhaps a lawyer's highest calling is to the bench. I do not think for one moment because I have aspired to this seat in this Legislature that I am disintitled to aspire, some day, to the bench. I do not think for one moment that because we are politicians we have to, *per se*, dissociate ourselves from that aspiration to the bench.

The point I wish to make in this connection is that my friend continues to talk about this, but really when you analyze this, the function of the judicial council to consider the proposed appointment of provincial judges is at the request of the Minister.

I am going to ask you, sir, when I am finished, if perhaps you would direct yourself to an answer in this respect—why the words "at the request of the Minister"? Is it purely that you must convey to him, or to the council, the necessity of having a look at these appointments?

I do not like these words in this respect. It might be that you might just decide not to request the judicial council to have a look at one of your appointments. I think that the words are somewhat redundant. They are not necessary. You can vest the judicial council with the responsibility, to begin with, to consider the proposed appointment of provincial judges, and make a report thereon to the

Minister. There is no need for the words "at the request of the Minister", in my respectful opinion to you.

I would ask that you consider the possibility of removing it, and then you take away from my mind at least the possibility that you will not request the judicial council to look into these appointments.

I would like to refer myself to subsection 2, an enquiry held by the judicial council under clause (b) of subsection 1 shall not be public.

In considering this with my colleagues, I have come to the conclusion that we are prepared to support this aspect of the legislation, but with extreme reservation. I am sure that perhaps you must have the same reservation. I think that there are probably times when complaints are made in connection with the conduct of the judiciary, that are less than substantial. I think that this is probably your intent in connection with this subsection.

I do agree that some of these facetious, or some of these complaints without adequate substance, should not be aired in public. But I must convey to you that it is with great reservation I, and I think our party, feel this way, that the majority of these hearings should be open to the public. But we are prepared to accept this.

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member has raised three points. The first one has reference to the words "neglect of duty" being included in section 8, when the judicial council make a review on the conduct of a provincial judge.

He raised the same question really in section 4 and suggested that this section be amended to include along with misbehaviour and inability to perform duty, the words "neglect of duty". I think I indicated at that time I did not believe the discussion was then in order. I said he was out of order; it was only because he had moved to section 8, I think that his comments were quite meritorious, except that I felt that a strong case should be made as to a deliberate reason why the words "neglect of duty" were not included in section 4, but were included in section 8.

I went on to say that misbehaviour, as it applies in both sections, but particularly as it is used in section 4, could very well be constituted from continuing neglect of duty.

Section 8 provides a review as one of the functions of judicial council to receive complaints respecting the misbehaviour or neglect of duty by judges, or the inability of judges to



perform their duties and to hold enquiries. That is the judicial council.

This is the first form of enquiry, and section 4 goes much beyond that. This is the enquiry before a Supreme Court judge when the judge's whole performance is under question, and the question as to whether he should remain on the bench is covered by section 4.

I can conceive, and I think that the people drafting the legislation had in mind, under section 8, a neglect of duty, perhaps a failure to get to the court on time, a neglect to appear on certain days, or perhaps a situation where he closes the court early and goes off to play golf, or perhaps where his conduct the day before has been such that he did not get to court on the tomorrow. These things would be neglect of duty and certainly would be the subject of an inquiry before the judicial council.

The purpose of that specified function, that inquiry in section 8, would be that the judicial council would call that judge before it, and I submit that this should be an inquiry not open to the public; that he should not be subjected to a public hearing for that type of thing; some misbehaviour of a certain sort, some neglect of duty extending to a certain degree, perhaps some inability has become apparent. I do not think—

Interjections by hon. members.

**Hon. Mr. Wishart:** What could be more punitive, more downgrading?

**Mr. Bullbrook:** If you would just let me speak.

**Hon. Mr. Wishart:** Yes, certainly. I am sitting down for that purpose.

**Mr. Bullbrook:** As I understand what you are saying, what you concentrate on here as neglect of duty is something of a minor nature as opposed to misbehaviour. But there is nothing in here of a punitive nature. The only thing that this judicial council can do under this section is to recommend to you that there be an inquiry under section 4.

What is the use of bringing him there?

He is late for court, and he comes in front of them and they say, "We have got a complaint that you were late for court." He can say, "So what? I was late for court."

I suggest to you quite frankly that this is not a punitive tribunal at all.

**Hon. Mr. Wishart:** If the hon. member will allow me to continue. What, as I was saying, was that a public inquiry under section 8 could be more downgrading to the dignity of

the self respect of that judge than being exposed to the public in those circumstances which I have described? He comes before the judicial council in the circumstances outlined in section 8, and I feel quite certain that this should not be public.

Interjections by hon. members.

**Hon. Mr. Wishart:** The press perhaps should not know. I said that it is downgrading if he is exposed to the public in these circumstances.

Let me continue. I think the judicial council will say to that judge, as they would say to a magistrate today if we had his power in this present Act, "We have observed your conduct. The Attorney General has called your conduct in question, and referred the situation and these particular facts to our attention, and we call you before us for an inquiry. We regard this as serious, quite serious or very serious or perhaps not so serious, but we do not want it to continue."

I think they would say to him, "If this continues, if this neglect of duty continues it will amount to misbehaviour. If you fail to be on duty at the court, or if your behaviour on the bench or off the bench is such as to call into question the dignity and respect which the public should have for you, we shall have to recommend an inquiry, and we will make a recommendation of that to the Attorney General who is the Minister who must take the responsibility."

I think that that judge would be told perhaps in some circumstances, "If you do not want an inquiry, Mr. Judge, we suggest that you resign."

True, the section is not punitive; true it says, "may recommend to the Attorney General", but I think that the powers of judicial council in circumstances such as those which I have had to deal with in my experience as Attorney General, would be such that they would say to that judge, "your conduct, which we call you before us to inquire into, is such that we are going to direct an inquiry unless we have your resignation."

I think that is what would happen, and that was in our minds when we drafted that section.

May I continue for a moment. The hon. member suggested we remove the words "at the request of the Minister" in subsection (a) of section 8. I have to go along with Mr. McRuer, and apart from his recommendation, I feel it is the responsibility of government to make the appointment. It is the

responsibility of the Attorney General as the Minister of the government responsible for the administration of justice to say, "We have to be responsible, we have to stand up in this House and accept the complaints of members as to the conduct of our judges, and if we are to accept that responsibility, why should we discard the responsibility for their appointment?"

I think if we are going to take that responsibility, and I believe we should keep it and take it and accept it and carry out the procedures laid down in this Act, then I think we must leave that with the Minister and I do not think it is political at all.

**Mr. Bullbrook:** There is no reason to apologize.

**Hon. Mr. Wishart:** I am not apologizing. I am just taking an opposite position from the hon. member, and I think I have dealt already with the reasons why I think it should not, under section 8 at least, be a public inquiry.

**Mr. Bullbrook:** I hesitate to waste the time of the House, but if I might, Mr. Chairman, just one thing. Perhaps unduly I am belabouring this point, but it is the lawyer coming out in me. If I was acting as counsel before any judge—if I was acting as counsel on it I certainly would argue this proposition with it. If this judicial council ever refers back under section 4 on the grounds of neglect of duty, I would certainly argue, and argue most strenuously, that there was absolutely no jurisdiction under subsection 4 to deal with my client's case.

**Mr. Lawlor:** Mr. Chairman, may I join with the hon. member for Sarnia on this particular point?

It seems to me that when you do include a certain word in a certain place—placing this under the discretion and jurisdiction of the judicial council—and then you deliberately exclude from the other section the very words, this would mean to the judicial mind—and you have a preponderance of judicial minds operating here, highly legalistic—they will say that neglect of duty was not meant to be a ground.

Secondly, with all due respect, the Minister's approach to the wording "neglect of duty" seems to me to be very seriously questionable. Let us take the English language just as it presents itself to us, the Minister has given us minatory instances, superficial instances, secondary instances, of neglect of

duty. I can think of many neglects of duty which are infinitely more serious than anything the Minister has mentioned.

A thing like refusal of the judge to attend to council, for instance, or causing discriminatory situations with respect to certain lawyers who are before him, or in treatment of witnesses—a hundred things, which are on a par with misbehaviour, and so on.

I would seek to prevail upon the hon. Minister to include the wording in 4 and to carry the continuity of the thing through, because nobody necessarily will interpret the term "neglect of duty" in the same way in which the Minister seems to be inclined to do. He seems to contrast it with misbehaviour. Misbehaviour is something terribly serious, neglect of duty is something that is not nearly as serious. I would think the reverse, that misbehaviour might not be as important. In any case, to keep the continuity and not to exclude from the perusal of this council when reviewing the actions of certain judges—to exclude neglect of duty by a deliberate act seems to leave out that whole area. The scope and depth and range of this concept of neglect of duty is more far reaching than has been given attention to thus far in this House.

Apart from that, the second point I wish to make—and to enlighten the member for Sarnia, I do not, in the range of appointments to those who may be made judges hereafter, or at any time in this province, exclude anybody, least of all people from this House. What I am concerned with and what I do talk about in terms of political influence everybody knows, namely, with respect to the one who does the selecting. Under what influences is he operating and are they the kind to bring about the best appointments? And I think my friend knows that.

I have swung around on one thing, Mr. Chairman, and that is "at the request of the Minister." I do not think it should be deleted. On the second reading I got assurances from the Minister that, at least so far as he was concerned, in his term of office, these appointments would not be made without going into consultation with the judicial council and he would not make any in the absence of the judicial council. What the future holds in this regard with men of less integrity is, perhaps, a critical question, but I do not think there is any point in pushing it now.

**Mr. Sopha:** Mr. Chairman, I am going to offer an amendment to this section, seconded by my leader, against this background, that

we want to make it absolutely clear that no one on this side is suggesting, or has suggested, that the responsibility for appointments to the bench under this statute resides anywhere else than with the government. It would be an abdication of responsibility for that to be removed from the political and responsible sphere. But we do not want the Attorney General to be both fish and fowl at the same time and, as the section now reads, my comprehension of it is that the Attorney General leaves himself the choice of either asking the judicial council to recommend on the appointment, or not asking, as his pleasure may so direct him at any particular time. They review the proposed appointment when he makes the request. We, on this side, say why not make it mandatory? Leave the discretion for the particular appointment with the Attorney General and his colleagues, but let the public be assured that in each appointment the prospective candidate or candidates are reviewed as to their qualifications, both professional and character, by the judicial council.

I am told, but it is only hearsay, that in respect of the appointment of senior judges under The British North America Act, that in every case now the federal Minister of Justice—you know who that is, I will not mention his name here, I do not want to create cheering by mentioning his name—in every case—

**Hon. Mr. Wishart:** He does not have to accept any such amendment as the hon. member for Sudbury proposes.

**Mr. Sopha:** No, but in every case I am told the Canadian bar association is asked their views on the qualifications of the proposed nominee. They are given that opportunity to make objections to any particular appointment.

This is much too loose an arrangement. Conceivably under this section a period of several years could go by and the Attorney General would not ask the judicial council for a single review of an appointment. It might die by atrophy. On the other hand, some Attorney General might ask them to review some and ask them to review others—a capricious Attorney General, not this one, but we always have to be on guard against the one motivated by caprice—might, in regard to a specific appointment, knowing it would be unlikely that the judicial council would favourably recommend him, would withhold his name from review. Those little faults should be covered.

Either the Attorney General adopts the reasoning of Mr. McRuer or he does not. And if he does adopt that reasoning, which is directed toward action by an independent body whose sole function is to assist the Attorney General in the making of appointments and also to give those appointments the flavour of independent review. That is the whole point of it.

Having pointed out those two features, that is the *raison d'être* of the whole thing.

Accordingly, on that basis, in order to keep the matter in proper perspective I move, seconded by the leader of the Opposition, that section 8 (1) (a) be amended by striking out the words “at the request of the Minister” and substituting therefor the words “before an appointment is made,” so that the section will read—the subsection will read:

—before an appointment is made to consider the proposed appointment of provincial judges and make a report thereon to the Minister.

And I commend that alteration to this House.

**Mr. MacDonald:** Mr. Chairman, I want to raise another matter and I assume we are speaking to both the section and the amendment.

**Mr. Chairman:** I think we can speak to the amendment under the section.

**Mr. MacDonald:** Yes. If I may go back to the section.

Am I correct, Mr. Chairman, that initiative for reviewing the conduct of any judge by the judicial council rests with the Minister?

**Hon. Mr. Wishart:** No, not according to the section. The section reads:

The functions of judicial council are:

(b) to receive complaints respecting the misbehaviour of or neglect of duty by judges or the inability of judges to perform their duties, and to hold inquiries in respect thereof.

It does not say that such an inquiry has to wait upon the request of the Minister.

It does in subsection (a) regarding the matter of appointment, but it is distinctly not in the language of subsection (b) or thereof.

**Mr. MacDonald:** If the interpretation the Minister has put on it, and that sounds very logical and acceptable, is the operative interpretation, it would meet the kind of situation that, quite frankly, has worried me.



If you have a situation such as the member for Grey-Bruce relates with regard to persons on the bench in his area, or if I may remind the Minister, those repeated complaints with regard to people on the bench in Kingston nothing happens. They come in repeatedly and nothing happens. I suppose, up until now, the Minister has been in the somewhat embarrassing position that, from his premise, he does not want to interfere with the person on the bench; he has had no independent body for referral. Now if a complaint comes to him, he can pass it on, or if the Minister is too insensitive to complaints in the views of the public, they can go directly to the judicial council and it will take the initiative.

Do I assume correctly, then, that if the judicial council makes a recommendation with regard to any person on the bench, the Minister is bound, or is likely, to accept their recommendation for removal?

**Hon. Mr. Wishart:** I would think, Mr. Chairman, if the Attorney General, having received a recommendation from the judicial council under subsection 3 of section 8, that an inquiry be held, did not act he would be in a very precarious position and an indefensible position, I would think.

**Mr. MacDonald:** What about the other procedure, when complaints with regard to the conduct of a judge went directly to the council?

Suppose they investigated it and they reported back to you as the Minister, and said as a result of this investigation, "we do not think that this is a fit occupant for the bench." Is it likely that that would be, in effect, a mandatory suggestion for removal?

**Hon. Mr. Wishart:** I would think that what would happen there would be that they had the inquiry, having the judge before them and found his conduct to be such that they were going to recommend to the Attorney General; all the recommendation they can really make within the language of the section, is that an inquiry be held. I think the court reached that stage.

I think they would say to that judge, "now your conduct is such, so bad, so reprehensible, that you had better, we think, resign and if you do not—if you are going to be stubborn about it"—as he might very well be—"then we are going to recommend an inquiry", which is what they may do—they ask the Attorney General under section 4.

I think those disciplines are pretty firm and would be pretty effective.

**Mr. MacDonald:** Mr. Chairman, let me come back to clarify one point in this general area that is concerning me.

In 1(b) where the judicial—

**Hon. Mr. Wishart:** Could I just point out that notice has been sent to me and I omitted to look at the section? The recommendation you will note, as I failed to note, under subsection 3 of section 8 is to the Lieutenant-Governor in council. So that does not leave the Attorney General an option. It is directed right for the government to hold an inquiry and I think that is ever stronger.

**Mr. MacDonald:** Good. Fine. Let me come back, if I might, to 1 (b). The Minister, as I understood in his further comment a moment ago, said that if complaints came to the judicial council, they could recommend that an inquiry be held. You mean they have to seek permission for an inquiry? They cannot, on the basis of complaints, proceed with an inquiry?

**Hon. Mr. Wishart:** Oh, yes.

**Mr. MacDonald:** That is what I thought.

**Hon. Mr. Wishart:** I think the section is clear. Section 8—the functions of the judicial council are—and we go directly to (b)—to receive complaints respecting misbehaviour and neglect of duty or inability to perform and to hold inquiries. That is set right out, statutory, in the Act. They get the complaint; they decide to hold an inquiry; they proceed and then they have the power to recommend the inquiry under section 4. That inquiry in subsection 3 distinctly specified the inquiry under 4 which is before a Supreme Court judge. That would be the ultimate when you want it—when you say he will not resign, his conduct is bad, we suggest that he resigns and he does not resign—before the Supreme Court judge under 4.

**Mr. Sargent:** Mr. Chairman, may I take it that although I am in favour of the amendment I may speak on subsection 2 of this?

**Mr. Chairman:** You may speak to section 8, yes.

**Mr. Sargent:** Thank you.

Section 8, subsection 2. Mr. Chairman, this whole Act is very obviously written by lawyers. It is pretty safe to say that, and it is pretty safe to say that everything we do in law is written by lawyers and I have—

**Mr. Sopha:** Shakespeare said, "kill all lawyers".

**Mr. Sargent:**—and I have no case against lawyers as I say I think I have spent most of my life working for them, paying the exorbitant fees they charge us. Somewhere along the line, someone has to speak up for the people who are not knowledgeable about the intricacies of law.

**Mr. MacDonald:** Imagine a situation where the statute is written in the language of your questions before the orders of the day.

**Mr. Sargent:** It would be a lot better sometimes than it is now.

**Mr. Chairman:** Order! Order!

**Mr. Sargent:** But I want to get this point across—that maybe someone who is not a lawyer has a right to ask questions. I think this is pretty basic and everything we do in our lives, no matter what you do—if you buy a house or no matter what you do—is controlled by payments to the lawyers.

**Mr. Chairman:** On section 8.

**Mr. Sargent:** And somewhere along the line we have to stand up and ask questions. Section 8, subsection 2 says an inquiry shall be held—I am sorry—an inquiry held by the judicial council under clause (b) of subsection 1 shall not be public.

**Mr. Chairman,** the public has to know what is going on and these things should be public. How much can they cover up? This government has 25 years of covering up in their administration.

**An hon. member:** Nonsense.

**Mr. Chairman:** Order!

**Mr. Sargent:** How many have you got? 26 years then is it?

Interjections by hon. members.

**Mr. Sargent:** Kind of hurts, does it not? It is time that in this subsection 2 you try to close this from the public, too. Why are lawyers any different from anybody else, or magistrates or judges? Why are they not human, too? If a member of this Legislature has a conflict of interest charged against him, which is made in the course of our duties here, the press takes it and blows it up to the high heavens. Whether they are right or wrong, they are crucified. But a judge or a lawyer, he is above reproach. He is a special class by himself.

**Mr. Chairman:** Section 8.

**Mr. Sargent:** Section 8—I am talking about the fact that you can hold these inquiries and keep the press out. This, I think, this is completely wrong. You should, for once, let the people know what justice really means.

Interjections by hon. members.

**Mr. Sargent:** Mr. Chairman, I do not think there is much in this change of an amendment in this section being passed by this House. It is just a waste of time. But there should be an awareness, sometimes, of the fact that people would like to know what is going on behind closed doors.

**Mr. Sopha:** I would like to ask the Minister; one assumes that short of violating the oath of Cabinet secrecy—but I suppose it is fairly common knowledge that appointments to positions such as this are made by the executive council and are endorsed, or at least ratified by the executive council. In the light of that, I wonder since, of course, the report on the other functions of this council has to be made to the executive council—because to remove a judge is very serious and would have to be a decision of the whole government—why not be consistent in the first part of this section? Ought not the request of the review of the proposed appointment go forward from the executive council? From the Lieutenant-Governor in council? Why the Minister? Why from the Minister?

**Hon. Mr. Wishart:** Mr. Chairman, one does not have to assume how the appointment is made. The procedure is found in section 2, which we passed earlier this afternoon. The appointment is by the Lieutenant-Governor in council on the recommendation of the Minister. Section 4 deals with the inquiry and the disposition of the judge after the inquiry. The inquiry is called by the Lieutenant-Governor on the recommendation provided for in section 8 which is to the Lieutenant-Governor in council. Subsection 3 of section 4 says an order removing a judge from office may be made by the Lieutenant-Governor in council and the order and the report of the inquiry shall be laid before the legislative assembly, if it is in session and so on. I think that all the procedure is assuredly there, and I do not think I need to make any remarks in defence of that. I think that the procedures are clear, simple, adequate and desirable.

**Mr. Chairman:** Is the section agreed to?



An hon. member: It is not universal.

**Mr. Lawlor:** Mr. Chairman, may I speak to the amendment? I think that on the whole, with reservations which we will indicate, we are in favour of the amendment.

The Minister, under this section, and as a whole in relation to the appointment of the judiciary, has a two-fold function or role. One of them, I would think, would be to make recommendations to that body. He knows as the Attorney General which men he thinks are of quality and who serve under him. The second is that he must be jealous, and we in this House must be jealous of safeguarding his prerogatives touching the final approval. I think that the intent of the section as it was first drawn up, and as we discussed it in second reading, was that it was placed in this way precisely to preserve that prerogative, and that is all to the good.

Nor do I mean in any way to derogate that function, in supporting that amendment. For that reason, I would like to go one step further and suggest to my friend from Sudbury, that if he puts in the three little words "for his decision" after the word, "Minister", he would preserve all functions. We on this side of the House—and I think quite rightly—while we have the utmost confidence in you, sir, nevertheless must look forward to the day on which a more capricious individual might occupy that chair, and in which the old spoils system and the evils of the past exist with respect to the appointment of judges.

As you have it here, you can completely disregard, do not call into session, leave it fallow, if you will, the whole judicial council. You do not have to consult with them at all. The intent here is to make it mandatory that you do so consent without derogating from your final approval or disapproval. That lies solely in your demesne, sir, as it should do.

I am suggesting that the section would read "before an appointment is made". I think that that is quite right. Before an appointment is made it should be consulted, and a report be made thereon to the Minister for his decision.

If you will go that far, and if the hon. member for Sudbury would consider adding that to his amendment, then we are quite prepared to support this and I trust that the Minister might make that concession too.

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member for Sudbury, in moving the amendment, suggested that the Attorney General

should follow the recommendation of Mr. McRuer. I think that I have done so. I have read the language before.

I point out that on page 541 of his report, at the top of the page he says, "The Attorney General and the Lieutenant-Governor in council must take the final decision and responsibility." But before that he says that the Attorney General could consult with such a council and secure its recommendations, and I would think that the Attorney General would almost invariably do so.

Interjection by an hon. member.

**Hon. Mr. Wishart:** Just one moment and I will tell you why. Perhaps it is far-fetched.

I do not believe that the Minister of Justice at Ottawa, who was held up as having an exemplary course of conduct in the appointment of judges, saw fit in any of The Judges Act to make any such direction, either to himself or to the Minister of Justice, at all. He consults the Canadian bar association, we are told, and I think that this is good. But he has not confined himself to the direction of the Canadian bar. He has not amended his Judges Act in the manner that the hon. member for Sudbury is suggesting by his amendment that we do in this House.

It is quite conceivable, and perhaps, as I say, far-fetched, that even the judicial council made up as it is as you see it before you could very well, acting on its majority direction or authority, throw out—and I hesitate to say it—through pique or prejudice, or some other reason, could throw out, or refuse to recommend, or accept a recommendation of the Attorney General.

**Mr. Bullbrook:** It is the other way around.

**Hon. Mr. Wishart:** No. Supposing the Attorney General submits a name, and that of five names submitted, all of whom are considered by the Attorney General on the behalf of the government to be eminent, properly qualified persons. Assume for one moment that the judicial council said that three of these persons, for reasons unknown to the Attorney General, we will not approve. Then he has no—

**Mr. MacDonald:** Well, why do you have—

**Hon. Mr. Wishart:** What position is he in then, to overrule the judicial council? He can, of course.

But if I take the amendment of the hon. member for Sudbury and say on the recommendation of the judicial council, the hands



of the Attorney General are tied. In any event, Mr. Chairman, I believe that I have followed the thinking and the recommendations of the hon. Mr. McRuer. I do not accept the amendment. I must exercise my judgment and my vote against it.

**Mr. Sopha:** I must make it perfectly clear. The only thing that my amendment does is to say that every recommendation for appointment as a provincial judge goes to the council for review—every one. It has nothing whatsoever to do with fettering the discretion of the Attorney General or the government.

The public knows that every man who climbs up on that bench, every one in the length and breadth of the province, has been reviewed for his qualifications and character and integrity, by the judicial council. I do not want the Attorney General to be both fish and fowl. I want to keep him consistent, not on a hit and miss basis. I cannot conceive, if the system is good as set out to me, I cannot conceive why the government would leave it to themselves to make the choice of whether they send the names or not.

What have they got in their minds that they want to keep that latitude open for them that they may not with some nominees? Are they afraid that—no, I had better not say that—I am trying to get the House to accept reason. I had better not say that. But I make perfectly clear what I mean. I do not want to leave the discretion in the hands of the government in this area. The ultimate appointment, yes. They can send a list of 10 names to the judicial council and select only one of them.

**Hon. Mr. Wishart:** Mr. Chairman, I have just one final word. I would just say to the hon. member that he speaks of the government. In my remarks I am thinking, not of this government nor of this Attorney General, I am thinking of an Act which will endure for governments, whatever they may be, in this province and whatever Attorney General may stand.

**Mr. Sopha:** So are we.

**Mr. MacDonald:** So is the Opposition.

**Mr. Chairman:** All those in favour of the member's motion, please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

Section 8 agreed to.

On section 9:

**Mr. Bullbrook:** Mr. Chairman, I have no remarks to direct in connection with section 9, subsection 1 (a), (b), (c) or (d). My colleagues might comment in this connection. However, subsection 9 (2) does cause me concern.

In explaining the position of the Attorney General to my colleague, the member for Downsview (Mr. Singer), prior to recess, with respect to his inquiry concerning subsection 1, I understand the Attorney General to say that he read (a) and (b) together as follows: "he has been a member of the bar of one of the provinces of Canada for at least five years and he has acted as a provincial judge for a period of five years." This is my understanding of what he said. It causes me some concern in this respect, if we are then to vest the ability to deal with indictable matters, this person must have been a member of the bar of one of the provinces of Canada for at least five years and he must have acted as a provincial judge for a period of five years—am I correct?

**Mr. Sopha:** No, it does not say that.

**Hon. Mr. Wishart:** I am sorry if I gave that impression, I hope I did not say that.

**Mr. Bullbrook:** Well, this is what I—

**Hon. Mr. Wishart:** A clear interpretation of that language means "or."

**Mr. Sopha:** Well, let us put the "or" in it.

**Hon. Mr. Wishart:** No, you do not need it.

**Mr. Bullbrook:** This is the whole point, you have to have the word "or" in there. The rules of construction, as I understand them, say that if you do not have the word "or" in there, then it is to be interpreted conjunctively. This is my understanding and I bow to your knowledge in this respect.

However, I will say this and I think *Hansard* will show this, sir, at least the fly-leaf on *Hansard*. I understood the Attorney General to say the word "and" because I wanted to rise on this previously. Then if it is going to be "or," and I will accept it is to be "or," but I suggest to the Attorney General for the sake of clarity, since he put the word "or" between (b) and (c), let us put it also between (a) and (b)—for the sake of clarity.

Now, if we use the word "or," then this means in effect that if he has acted as a provincial judge for a period of five years,

he is entitled to handle matters under part 16 of the code. This causes me concern. First, a picayune point: When this Act comes into effect, magistrates who have been magistrates for six years have not been, in effect, provincial judges for five years. Does this cause the hon. Attorney General any concern? Is he following me?

**Hon. Mr. Wishart:** I think so, if I understand the member. When this Act comes into effect, the magistrates will become provincial judges.

**Mr. Bullbrook:** Right. But if you read this strictly and literally it says he has acted as a provincial judge for a period of five years. I suggest, perhaps for the consideration of the Attorney General, if he thinks it meritorious, that it might read "he has acted as a provincial judge or a magistrate for a period of five years." On a strictly literal interpretation of subsection (b) he could not have been a provincial judge for five years because there was no such being as a provincial judge for the last five years. However, this does not cause me too great concern. I would ask the Attorney General to consider the amendment, I think it has merit.

What does cause me concern is this. If we are to interpret (a) and (b) as being mutually exclusive, if we are to say in fact that once you have been a magistrate or, in effect, a juvenile or family court judge for five years, you are then clothed with the right to try indictable offences. This then means that those people without necessary legal training are clothed with that availability to them, and I do not like this at all. I cannot, as a member of the profession, suggest more vigorously than I am able right now, sir, that nobody should be able to sentence a person to life imprisonment unless he has had some legal background and legal training.

I see a need in this statute, and I have spoken to the Attorney General personally about this, that there should be a distinction in connection with the family and criminal division, and I will say that I accept the attitude that we do not have to have lawyers on the bench all the time. I think some people in the psychological and sociological fields are eminently more qualified to sit in the family court bench, but I think you have to consider here the possibility of people without legal background being able to deal with indictable offences. And I would ask the Attorney General to comment on this

because I think this entitlement should be removed.

**Mr. Lawlor:** Mr. Chairman, this is the greatest departure from McRuer and, as I said in the previous reading, the most brilliant one. McRuer, in his report, on the one side says that all criminal magistrates, as I call them, must be, ought to be lawyers. He says that all family magistrates—or judges as they will be, all family judges having to do with family matters in family courts and juvenile courts—none of them need be lawyers at all. There is a great dichotomy set up in McRuer, and it is crystal clear.

Now, what has the Attorney General done? He has hit a middle path between the two. For some purposes he says they must be lawyers. On the other side of the fence he says, for other purposes, they need not be. And he has two tiers of judges coming under appointment here, some who are lawyers.

McRuer, on a family court matter does insist that while they need not be lawyers and it is probably preferable that they not be lawyers, they nevertheless must undergo some legal training and this legal training would be at some university. They must have gone through the long process of vocational training; and the fact is that they will grow hirsute and aged in the process of becoming family judges. They will be old men by the time they reach it. But when that welcome day arrives, they will finally rise to the bench.

And with that in mind, the position then is that they will be highly trained in psychology, sociology and all of the sciences, including a little law, sufficient to give them powers to sentence people to prolonged periods of time.

Now, with that clarification which I do not think has been made too clear previously in this House, I cannot see any objection to the sections as they stand at the present time. I do think the Attorney General means, at this junction between (a) and (b), that they are mutually exclusive; and within (b) he sets up an alternative possibility. With the type of adjudication being done, the fact that it is an indictable offence under part 16 of the code, certainly higher training, certainly a more erudite and a more experienced man, must handle these matters; and I think the Attorney General has handled it rather well if he is going to depart from McRuer at all and having done so, we raise no objection to this section.

**Mr. Sopha:** Will the Attorney General tell us what the phrase "provincial judge" means in (b)? To whom does it refer?

**Hon. Mr. Wishart:** Well, Mr. Chairman, I must say this, perhaps if I may come at it this way, with respect to the remarks of the hon. member for Sarnia. Again I have to express appreciation for the remarks of the hon. member for Lakeshore, and for the benefit of the hon. member for Sudbury I think I have to say this: The hon. member for Lakeshore pointed out that we had done what he thought was—perhaps he did not use the word "compromise"—but a middle way between the recommendations of Mr. McRuer in this particular instance of this section.

Now, with great respect to Mr. McRuer, whose recommendations we read and tried carefully to follow so far as they were feasible, we found ourselves—and I think surely this is a situation which we had to face, not writing a report on civil rights, but dealing with the actualities of the situation—we found ourselves with a court established over the long years, the bench consisting of mainly legally trained persons, lawyers, but a fair number of lay magistrates, many of whom have served a long time on the bench; and those who have served a long time, almost from the beginning—from the time of their appointment—exercising the full jurisdiction of the magistrate's court, part XVI of the criminal code included. We have found a method of bringing them to that jurisdiction—even under our present system—after an experience of time. But here we are moving from a present system into what, I must say, has to be a reasonable transition.

Take the matter of salaries alone. We cannot move suddenly from our present level of salaries, although I hope I may have an opportunity to say something about that as we move on in this Act, but we have to move into a transitional period from the situation we have operating now, we have need to deal with the situation in our courts. So we have to deal with our lay magistrates—

**Mr. Sopha:** Of which you have quite a number.

**Hon. Mr. Wishart:** Now the hon. member for Sarnia suggested that we should take into consideration, the addition of the words "has acted as a provincial judge or a magistrate" but if he would look at section 2, subsection (c) the other "or", and again, I reiterate that this language is disjunctive, it is: (a) he has been a member of the bar of one of the prov-

inces for at least five years, and you can read in there, I assure you you can read in the word "or", he has acted as provincial judge for a period of five years—

**Mr. Sopha:** How could he if he was appointed under this Act?

**Hon. Mr. Wishart:** And that means, sir, (b) that there would be no provincial judge exercising that criminal jurisdiction unless he was a lawyer of five years' standing, or if he were lay, he would have to serve five years, and then you come to (c), which picks up your present magistrates. It picks up the magistrates because it says, "or he was acting as a full-time deputy magistrate, magistrate or judge—juvenile and family court judge—before this Act comes into force."

So, we do pick up our magistrates, our deputy magistrates and judges in juvenile and family courts. All those (a), (b) and (c), are disjunctive I assure you, and I think I have surely made it clear that there is no need to amend—to write in "judge or magistrate".

**Mr. Bullbrook:** Might I direct a question? As I understand what you have said, sir, you are faced with a practical problem that you do have lay magistrates on the bench.

**Hon. Mr. Wishart:** Right.

**Mr. Bullbrook:** I think there is a degree of sympathy as I glean what you are saying, a degree of sympathy for the position of Mr. McRuer. I think that this government has somewhat exemplified a sympathy towards this attitude. I just put the position to you in effect, you through your legal aid plan, have assured the accused the right to counsel in connection with any matter under part 16. Right?

Well now, here you have the situation that he is assured by your legal aid plan of the right to legal training to put forth his case, but you are not going to assure him the right to legal training on the bench to adjudicate his case, and much more important putting forth the case.

I put this to you for your consideration, what you are doing, in effect, is perpetuating this situation because I do sympathize with the fact that you have the lay magistrates, and I do sympathize with the fact that you want to continue their availability to try these type of cases. This is covered by (c) adequately.

If you disposed of (b) entirely you would get rid of the member for Sarnia's objections because this is the thing, you are not



permitting lay magistrates, after five years on the provincial bench, to try these matters. This is in direct contravention of McRuer.

I have not mentioned McRuer all night. There have been too many mentions of McRuer in my opinion, but I ask you to consider this point sir, that you are giving the accused the opportunity for legal training to put forward his case. I think it is very incumbent upon you to give the accused the opportunity of having his case tried by somebody who has a legal background. I think this is essential.

**Mr. Sopha:** To which I want to add, no one needs to apologize for a minute about spending time on this statute because we are dealing with an extremely important matter, and with all respect to modesty, I say to my friend from Lakeshore, what we are doing here, in fact, is constituting the independent and separate arm of government that administers the law.

I am bothered by the wording of this section. As I look at 1(a), it seems to tell me that the only animal that can be called by the title provincial judge is one appointed under this House.

Then going to 9-2(b), if that is the case, there are no such people described in 2(b) until the Lieutenant-Governor gives Royal assent to this Act.

**Mr. G. A. Kerr (Halton West):** There will be, six years from now.

**Mr. Sopha:** There are not any now. The next natural step of that argument is that you catch the lay magistrates under (c).

**Hon. Mr. Wishart:** Right.

**Mr. Sopha:** What bothers me about it, is that the concluding words of the section appear to say that the lay magistrate can only act in criminal matters if he is designated by the Lieutenant-Governor in council. So, there is no grandfather clause that takes in all the ones now that have been acting.

So, Mr. Falzetta will not administer criminal matters unless the Cabinet says so.

**Hon. Mr. Wishart:** Right.

**Mr. Sopha:** Well, I object to that.

**Hon. Mr. Wishart:** Well, I do not. It gives an opportunity to myself and the government to appoint.

**Mr. Sopha:** What, in effect, you are doing is you are asking this Legislature in passing

this Act, you are asking us, to remove magistrate.

**Hon. Mr. Wishart:** No.

**Mr. Sopha:** Oh yes.

**Hon. Mr. Wishart:** No.

**Mr. Sopha:** Yes, from jurisdictions from—

**Hon. Mr. Wishart:** No.

**Mr. Sopha:** Oh yes, it cannot be otherwise if next week you do not appoint Mr. Falzetta.

It is unfortunate that I have to select his name, but I select him because he is such a good one.

**Hon. Mr. Wishart:** He is an excellent lay magistrate.

**Mr. Sopha:** An excellent lay magistrate, and you are asking us to give you the power, within your discretion, to either designate him to hear matters under part 16 of the code or not—

**Hon. Mr. Wishart:** The government is—

**Mr. Sopha:** So it amounts to a wholesale removal of lay magistrates.

**Hon. Mr. Wishart:** No.

**Mr. Sopha:** Except those that the government may, at its discretion, re-appoint.

**Hon. Mr. Wishart:** Right.

**Mr. Sopha:** And, I suppose, that that really is a matter for the government discretion.

**Hon. Mr. Wishart:** That is where the responsibility lies.

**Mr. Sopha:** When these people have served the public well over many years, I do not like to be party to their wholesale displacement by this statute. I would much prefer to gamble on their continued good service to the public—

**Mr. E. A. Winkler (Grey South):** Some of your comments are sensible.

**Mr. Sopha:**—than to leave it to the caprice of the government, and let me say I have never uttered a word in this House or any place else, in accordance with Mr. McRuer's fetish about lawyers. I have practiced so long in the magistrates court that I have come to the conclusion that with an intelligent lay magistrate exercising common sense

the accused is frequently better off than he is with a highly trained lawyer.

**Mr. Lawlor:** Hear hear.

**Mr. Sargent:** That is why we have lawyers.

**Mr. Sopha:** I have never been party to those observations.

Now, this is startling when I put it in that light, this wholesale removal. You appointed them, the government appointed them, almost everyone on the bench. Are there any left from Hepburn's era? I doubt it.

**Hon. Mr. Wishart:** We appoint them all.

**Mr. Sopha:** Are there any left? There are none left. They have security of tenure until this Act, The Magistrate's Act, is repealed. They have security of tenure. You are removing that security of tenure.

**Hon. Mr. Wishart:** We re-appoint them.

**Mr. Sopha:** And re-appoint them if you wish. But it leaves it open to you—

**Hon. Mr. Wishart:** With us, the responsibility lies.

**Mr. Sopha:** Where does the responsibility lie? There is a great difference between new appointment, fresh appointment and the removal of those who have served. There is a great difference. Any lay magistrate, until this Act is passed, has the protection of section 3—is that the one? No, section 2 of The Magistrates Act.

**Hon. Mr. Wishart:** What about the feelings of your friend from Grey-Bruce about magistrates?

**Mr. Sopha:** Look, I am the member for Sudbury. Do not ask me questions about anything else. Do not ask me. I will not tell him because he has no business asking me those questions.

**Mr. Sargent:** Ask me, I will tell you.

**Mr. Sopha:** I made it perfectly clear what you are doing, and I say it again to emphasize it. Until we pass this Act, every magistrate now holding appointment in Ontario has security of tenure. The Attorney General is, in fact, asking us to remove that security of tenure and to give him and the government a blank cheque whether to re-appoint those lay magistrates or not. That, to me, is certainly a startling proposition and one that I can hardly accede to.

**Mr. Kerr:** Mr. Chairman, the hon. member for Sudbury and the hon. member for Sarnia are at loggerheads on this issue. There is a difference of opinion as to lay magistrates and legally trained magistrates, and I think probably the profession is split on their opinion on these two classifications. However, I am one that agrees with Mr. Justice McRuer.

Dealing with this particular section—section 9 (2), subsection (b)—the hon. member for Sarnia apparently was worried that if a magistrate has been, or has acted, as a provincial judge for five years he could deal with part 16 of the code. His particular objection, if I understand his remarks correctly, Mr. Chairman, is that that provincial judge could be a lay magistrate.

Now, I think that we should possibly go back to section 8 in that I think that section 8 will look after section 9 (2) (b). In other words there is quite a procedure for screening applications to be appointed a magistrate or a provincial judge in this province after this Act comes into force. Therefore, we should not concern ourselves too much with section 9 (2) (b), because someone who after this Act has come into force has been appointed a provincial judge, in my opinion, would be a very capable and competent person to sit on the bench. So, I do not think there should be any concern about part (b) of subsection 9 (2).

I cannot help but feel, Mr. Chairman, that as we deal with the various sections there seems to be some confliction in some of the members' minds as to what power the Attorney General should have over appointment of magistrates, consideration of magistrates; whether or not they have acted in a proper manner; whether they have neglected their duty.

We heard this phrase "security of tenure" and as we started first to deal with this Act there seemed to be a wholesale desire to get rid of a number of magistrates in the province who were not competent. Now, at this stage in dealing with this Act, we are worried about certain lay magistrates, in my opinion, quite unnecessarily, because I think we should leave some discretion in the hands of the Attorney General as to their future duties.

**Mr. Chairman:** Shall section 9 carry?

**Mr. Lawlor:** Mr. Chairman, I think that so far as lay magistrates are concerned, they are fine; that having given five years of tenure

and practised before the courts at that stage, if they have any gumption or any ability it will show. They will then be competent to take criminal cases under their survey.

Very often these men, in my experience, have far more humanity, for more breadth of life, far more knowledge of human affairs than the narrowly legalistic mind, generally speaking, has. There is no special prerogative to that kind of mind in judging people, in handing out adequate or humane sentences. They have no monopoly on this, and for the lawyers to pretend to take this stand, and for McRuer himself—and this is one point in which he is dead wrong—to take that very lofty position that they should be all lawyers seems to me to depart from what is in the best interests of this government and this province.

**Mr. Chairman:** Shall section 9 carry?

Sections 9 to 11, inclusive, agreed to.

On section 12:

**Mr. Sopha:** Mr. Chairman, I would ask whether that precludes a provincial judge from acting on a board of arbitration in labour matters—that type of thing—conciliation boards?

**Mr. Lawlor:** Mr. Chairman, on—

**Mr. Sopha:** I have asked the Attorney General a question—perhaps he would like to answer.

**Hon. Mr. Wishart:** Looking at the section, Mr. Chairman, just to refresh my mind again on it—it says “a judge shall not practise or actively engage in any business or trade or occupation, but shall devote his whole time to the performance of his duties as a judge.”

**Mr. Sopha:** Then look at 2.

**Hon. Mr. Wishart:** And then 2, “A judge with the previous consent of the Minister may act as arbitrator, conciliator or member of a police mission”. Is there any difficulty with that?

**Mr. Sopha:** Yes, tremendous difficulty because Mr. McRuer rails against that type of thing.

**Hon. Mr. Wishart:** You are the fellow with the great words, not McRuer.

**Mr. Sopha:** Sometimes you act as if it is received on Mount Sinai and other times—

**Hon. Mr. Wishart:** No, I do not.

**Mr. Sopha:** I wish you would be consistent.

**Hon. Mr. Wishart:** I have indicated several places where I have departed from Mr. McRuer.

**Mr. Sopha:** All right. Let us put it this way. You have given them the right, with your consent, to act. Now what really is the necessity within the life of this province, in its industrial relations, what is the necessity for magistrates to act as arbitrators and conciliators?

**Hon. Mr. Wishart:** Perhaps none.

**Mr. Sopha:** None. Why not preclude them so that they devote their full time to the exercise of their judicial duties and do not bring their office into the realm of controversy where they elicit the scorn of sections of the community. Who is more qualified to speak on that in this House than I am, having lived in a community where that very thing happened; where the judiciary invited the ridicule and the contempt, the vilification of various sections of the trade union community. I say for heaven's sakes let us not put them in that arena again; let us remove them once and for all.

Now the Minister of Labour (Mr. Bales) is not here or we might direct to him a searching inquiry whether in the ordering of labour relations it is necessary that he get an assist from the Attorney General. Does he need the magistrates to act as arbitrators and conciliators? I doubt it. He said that he was building up a body of them and would be able to furnish them where needed.

Therefore, as a Legislature reconstituting the new arm of government in the fresh and new edifice that we are constructing here in this statute, let us resolve the matter once and for all and say that they shall devote their full time to the exercise of their judicial duties, period; and nothing else. Let me add by way of footnote that it is only in very recent years out in the boondocks that the idea developed that magistrates' courts should sit in the afternoon. You know that is a very recent innovation; that is only in the last couple of years.

It was thought, as almost a heaven-sent accoutrement of the office, that criminals in the lower court were dealt with only in the morning. If you suggested they sit in the afternoon, perhaps to hear a case, they would give you a look that would wither you. Only in the last couple of years has it become the practice in many communities that



they normally come back at 2 o'clock and continue to hear the list.

If that is the case, then for the proper allocation of their calendar, as a Legislature, I plead with the Attorney General, through you, Mr. Chairman, let us get them out of that revolting arena of controversy where they cannot help but invite the greatest amount of vituperation and scorn and invective upon their office by getting involved in industrial disputes.

The Minister of Justice did it in Ottawa. Let us follow suit here by saying to them, "Well, Mr. McRuer, if you look at that—and here I am taken by his recommendations. He says it is improper for a person who himself has a consciousness of the value of his judicial office to go outside it and take money for other employment. He put our judges on such a high pedestal in this country that we do not want to saddle them with moonlighting. We do not want them to be moonlighters—we want them to be men of high standing and independence in the community. We are not doing it with subsection 2; may I implore the Minister of Justice and the Attorney General to take that subsection out.

**Mr. Sargent:** Mr. Chairman, in dealing with this clause 12, the whole time to the performance of the duty as judge. I do not think that in this whole bill we have resolved anything at all. No changes will be made that we hope to be made, so this is an exercise in futility, I would say. Things you can put in your crop and remember, we have said them in the Opposition.

I may lose a good judge friend I play golf with but talking about performance of judges who, I would like to ask, sets the performance quota of the judges—the judicial council? The fact the judges can elect to take two months off in the summer time—we talk about the backlogs in our courts, Mr. Chairman. We have a great backlog in the courts but the judges seem to have time to take two months' holiday in the summer time. People who are subject to their pleasure will wait till the judge gets back off his golfing holiday.

I would like to ask, in an economy where everyone else has to perform to some standards, be he bootblack or executive; we have to perform to pay our income tax and run like blazes to stand still sometimes, but the judges can take two months' holiday and everything else waits until they get back. Now, who sets the performance quota of the judges, the judicial council?

**Hon. Mr. Wishart:** Mr. Chairman, perhaps I might be permitted, we have passed section 9.

**Mr. Sargent:** Not 12 itself.

**Hon. Mr. Wishart:** But, hon. member for Grey-Bruce, we have passed section 9 which sets forth that that judge has jurisdiction throughout Ontario; then section 10 which provided the appointment of a chief judge; and then the setting forth of his duties to designate judges to act in place of another judge for all purposes of general supervision and direction over sitting of courts.

Perhaps I might take a moment to say to the hon. member for Grey-Bruce that these judges, under this Act, will be provincial judges. They will serve anywhere in the province they are requested to serve. They will be directed by the chief judge, so that where lists are long and cases are numerous they will be directed to those areas, and their duties will be set forth.

I must say a word in defence of the judges. I think there are very few judges who take two months' holidays and I think the hon. member exaggerates. They work hard. They have many duties—

**Mr. Sargent:** They do pretty well.

**Hon. Mr. Wishart:** They have many duties beyond sitting on the bench. They have to examine the cases. They have to write judgments. They have to read the law and make themselves familiar with the law which is cited to them in the courts. So I think a word in defence of judges is not amiss here. I regretted to hear the hon. member speak of that "jazz and hocus-pocus" in the courts because the judge wears a gown or has a certain dignity—

**Mr. Sargent:** What do you call it?

**Hon. Mr. Wishart:** Well, you could say the same thing I suppose, about the Speaker, a certain gentleman sitting in front of me here wears a gown but I do not think this is undesirable, I think this adds to the dignity of the court.

**Mr. Sargent:** It is ridiculous, the whole thing.

**Hon. Mr. Wishart:** I think it adds to the dignity of the chamber as certain things add to the dignity of other functions.

**Mr. Sargent:** In the States they do not do it.

**Hon. Mr. Wishart:** The church has gowns and formal dignity.

**Mr. Chairman:** Order, please!

**Hon. Mr. Wishart:** Perhaps the church does it. Now, Mr. Chairman, to come to the hon. member for Sudbury.

I would not want to be controversial with him on this point. Perhaps the provincial judge might never be needed in an arbitration or conciliation as in section 12, subsection 2, but I note that that is carried forward from a previous Act. But I do have to disagree with him when he says our judges are downgraded, become vilified and lose their status and their standing because they act in arbitration.

**Mr. Sopha:** They picketed the courthouse in my community.

**Hon. Mr. Wishart:** Yes, you may have had one or two instances. But I can tell you of judges who served time after time both on arbitration and conciliation in labour-management matters. I can tell you that they were highly regarded and sought after most eagerly by labour and by management.

When the Minister of Justice—the former Minister of Justice, not the present one, at Ottawa—took from our supreme and county court judges the right to sit as conciliators and arbitrators, and at least the right to be paid for that service, there was no one more upset than labour. I am sure the gentlemen who know labour will support me, and management. They were shocked. They were upset. They were disturbed.

**Mr. MacDonald:** Nothing had been done to develop a panel of alternative personnel.

**Hon. Mr. Wishart:** We started out, with my colleague, the Minister of Labour, to develop a panel because we were placed in a very difficult position.

**Mr. Sopha:** For a very good reason.

Interjection by an hon. member.

**Hon. Mr. Wishart:** I heard those remarks. I know them, I was here and heard a good many of them.

We worked together to set up a panel of eminent people. We are getting some academics, we are getting some citizens. I am by no means certain—I take nothing away from those people who come forward to serve—that we are getting any better persons with better judicial qualities than our judges and

we are still, thanks to the judges, able to get from our county and district court benches judges who will come forward and serve without pay in conciliation and arbitration matters, and labour and management are happy that we are able to find them.

There are about 20 or 24 of them out of our county court benches who serve time after time, and their attitudes were excellent. They were judicial and, as I say, both labour and management knew this, learned this, accepted this and asked them to serve. They would go to seek now when they had to write an agreement, if they were permitted, and would name a judge. Both of them agreeing together, this is a fact.

This subsection says "A judge with the previous consent of the Minister", so there is that safeguard, and this section comes from the Act cited RSO 1960, chapter 226. I think we may leave this with the consent of the Minister and I am quite sure that the Minister is not going to direct a new provincial judge or a provincial judge into a situation too frequently where he has got work to do on his bench, and where he has not got the qualities that would be useful as a conciliator or as an arbitrator.

I would like to leave that there because the need might well arise where his services would be very useful.

**Mr. Sopha:** One additional comment. It is very interesting to note that whereas the Attorney General spoke very glowingly on the work of the county judges, he is unable to fetch up from memory or experience, the name of any magistrates who ever achieved high prominence in this regard. Certainly not Hanrahan. He did a good deal of it, but he never reached the stature of people like Judge Walter Little or Colin Bennett or Judge Anderson of Belleville—

**Hon. Mr. Wishart:** The answer to that, Mr. Chairman, should be very apparent to my hon. friend. The bench of the magistrates was not, in any way, to be compared with the district county court bench.

But, under this Act it may very well be. The salary level is going to be the same.

**Mr. Sopha:** A specious answer. One thing needs to be said, that the Attorney General's argument overlooks the fundamental principles laid down by Mr. McRuer to the effect—

**Mr. Chairman:** Order! Order, please! I thought you were agin' McRuer!

**Mr. Sopha:** I know that. But I was carrying on this argument with the Attorney General.

**Mr. R. M. Johnston (St. Catharines):** This sounds like a debate by the law society of Upper Canada.

**Mr. Sopha:** Well, that may be so, and the comment of the hon. member for St. Catharines is not very helpful. It shows the lack of appreciation of the importance of the matter.

**Mr. Chairman:** The interjection is out of order. Will the member for Sudbury continue.

**Mr. Sopha:** Yes. The fundamental principle laid down by Mr. McRuer is that you must not put these people into a position of accepting reward—money, pay from someone else. That puts them in a terribly invidious position.

**Hon. Mr. Wishart:** There is nothing about paying here.

**Mr. Sopha:** The implication is that they are going to be paid. At the moment he is a man in the position and with the integrity of a judge whom we want to build, foster, create, do everything we can to cultivate. The moment you put him in the position where he is accepting reward for someone else, then you dilute the integrity and the quality of his office, and Mr. McRuer spends several pages in enunciating that principle.

Here, the Attorney General, in order to show his independence of Mr. McRuer, degrades from that principle, to the Attorney General's disadvantage, because the logic and weight of argument in Mr. McRuer in this area is much superior to what we have heard from the Attorney General in defence of this principle.

**Mr. Lawlor:** Mr. Chairman, I said a few moments ago that Mr. McRuer was dead wrong on some things, but in this particular matter I cannot help but say he is dead right, and the bill is quite wrong.

Incidentally there is no reason why Mr. McRuer's name should not be very much in the forefront of this House. Where will you get a more detailed, a more erudite, a more fundamental researched argumentation?

**Mr. Sopha:** A more sober one.

**Mr. Lawlor:** Oh, no! Let us not go that far. Mr. McRuer at pages 542 and 543 gives us arguments. What are these arguments? He has five major arguments here against this

particular subsection, each one of which all by itself seems to me quite overwhelming.

He first of all makes mention of The Magistrates Act, section 10. There has been a section there for many, many years saying that magistrates must tend to their duties and should have no extracurricular activities in the way of acting as quasi-judicial officers. He goes on to say here—

**Mr. Sargent:** The member is out of order.

**Mr. Lawlor:** He says:

Notwithstanding this express prohibition, 37 magistrates are employed on 68 boards of commissioners of police, for which they are, in some instances, paid substantial salaries, while in other cases the amount paid to the magistrate is quite trivial.

Magistrates ought not to be members of boards of commissioners of police for many reasons. Not the least of these is that there ought not to be an employer-employee relationship between judicial officers and the members of the police force. Another equally sound reason is that police commissioners make laws. A judicial officer ought not be engaged in the legislative process other than that which may relate to procedure.

Apart from employment of magistrates on boards of commissioners of police, eight magistrates were employed as members of boards of conciliation and in labour disputes during the years 1960 to 1965, including one who is now retired. His time spent on these duties was very little. A magistrate, now retired, while active was paid \$32,220 over the period. This amount would indicate that almost 500 days during that period were devoted to duties that did not come within section 10 of The Magistrates Act. These duties were performed at the request of the Minister of Labour.

There can be no doubt about the importance of the duties in question, but it is quite contrary to The Magistrates Act to ask magistrates to perform them. In addition, it is not just to accused persons that magistrates—

And this is where the second major point comes—

It is not just to accused persons that magistrates who are appointed to preside over trials should be otherwise engaged, nor is it just to other magistrates, who perform their duties at their fixed salaries, to be



required to substitute for magistrates who are receiving remuneration in addition to their salaries.

And finally, the fifth point:

There is another objectionable feature to magistrates acting on labour arbitrations or in labour disputes. Very frequently disturbances arise out of labour disputes and these come to the magistrates' courts in one form or another. A magistrate who has acted as a conciliator or an arbitrator, and received remuneration as such, is in a very difficult position when he is called upon to try those accused of committing breaches of law, be they employers or employees, which may arise out of strikes or lockouts. It is highly desirable that magistrates, like county court judges, confine themselves to the performance of their judicial duties.

Some hon. members: Hear, hear!

**Mr. Sopha:** Well spoken. Perhaps the Attorney General can see that his position is indefensible in the light of that; just indefensible. This is going to affect the lives of future generations of the residents of this province. It is a matter of deep principle which we feel very strongly about. We are part of the government, too, in the broad sense, and we want this thing to take the most salutary direction it possibly can take.

We ask only this, that these courts have attached to them a pious degree of integrity and independence of action, and we cannot surrender that principle. We would be remiss in our duty over here if we derogated that responsibility. It simply comes to this—a plea to the Attorney General to be reasonable in this regard; to which I add, Mr. Chairman, that had this bill gone to the committee, we would not have had all the irritation that we see here tonight with the lengthy discussion on something that is vitally important in the life of this province.

We could have discussed this in a leisurely atmosphere of the committee. We were denied that. I make no apology for pressing this matter. I am willing to tolerate all the asinine interjections that I hear. I never thought until today, I never felt, as Kenneth Bryden must have felt—that man of great ability, who used to stand here and press his point and cast aside the slings that used to be hurled at him. I feel very much like him tonight in pressing a matter of deep principle here.

That subsection ought to come out, and these people—I do not care if they go, I do

not care if they have two months' holiday, whatever they do—but I want them to have the greatest measure of independence of action that they can possibly have. They did not have it in Sudbury where they came under vilification by the trade union movement because they were in a very explosive situation.

These things could occur again; they will recur if you put them in the arena. What were the words of Lord Justice Denning Jones—national coal board, 1937, 1, All England Reports—he said that when you put a judge down in the arena, he gets muddy; he gets dirty by what goes on in the arena. Now let us preserve them from this. I say to the Attorney General in the most earnest terms, let us take this subsection out.

**Mr. M. Shulman (High Park):** Mr. Chairman, through you to the Minister, does section 12 (2) also allow judges to act as heads of Royal commissions?

**Hon. Mr. Wishart:** Section 12, subsection 2 says "A judge with the previous consent of the Minister, may act as arbitrator, conciliator or member of the police commission". That is all.

Mr. Chairman, first of all I would like to say I shall be brief. Second, I would like to say I do not find this debate irritating at all. I think it has been most helpful. I think it has been most enlightening and I think it has been most enjoyable all day. There was no attempt to prevent this bill going to the legal bills committee. I think the feeling of the whole House at the time of second reading was clear—but perhaps we did not make it apparent—but there was no attitude of not wishing it to go to committee. I think we are having an excellent debate here, which is a good place to have it where all members can take part.

True, in committee we might have arrived at certain things, but then we would come back to the House and it still would have had to go through committee of the House. Every member could have taken part in the debate; we could have had it all over again.

I would like to say this, the hon. member for Sudbury has more than once in this debate said with some vehemence—with some pride I thought—that he differed on many points with the hon. Mr. McRuer. I agree with him; and I take some freedom to differ, too.

I have discussed with Mr. McRuer at length and over a period of time his attitude about

judges and magistrates, particularly judges, acting in what the hon. member has described as moonlighting, in extra-judicial work, or other functions. I think I say this correctly; Mr. McRuer's attitude generally was directed in opposition to judges acting in that manner where they were appointed by the parties, by agreement, and paid extra money by the parties.

I think his opposition went further than that to where they were asked by government to serve as a conciliator, not a named conciliator appointed by labour or management or by two parties to a dispute as arbitrator. But I think it is quite right to say that Mr. McRuer's opposition went further than that and went to the situation which the hon. member deals with here where a government asks judges to serve.

I think his serious objection was to the situation where judges were brought in by the parties. He felt that perhaps the remuneration was an attraction to the judge; that parties were paying them fairly substantial sums of money and if they served on many occasions through a year they could augment their salaries to a very large extent. They might, therefore—they certainly would have the temptation—neglect their judicial duties; and some other judge, some other member of the bench, who was perhaps not inclined to conciliation or arbitration, had to pick up the backlog of the cases and do the work of the judge who found himself very busy and enjoying conciliation and arbitration.

The result was that an attitude, I think, which the hon. members can understand, grew up on the bench that some judges were making a few thousand dollars extra while other judges were doing their work. It was a bad thing. I agree with Mr. McRuer, that from that point of view it was bad. But I say this, as I have pointed out before, there were no persons better qualified, there were no persons better accepted for doing conciliation and arbitration work than those independent persons who had been trained—generally the judges, of course, were legally trained—who came to a situation with a judicial attitude and a mind trained to deal with facts and arguments. **Those judges we miss very sorely.**

The Minister of Justice at Ottawa—I think it was just last year, early in the year or about a year ago—said they can no longer act. But he only said for remuneration, he did not forbid them to act. And they have been good enough in many instances to carry

on their duties and to come forward still, much to the approbation of ourselves and of labour and management, to act in conciliation and arbitration. All we are saying here is that, if we see fit—we have said nothing about remuneration—if we see fit, and if we find in this new bench persons of quality, trained, and with judicial attitudes, and independent, if we find persons who have those qualities and we need them, there will be still at the discretion of the Minister the right to say: "Would you take this dispute and use your qualities to try and settle it to help the province?" I think this is quite good and proper.

**Mr. Sopha:** Fine. I will compromise with you. When you accept the words with the previous—

**Mr. Shulman:** Mr. Chairman—

**Mr. Chairman:** Order, please! The member for High Park had directed a question to the Minister.

**Mr. Shulman:** Yes, Mr. Chairman, the Minister was kind enough to read the section to me in reply.

What I am trying to find out is, in future, are we going to keep judges out of the terrible position that we are both aware that judges have been thrown in the past, where they have to head Royal commissions—particularly Royal commissions of the type that degenerate into political brawls where judges are abused? This, of course, should not occur in the future. What I am asking the Minister is, does this section—and I trust he can give me yes or no—allow judges to be appointed as heads of Royal commissions, because if it does, it is wrong?

**Hon. Mr. Wishart:** No, it does not. I thought the language was clear when I read the section. He may have acted as an arbitrator, or a conciliator, or a member of a police commission.

**Mr. Shulman:** Then may I ask the Minister, through you, Mr. Chairman, are we to understand that in future, reading section 12 (1), that judges will no longer act as heads of Royal commissions?

**Hon. Mr. Wishart:** Mr. Chairman, the hon. member should understand that here we are dealing with a new Act, The Provincial Judges Act, which is designed to replace our magistrates' courts and to replace the magistrates, who will, henceforth, after the passage of this bill, be known as provincial judges.



We have, of course, The County and District Courts Act, which is not involved here, and we have The Supreme Court Act. Those judges are appointed and their duties outlined by the federal government, by the Parliament of Canada, or by the Governor General in council, and their duties are set forth and under various Acts of this Legislature such as The Public Inquiries Act. Those judges may be appointed, if they care to accept the position of a Royal commissioner, in the holding of a Royal commission of inquiry.

This has nothing to do with this Act. These judges are not qualified under this section to act in that way at all. I am not dealing here, nor is the House dealing here, with the duties or powers of county and district judges or Supreme Court judges.

**Mr. Shulman:** Thank you, Mr. Chairman, the question I am asking though, is, does the wording of section 12 (1) inasmuch as it refers to the judges that come under this Act, will this not prevent such judges from acting as heads of Royal commissions? I am hoping it will.

**Mr. Chairman:** I think the Minister has explained clearly that this is referring only to the provincial judges.

**Hon. Mr. Wishart:** I think the answer is "no." I think the hon. member previously referred to section 12 (2) but he is now on (1). I still say the answer is "no," they cannot act.

**Mr. Sargent:** Mr. Chairman, in this section of the Act we are defining the different hats that the judge may, or may not wear. In the widest sense this is defining the areas of operation of the judge. May I say, Mr. Chairman, that I think that no Minister of the Treasury is more often on the hot seat and has a more difficult portfolio than the Minister. I think he does an admirable job and I compliment him on that. But, I do want to say that he takes objection to my phraseology of what I think goes on in the courts. These are my own opinions. Sometimes I have great contempt for the courts and I hope that you will accept that I have the right to say what I think about law enforcement in this province and I respect your rights too.

What I would like to say, Mr. Chairman, in defining the areas of operation of judges is that I object very strongly, as a citizen, that top lawyers in this province of ours can,

through juggling of the courts or getting to the judges, influence the judges on behalf of their wealthy clients to keep their—

**Mr. Chairman:** Order Order!

**Mr. Sargent:** —to keep their case out of court for two years.

**Mr. Chairman:** Order! Order! The member is entirely out of order. He is not speaking to section 12.

**Mr. Sargent:** All right. This is pretty wide —what I am saying about the performance of judges, Mr. Chairman—but how does anyone get a judge—what judge makes a decision on when a trial will be held?

**Mr. Chairman:** This has nothing whatever to do with section 12.

**Mr. Sargent:** This is pretty important, Mr. Chairman.

**Mr. Chairman:** It may be, but it has nothing to do with section 12.

**Mr. Sargent:** We are talking about the areas of responsibility and what judge makes a decision.

**Mr. Chairman:** With great respect to the member, we cannot permit this discussion under section 12.

**Mr. Sargent:** Mr. Chairman, respectfully, we have it pretty wide here—arbitrator, conciliator, member of police commission.

**Hon. Mr. Wishart:** Mr. Chairman, may I offer to the hon. member the suggestion that in the debate on my estimates I would be glad to go into some of these wide-ranging subjects, but I think he is out of order on this section, certainly.

**Mr. Sargent:** Thank you.

**Mr. Sopha:** I would like to refer to the comments of the Attorney General. I would have liked to have continued the exchange between us about this that I offer as a compromise.

He referred to the fact that the Minister of Justice of Canada directed that the judges appointed under the BNA Act might not accept remuneration for the extrajudicial work. He did so in the light, I suppose, that the Minister of Justice can make the same observation that Mr. McRuer made of the reasons so well read into the record by the member for Lakeshore. Very well, then, if the Attorney General is set on the section and



if he sees great value in them acting as arbitrators or conciliators—a view I do not share, but I am prepared to make my view accord with his judgment—so therefore I offer the suggestion that after the word “consent” we put in the words “without remuneration for so doing.” So we make it absolutely clear that they may, out of a sense of public service and with the consent of the Minister, act as arbitrators and conciliators, but there will be no question of them violating principles of integrity which are set out by Mr. McRuer.

**Mr. Lawlor:** They should not be on the police commission.

**Mr. Sopha:** No, they should not be on police commissions, either, I quite agree with that. I should tell my friend, the member for Lakeshore, that for at least seven or eight years we have raised that in this House. We have objected most violently to them being on police commissions and we will do it again during the estimates, I suppose. I was not going to dwell on that tonight.

But, to hold the Attorney General to his words, surely, as a compromise solution, he would accept those words “without remuneration for so doing” after the word “consent”. That would cure the problem to a large extent. We would have two bars, it would not be inviting financially, and they would have to have the consent of the Attorney General. That would satisfy me as a practical way of preserving to them the qualities of independence that we want to have adhere to that very high office in our society.

**Hon. Mr. Wishart:** Mr. Chairman, just a word. The last recommendation which Mr. McRuer makes in his report dealing with magistrates’ courts, in volume 2, at page 544, his recommendation No. 15: “Magistrates should not be permitted to accept extrajudicial employment for remuneration.”

**Mr. Sopha:** Right.

**Hon. Mr. Wishart:** I am quite aware of that. I have read his report more than once, particularly in this area.

Mr. McRuer’s objection, as I say, his main and serious objection was in the case where judges took remuneration from parties, generally both parties, and were selected and chosen because they were competent. The parties accepted them and thought they were the type of person they both wanted; and a great many of them were being engaged time after time, and were doing a good job

or they would not have been selected and named in agreements.

I do not think Mr. McRuer’s objection was so serious, or directed to the case where government or a department of government in a labour-management or some other type of dispute, selected a judge and said, “We would like you to act because you have the quality of mind and character and ability and judgment and independence that we need.”

The member for Sudbury has pointed out that although this section is in the present Magistrates Act in almost the same language, he does not know of a case, or scarcely a case, where a magistrate was ever used. I do suggest to him that when we have established a bench of quality such as we now have, in our county and district courts, I think there may be occasions not where these people will be permitted to select them and name them as conciliators or arbitrators, but where they may be required. It may be useful to have them, and to say in this case, “Will you, Mr. Judge So-and-So, come forward and act?” and I think that if you ask a man to do a job that has some value to it, that the labourer is worthy of his hire.

But I am always willing to go a long way to meet the very cogent arguments and suggestions of the hon. member for Sudbury, but I would ask him, perhaps this is not a compromise, on this occasion not to press his point further. I would like to leave that section as it stands.

**Mr. Sopha:** Well, the Attorney General has the numbers, I do not have them.

**Mr. J. B. Trotter (Parkdale):** In regard to section 12, I would like to know the Attorney General’s opinion, Mr. Chairman, as to whether or not he thinks a judge should act as a trustee of an estate. I think it is legal, I do not think this Act changes it in any way.

Does the Attorney General think a judge should be a trustee, either of a trust deed or of an estate?

**Hon. Mr. Wishart:** An executor?

**Mr. Trotter:** Executor, yes.

**Hon. Mr. Wishart:** Certainly, Mr. Chairman, this is hardly in point here. It is not covered in this section. I suppose some testator appoints a judge in his will or testamentary disposition of some sort, to act—I cannot see that a judge would be out of the line in acting, if the other matters in that estate were being dealt with before some other

court. I do not think he should be trustee and judge of his own action. Probably what a judge would do in any event would be to ask if he could resign his position and have the court appoint somebody else in his stead. I do not think there is anything against that in law and I think the judge probably could carry out the duties very well without infringing on his other duties or without compromising his position in any way. But that is certainly, Mr. Chairman, a little bit off our discussion here.

Sections 12 and 13 agreed to.

On section 14:

**Mr. Chairman:** I believe there is an amendment to section 14.

**Hon. Mr. Wishart:** Mr. Chairman, I would move that section 14 be amended by relettering clause (b) as clause (c), and by adding thereto the following clause:

(b) in the regional municipality of Ottawa-Carleton the provincial court (criminal division) of the regional municipality of Ottawa-Carleton.

That is necessary now as being complementary to the bill incorporating Carleton county into a regional municipality.

Section 14, as amended, agreed to.

Section 15 and 16 agreed to.

On section 17:

**Mr. Sopha:** Mr. Chairman, I think the Attorney General gets himself into a terrible paradox here. As I read this section—

**Hon. Mr. Wishart:** Could I, Mr. Chairman, since I have an amendment, move it and then perhaps we could have the discussion?

**Mr. Sopha:** All right.

**Hon. Mr. Wishart:** I move, Mr. Chairman, that section 17 of the bill be amended by relettering clause (b) as clause (c), and by adding there to the following clause:

(d) in the regional municipality of Ottawa-Carleton, the provincial court (family division) of the regional municipality of Ottawa-Carleton.

That is complementary also to the bill making that a region.

**Mr. Sopha:** As I read 2 (a) of section 17, I conclude that a juvenile court judge, upon whom there was such fastidious care in

earlier sections of the bill to ascertain those dealing with serious criminal matters, have legal training. Now we go to the side where they are not likely to have legal training and under 2 (a) the judge could try a juvenile for murder or any other terribly serious criminal offence and not have legal training. Well, I say that that is certainly a startling dichotomy, because, clearly, under The Juvenile Delinquents Act of Canada, there is power in the juvenile court to try a juvenile for those serious offences. And here you are depositing a situation where a man who does not have legal training is supposed to look after the interest of juveniles, and might be faced with very serious charges against a juvenile. I just do not understand the apparent paradox that exists.

**Hon. Mr. Wishart:** I do not follow the hon. member, Mr. Chairman, I must confess. Section 17, the section we are discussing, that sets up the provincial court, family division, provides there shall be a court for each county and district—a court of record.

**Mr. Sopha:** Right.

**Hon. Mr. Wishart:** Presided over by a judge.

**Mr. Sopha:** I can explain it very easily—

**Hon. Mr. Wishart:** Is it subsection 2 then?

**Mr. Sopha:** Yes; 2 (a).

**Hon. Mr. Wishart:** “Each provincial court is a juvenile court for the purpose of dealing with juvenile delinquents.”

**Mr. Sopha:** Yes.

**Hon. Mr. Wishart:** The marginal note indicates that it comes from the Revised Statutes of Canada 1952, chapter 160. That such court has all the powers vested in a juvenile court under that Act and it would refer to The Juvenile Delinquents Act of Canada, so, that just simply brought in the present federal statute.

**Mr. Sopha:** Right. What I am saying is that presumably the criminal division deals with criminal matters. I think that that is a fair assumption.

**Hon. Mr. Wishart:** Yes.

**Mr. Sopha:** And the family division deals with everything else including juveniles and yet, it is only in criminal matters, that is to say, those dealt with by the criminal division,

that you have the insistence of the qualification set out in 9(2). I am merely pointing out that in the family division these judges can deal with very serious criminal matters in respect of juveniles. Indeed, a juvenile can be charged with being a juvenile delinquent in that he did murder a human being, and to try that person, I see no insistence in the Act that in order to protect the rights of the juvenile the judges in the family division shall have certain minimum qualifications.

Now, I say that is a terrific paradox. In other words, what you are saying is anybody can try a juvenile, but if we deal with adults in the criminal courts, under part 16 of the criminal code, we must fastidiously ensure that the judges have certain qualifications, and they are listed in section 9(2).

**Hon. Mr. Wishart:** Mr. Chairman, I am trying to follow the reasoning of the hon. member. In (a) of section 17-2 (a) the court is established as a juvenile court for the purpose of dealing with juvenile delinquents.

**Mr. Sopha:** Yes.

**Hon. Mr. Wishart:** So as soon as The Juvenile Delinquents Act of Canada is proclaimed in force such court has all powers vested in a juvenile court under that Act.

When we come to (b), the judge, at least the court, has power to try any child charged with an offence under the laws of Ontario.

Now, to get jurisdiction in that. On the criminal side, to try a case under section XVI or part XVI of the code, if we go back to 9(2) "a judge shall not exercise the powers or perform the duties conferred or imposed upon a magistrate"—under part XVI of the criminal code, "unless he has been a member of the bar for at least five years, or he has acted as a provincial judge for a period of five years, or he was acting as a deputy—full time deputy magistrate—or magistrate or judge and has been designated to have that power by the Lieutenant-Governor in council.

**Mr. Sopha:** He is a man of training and experience.

**Hon. Mr. Wishart:** So, I think to have a criminal jurisdiction he has to have either the legal qualifications or the five-year experience and then be designated, if he is qualified. I think this is a fair cloak of caution around about him.

As the hon. member said earlier in this debate, he practises quite frequently before a lay magistrate who, I believe, sometimes acts

as juvenile and family court judge in Sudbury and who is an excellent magistrate, who has, from his experience, reached the stage where he could be entrusted, I think, to try criminal serious offences which are on our criminal code.

I think we have thrown around the juvenile and family court, at least around the exercise of the criminal jurisdiction, a fairly adequate cloak of protection.

**Mr. Sopha:** Well, what I am saying is that nowhere in the Act is there anything setting out the qualification of a person to try juveniles. It can be anybody. It can be the druggist that you have appointed. You appointed a druggist in Sault Ste. Marie, in your own home town, the juvenile court judge was a druggist.

**Hon. Mr. Wishart:** Yes.

**Mr. Sopha:** He can continue to be a druggist. But when you are dealing with adults under part XVI of the code, you insist that the people trying the adults have qualifications, they are in 9(2). But then you go over to juveniles and you say these judges can be anybody.

**Hon. Mr. Wishart:** Presided over by a judge.

**Mr. Sopha:** You are silent about qualifications, and that I do not understand. I am utterly unable to understand it. I am more concerned that qualified people try juveniles. If I were setting out qualifications I would want the most qualified people available to try juveniles, to try to prevent the life of crime. Anybody—you and I—could get on the bench tomorrow and try the old lags that we see coming. We just give them \$25 and costs or 30 days.

**Hon. Mr. Wishart:** And time to pay.

**Mr. Sopha:** And time to pay, certainly. Anybody could do that, but where is your insistence that we have highly qualified people? What you are going to say to me is that you will appoint qualified people.

**Hon. Mr. Wishart:** Well, I would say that, but I would say more. I will say it briefly that in section 17, I believe we are on 18, but the court—the provincial court family division—is presided over by a judge, and the qualifications of the judge, any judge, to try criminal matters is set forth in 9(2). He cannot try a criminal matter unless he has those qualifications.



**Mr. Sopha:** That is true. All right I will not press it.

Section 17, as amended, agreed to.

Sections 18 to 23, inclusive, agreed to.

On section 24:

**Mr. Sopha:** Does this carry forward something that existed before?

**Hon. Mr. Wishart:** Yes, it does.

**Mr. Sopha:** I hate to think of a probation officer as a police constable. Does he have to be?

**Hon. Mr. Wishart:** Sometimes such powers are extremely necessary and worthwhile, I would say. Probation officers, I think generally, are persons who are sympathetic and understanding, but there are situations when some of the juveniles they deal with make it necessary that they have to have powers to enforce reasonable discipline and control, and this is the section which is carried forward.

Sections 24 and 25 agreed to.

On section 26:

**Mr. Lawlor:** Mr. Chairman, section 26 3(c), where the rules committee which has been specially set up for the family division, you will note, and not for the criminal division. It was specifically set up with a view to dividing the kind of procedures in this court. It would have two processes of adjudication.

One would be with respect to the adults who appear before that court and the other, with respect to the juveniles, and the rules would be quite different in both cases.

One would be an advocacy system whereby the usual rules of evidence, exclusion, and so on, and the antagonisms of lawyers which have the forefront would have to be pushed into the background in the interest of young accused persons.

My question is, or my observation is in connection with (c). Does it make that clear enough? Does it go far enough? Does it spell out sufficiently for the purposes of the rules committee what you are after here? Does it show what the real intent was?

It is prescribing and regulating the proceedings under any Act that confers jurisdiction upon the courts, or a judge sitting therein.

I would think that perhaps there should be more elaborate directions as to precisely

what this rules committee is designed to do in this central focus of its whole works, and some indication to this committee as to what precisely you have in mind. That different sorts of proceedings are in order, are pertinent and necessary to the proper running of that particular court. This section certainly does not do that.

**Hon. Mr. Wishart:** Well, Mr. Chairman, I think briefly that the answer to this is that the criminal side of the rules are set forth in the criminal code, and must be followed in that jurisdiction. We need rules in setting up this new family division of the court. Our rules in criminal procedures are long established and well known and laid out by federal legislation, namely the code.

Here we need rules, and I think that we have gone far enough in these five headings to cover the procedures which will be required in this new division, or this new court. I think we can trust to the rules committee to cover the field and make the necessary rules, and I do not think that I can think of a better body.

**Mr. Chairman:** Shall section 26 stand as part of the bill?

The member for Dovercourt.

**Mr. D. M. De Monte (Dovercourt):** Mr. Chairman, in this section, if the rules committee so desired, could it preclude, for instance, the application of the Ontario or Canada Evidence Act, or any other Acts that protect the accused before the courts? This is specifically a provincial court, and technically no laws of evidence apply to it.

**Hon. Mr. Wishart:** I would certainly think not, Mr. Chairman. The Evidence Act of Canada, and The Evidence Act of Ontario are statutory enactments which have the force of statutes.

I am quite certain, and I would say to you that a rules committee would not make a rule that would fly in the fact of a statute. As a matter of fact, we had an experience where the rules committee did recently make a rule and the court said, "This is beyond your jurisdiction." So, we brought it into legislation this year.

Sections 26 and 27 agreed to.

On section 28:

**Mr. Sopha:** Would the Minister acquaint us as to what the remuneration will be under 28 - 1(c)?

**Hon. Mr. Wishart:** Mr. McRuer made a recommendation, if I may refer to that, suggesting strongly that the remuneration of these judges be on a par with that of district county court judge. That is \$21,000 from the federal government, less \$2,000 if they get any remuneration from the province. Anyway it is \$21,000.

We felt that we had a certain situation here where it was not reasonable suddenly to take overnight, judges, once they are appointed under this Act, and bring them from, say, \$14,000 or \$15,000 or \$16,000 or \$17,000 to \$21,000. We do not have that range of salaries at the present in any event.

We have been able, I may say to the House, to move the range of our lay magistrates from \$14,000 to \$18,000, so we have the five ranges there. They could be incremented up to \$18,000. For the legally trained magistrate, and in this area one has to consider the experience also, the range of salary is from \$17,000 to \$21,000, so they have the five ranges there also, \$21,000 being the top level.

That is not to say that every magistrate would go there on appointment as a judge, but he would be within that range and would work to achievement of the top salary range as it is at present established of \$21,000.

**Mr. Sopha:** What was the minimum?

**Hon. Mr. Wishart:** It is \$17,000; \$17,000 to \$21,000. That is a range of five levels, with a \$1,000 difference between levels of the legally trained magistrates—\$14,000 to \$18,000; and you will notice that they overlap there for the lay magistrate.

I would think that as we move into experiences under this Act, the hon. members will recognize that salaries and salary ranges are things that we can negotiate and adjust, subject to Treasury and Cabinet approval from time to time. I would hope that as we move along and get through our transition, and as some of our less trained magistrates reach retirement, we would be able to establish a level bench.

**Mr. Sopha:** In the concluding part of the debate on this bill, the Attorney General was very kind to use the word cogent in relation to some of the remarks I made here. But now I reach a state of great humility, because now, I see how unimportant we are.

Here I spend the evening knocking my brains out in trying to get the Attorney General to adopt some suggestions. Making obser-

vations. When I hear the salary scale, I really see what an unimportant role we play in the life of this province.

When you compare what we are paid for the long hours that we spend here, from nine to eleven every night, 14 hours a day, month after month, and the pittance we get compared to these people in another realm of government, it surrounds me with great humility.

**Mr. Chairman:** The member for Lakeshore.

**Mr. Lawlor:** Mr. Chairman, just a word on the returns to be made by magistrates. Again Mr. McRuer, on page 904, talks about how the duties imposed on magistrates in making monthly reports and returns are heavy, extensive and very complicated. He goes on for five pages, starting on page 919, for five pages of appendices showing what one magistrate has to do in a single day. What if any, measures has the hon. Minister in mind with respect to the future relief of these judges of this sort of thing?

**Hon. Mr. Wishart:** I would say briefly, Mr. Chairhman, that we have many things in mind, not so much in connection with this Act alone, as in taking over the administration of justice. I should say taking over the cost of the administration of justice, but it is more than that. It is taking over the responsibility of justice throughout the province.

We know that there are many things to be improved, and certainly the recommendations of Mr. McRuer about relieving the magistrate of the heavy niggling detail of sitting down and making out a series of returns, is one of the things that we shall get to, and we have in mind.

Sections 28 to 32, inclusive, agreed to.

Bill 64, as amended, reported.

#### ADMINISTRATION OF JUSTICE

House in committee on Bill 69, An Act to provide for the administration of justice.

Sections 1 and 2 agreed to.

On section 3:

**Mr. I. Deans (Wentworth):** Mr. Chairman, when the bill was introduced for second reading, I asked the Attorney General at that time, what provisions had been made to fulfil the obligations of the collective agreements that had been hard fought and hard won.

I would like to stress the need to insure that those who are presently employed in justice fields continue with the kinds of working conditions, the kinds of salaries, that they had prior to the time that the province took this over. I do not see anything here that guarantees this. It says equivalent, but equivalent in whose opinion?

It says in section 3 that "notwithstanding the provisions of any contract for a person employed by the municipality in the administration of justice on December 31," and so on, "is offered equivalent employment".

Who is to decide what is equivalent employment? Is it going to be equivalent according to the working conditions, equivalent according to the salary, or equivalent only in accordance with the duties performed?

**Hon. Mr. Wishart:** Mr. Chairman, I hoped I might have perhaps remembered the hon. member's comment on second reading because at the time we moved to accept our obligation and carry it out, that is to take on the responsibility and the cost of administration of justice in my particular area. That is The Department of the Attorney General. We dealt with all the staff, all the personnel who were employed in all the courts, the staff in the registry offices, land titles office, sheriff's office, probation service, and in the whole area of administration of justice.

We had considerable correspondence, well, not considerable, but we were at pains to acquaint them with the circumstances and conditions under which they would work. I think generally I could say we offered those persons, prior to the takeover, rates of pay and duties which were generally the same as those they had previously, pointing out to them that we would expect that they would apply or make application to come under the civil service of Ontario through The Public Service Act.

I believe that almost without exception, that is insofar as The Department of the Attorney General is concerned, they did this, and they have now been working and they have been carrying out their duties and they have been paid by the province in The Department of the Attorney General.

There was, as hon. members will remember—I think while this may not be strictly a part of the administration of justice, I think it certainly falls within the scope of this Act, the reform institutions, the jails and lock-ups, detention places of that kind—there was some difficulty as you know particularly with the Don jail. A definite agreement was

worked out there after negotiation and we entered into assuring those persons and others besides the Don jail staff of their duties, their conditions of work, their rates of pay, and various other conditions such as holidays. There were a number of things, fringe benefits, and all the rest of it, set forth and reached by agreement, so that I think this field has been pretty well covered.

I have not got in this file before me, but there was an order in council passed in December of last year, whereby the salaries were maintained for the staff, fringe benefits were all assessed, and the people were given assurance. As they made application to go into the civil service assessment was made of their position and their salary range. That has been going forward and I think is well along the way.

I know I can say this to the hon. member, if salaries are raised for these duties and functions, everyone will receive the increase. No salaries will be lowered. I think we gave that assurance, and insofar as my own department is concerned it has been a fait accompli with, I think, everyone quite satisfied with the transition from payment by the municipality and employment by the municipality to employment by the province and payment by the province. It went without a hitch.

**Mr. Deans:** One further question. What happens in the case of the county jail where there was no collective agreement and where the municipality or the administration of the jail paid a substantial portion of the fringe benefits, perhaps in excess of that paid by the province under normal conditions? Were those people reimbursed in additional salary to compensate them for the lesser payment made on their behalf by the province?

**Hon. Mr. Wishart:** I must confess I am not too familiar with the jails side, which is the field of my colleague, the hon. Minister of Reform Institutions (Mr. Grossman). This may not be relevant but in the districts of Ontario, that is all of northern Ontario beginning with Parry Sound, I think, or Muskoka, and continuing up through Nipissing and Sudbury and so on right to the west boundary, all the administration of justice including the jails was carried on as the responsibility of the province. The buildings were built, the staffs were maintained, and the payment went from the province.

So in all that area of Ontario there was nothing to do except move into a small area



where we shared costs and had responsibilities in the juvenile and family court situation.

A lump sum was paid if the total value of all the factors—that is salaries, vacation, pensions, and so on—exceeded the provincial standards. A lump sum was paid to meet that situation and bring it up to the equivalent, as a sort of fringe benefit.

I think it is fair to say that the province in taking over, took the attitude that we would see nobody lose by the move. I think this has been carried out. I think it is also fair to say, as the hon. members will understand, once those staff members throughout the administration of justice became employees of the province they had to, and would be expected to, subscribe to the general rules which apply to members of the civil service. It would be hardly feasible that you might not find some individuals who would not measure up to your requirements, but I think generally if we have erred at all, we have erred on the side of generosity and deliberately so.

**Mr. Chairman:** On section 3?

**Mr. R. Gisborn (Hamilton East):** Mr. Chairman, on this section 3, I take it that under the Minister's own estimates we may have a chance to question him on any peculiar aspects of the take-over in relation to employees. I do not think it is really in order that we continue questioning any peculiar situation under this clause, but I would think that the clause now is almost redundant, excepting one part of it.

The main part of it is to say that the municipalities may terminate any contract of employment with such person. I am just a little bit curious as to what the intent was. How can we legislate to remove any terms in an agreement between two other parties in this manner?

Suppose there was an employee in a peculiar or particular occupation that had a firm agreement with the municipality in terms of his employment for a period of years. This clause says that the municipality may terminate any contract of employment with such person. The Act goes into effect, into force on January 1, when the takeover took place, and they proceeded to bring about the practical takeover. What I am curious about in this clause is that we are saying municipalities may terminate any contract of employment with such person, that is, if they had a con-

tract with the municipality on December 31, 1967

**Hon. Mr. Wishart:** I think perhaps the language at first reading may not make its intent and purpose clear, but the province was moving into the field of responsibility for the cost of administration of justice as of January 1, 1968. Up to this point, the persons all through the field, staffs of those institutions which I mentioned, were being employed by municipalities.

It became necessary to have a statutory authority to terminate that responsibility if the municipalities were going to be relieved of the cost. They had to have the power to say our responsibility and your employment with us as a municipality is at an end and the job no longer existed *qua* the municipality if they became an employee of the province.

If the hon. member is asking what powers do we have, I think there is no difficulty there. The Legislature of this province is, in a sense, a very definite sense, the highest court in the land. We say to the municipality, "You may terminate that contract of employment" and that is the power under which they could do it.

So that if—and this did not happen—an employee, let us say, in the sheriff's office or in the registry office, or the courthouse, says, "I have a contract with municipality 'X' and I don't propose to move over to the province" the municipality under this section could say, as of January 1 this year, "Well, we don't pay you any longer". As a matter of fact, the whole shift took place, as I say, quite simply and quite smoothly with one or two exceptions of which the member is aware. The payments have gone on and nobody has been dealt with in a less generous or reasonable manner than they were from December 31 to January 1.

This was simply a case of the power to do what we had undertaken to do, relieve the municipalities of their responsibility for administration and costs.

**Mr. Gisborn:** I think the explanation is as clear—as I said on second reading, this is about the vaguest section I have seen in an Act. It talks about equivalent employment. I want the assurance, and I think that the Attorney General has already given it, that during his estimates if we have particular cases referring to this section, we would be able to question the Minister on them.

Section 3 agreed to.

On section 4:

**Mr. Sopha:** To avoid confusion and somebody making a mistake, if there are other Acts which provide that any fines are to be paid over to the municipality, why does the Attorney General not recite the Acts, instead of the indolence that this section seems to subsume? I could envisage a situation where a clerk of a municipality would be unaware of this section and be guided by some other Act. So if there are others, why were they not listed in the section?

**Hon. Mr. Wishart:** I think all the Acts that had to be amended follow this one and are on the order paper, and they were done at the same time. I was going to say there are a whole slew of them. I think there are 18 or 19. We had to amend each Act separately in any event

But I would say there is not one clerk of any municipality in this province of Ontario, I am sure, who is not aware of this legislation, and of the arrangement made regarding fines and of the fact that we are paying the cost and have relieved them of the administration of justice. There is not a clerk who is not aware of that, in fact not a councillor, and, I hardly think, an individual.

**Mr. Sopha:** Is the Attorney General aware of the number of clerks who do not appear to know that before any money is spent on debentures they have to get permission of the Ontario municipal board? Did he ever list the number?

**Hon. Mr. Wishart:** When the province pays, they know it.

Section 4 agreed to.

On section 5:

**Mr. Sopha:** Now, in the next five sections and with all respect to the draftsmen, this language, when we adopt it, becomes our language and we have an interest in the eloquence. Instead of repeating the three lines at the end of each one of the next five sections, why did they not put it in one subsection which said, "Where any moneys are required to be paid under this Act, they shall be paid out of," and so on.

You would think the draftsman almost had the hiccoughs, the way he repeats the same three lines in all five sections. As a matter of draftsmanship I am against that.

**Hon. Mr. Wishart:** It is really a very short bill.

**Mr. Sopha:** The Attorney General does not have to protect the draftsman any more than he does magistrates.

**Mr. Lawlor:** Mr. Chairman, I have one question. It is the same thing that comes in 5 and 6 really. This business of special services.

Under the old Act, section 8(1), it apparently had reference largely to constables. Does it include constables as you see it now, and secondly does it include informers?

**Hon. Mr. Wishart:** Yes, I think it might include both. Investigators.

Sections 5 and 6 agreed to.

On section 7:

**Mr. Gisborn:** Mr. Chairman, is it correct that (c) relates to (3) in the answer the Attorney General gave to the member for Hamilton Wentworth, that where there are contracts that demand reimbursement for any reason, it is provided under this section through the Lieutenant-Governor in council?

**Hon. Mr. Wishart:** I am not sure I got the question of the hon. member.

**Mr. Gisborn:** Well, part (c) of the section, providing for any special provision considered necessary in respect of the terms of employment, remuneration and benefits to persons employed by municipalities in the administration of justice immediately before this Act comes into force, and becoming employed by Ontario on the date this Act comes into force, or any class thereof, does this give the Lieutenant-Governor in council the right to reimburse if an employee has a contract that is broken and claims compensation because of severance of the contract under (3)? This is where the money comes from and how it is looked after. Is that correct?

**Hon. Mr. Wishart:** I am not certain, Mr. Chairman, that I could answer on a specific of that kind. This is power to make a regulation, which I think is intended as general regulations really to cover situations to meet the takeover, the shift, as I say again, of responsibility, and the shift of the responsibility to pay the costs. I suppose it could meet an individual situation, certainly the power is wide enough there, but I think it is generally intended to give the Lieutenant-Governor in council the necessary action to be exercised by regulations to meet the situation as it might arise.

As I have tried to indicate, the shifting of the gears has taken place, and the whole matter has moved smoothly forward, so that I am not sure whether there will be much need to exercise this section, but it is there.

**Mr. Gisborn:** I take it though that that section (c) is there to provide for the contingencies in the takeover. At some time or other, after we get settled down and the Act is in full force in the province, that portion will be redundant?

**Hon. Mr. Wishart:** Yes, possibly redundant. Section 7 agreed to.

On section 8:

**Mr. Lawlor:** On section 8, Mr. Chairman, I have a number of questions and I will try to be brief. It is quite an old Act, The Administration of Justice Expenses Act. It has sections in it about vagrancies and various changes of venue, and so on. Under section 4, you are abolishing or repealing the Act at this stage. Who is now to pay the jail surgeon under section 4 of that Act?

**Hon. Mr. Wishart:** It will be the province, and will come from the Treasury of this province. But I might just say while speaking to this—and it just might save some of the questions that the hon. member has to ask—the expenses of the administration of justice were, to the end of last year, carried by the counties of Ontario, with the responsibilities to provide facilities for sheriffs' offices, registrars, masters of titles, jurors, and all the staff that was required in the administration of justice.

In that situation, many of the officers who were acting in the administration, such as sheriffs and registrars of deeds, were paying out of their fees of office, certain expenses and salaries, and then remitting certain balances to the municipality. The province, which is now moving into this field, has a responsibility to know how moneys are paid, and to direct that the money which comes in as revenue from that administration be accounted for; and that payment for these requirements and expenses, salaries, and all the rest goes out from the Treasury; and that auditors of the government know how the administration of justice is being carried on from the financial point of view, as well as from other points of view which are important and involved.

Now, I do not know what further questions the hon. member may have to ask, but

there was a necessary shift not only of employment and assumption of cost, but a shift in management and approach. A change of attitude in the way that the administration of justice expenses would be handled in the province. We are no longer dealing with a great series of municipalities with various methods of dealing with their sheriffs and their registrars and their masters of title and their court clerks and their recorders.

We are now, of necessity, trying to approach this matter on a uniform, and, I hope, fool-proof system of administration of justice, instead of a great smattering and variety of procedures which were in force.

**Mr. Lawlor:** Thank you very much, Mr. Chairman for that explanation. I think that it is very much to the point. But at the same time, looking at the slew of legislation that will be coming up very shortly now, arising out of these Acts, there is no provision for the surgeon. You have covered the sheriff, the Crown witnesses, the whole group, but you have not covered the jail surgeon as far as I can see. I make specific reference to this, Mr. Chairman, for this reason, that under the section, the jail surgeon got two dollars for every prisoner examined, eligible for removal and so on. The jail surgeon over at the Don jail depended upon this for a substantial part of his livelihood. You take a look at his salary and you will see what he got. He depended on two dollars a time to get them out of there and get them in.

He filed medical reports on prisoners and this was a substantial part of his salary, and I was shocked to learn it. Now the poor man is being divested completely and as far as I can see, no provision has been made for him.

**Hon. Mr. Wishart:** Mr. Chairman, could I ask the hon. member if he is saying to me and the House that the jail surgeon at the Don jail has not been paid since the first of this year?

**Mr. Lawlor:** Well, I am saying that he is paid very little and he is relying upon the two dollars to tide him over.

**Mr. Chairman:** The member is out of order then.

**Hon. Mr. Wishart:** I think that perhaps we would have to pay under section 7.

**Mr. Sopha:** I have the solution, with the permission of the Minister of Reform Insti-



tutions. We appoint as jail surgeon in every jail in Ontario, Dr. Morton Shulman.

Section 8 agreed to.

**Mr. Lawlor:** The jocularity is too much for me. Is there an office in your department that is being abolished? Or will it continue called the auditor of criminal justice accounts as set forth in 17-3 of the Act that you are repealing?

**Hon. Mr. Wishart:** I think that there is, under the jurisdiction of the Attorney General, an auditor of criminal justice accounts. He will continue in the duties and be known as a financial comptroller.

**Mr. Lawlor:** One final point Mr. Chairman, I notice that Act you are repealing has numerous schedules to it, where the sheriffs are accounted for, and where the Crown attorney is accounted for, and the extra fees that have come into their pockets, however they may dispose them. In most instances I think that they keep them, but sometimes in certain circumstances they have to give them back to the municipalities. Here you are abolishing the works and that is great.

On the other side, may I just make my parting shot on this matter that I was mentioning previously about The Summary Convictions Act.

While you have abolished all these fees, there is still regulation 68, under The Crown Attorneys Act providing a whole series of fees for these prosecutors over and above anything that you have done with respect to the administration of justice and over what is contained within the present legislation being proffered to this House. I would ask Mr.

Attorney General if you could to take it under advisement to eliminate those extra fees, which are onerous on people appearing before the courts—and particularly by way of fines.

**Hon. Mr. Wishart:** I think that we have got practically all, if not all, of our Crown attorneys on salary. We certainly move to cut out the fee system some considerable time ago. If we have not accomplished it completely, we are very close to complete accomplishment.

Sections 8 to 10, inclusive, agreed to.

Bill 69 reported.

**Hon. J. P. Robarts** (Prime Minister) moves that the committee of the whole rise and report certain bills with amendments, and certain bills without amendments, and ask for leave to sit again.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole begs to report certain bills without amendments, and certain bills with amendments, and asks for leave to sit again.

Report agreed to.

**Hon. Mr. Robarts:** Mr. Speaker, tomorrow we will resume the estimates of The Department of Social and Family Services.

**Hon. Mr. Robarts** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:10 of the clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 23, 1968  
Afternoon Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.  
Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 23, 1968

The House met at 2 o'clock, p.m.

Prayers.

**Mr. Speaker:** We are pleased again today to have visitors in the galleries. This afternoon in the east gallery, students from Glen Ravine public school in Scarborough and in the west gallery, from St. Patrick's secondary school in Toronto.

Later this afternoon at 3:30 p.m. in the east gallery there will be students from John Campbell public school in Windsor and in the west gallery, from Sacred Heart school in Hamilton.

These young people, I am sure, are welcomed here today.

Petitions.

Presenting reports.

**Hon. R. S. Welch** (Provincial Secretary and Minister of Citizenship): Mr. Speaker, I beg leave to present to the House, the 62nd annual report of the Ontario municipal board for the year ended December 31, 1967.

**Mr. A. B. R. Lawrence** from the standing committee on education and university affairs, presented the committee's first report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 44, An Act to amend The Secondary Schools and Boards of Education Act.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs) begs leave to present to the House the first annual report of The Department of Financial and Commercial Affairs.

**Hon. Mr. Rowntree:** You will recall, sir, that the new department was proclaimed and commenced operation on November 24, 1966. Now, instead of the normal March 31 closure, which would have limited the report to the period of November 24, 1966 until March 31, 1967, this report has been taken to December 31, 1967, to provide the broadest possible description of the activities of the department.

**Mr. C. T. Rollins** from the standing committee on natural resources and tourism, presented the committee's first report which was read as follows and adopted:

Your committee begs to report the following bill without amendments:

Bill 118, An Act to amend The Mining Act.

**Mr. Speaker:** Motions.

Introduction of bills.

**Mr. E. Sargent** (Grey-Bruce): Mr. Speaker, before the orders of the day, on a point of privilege, I was quoted in today's *Telegram* as saying, among other things I said last night—and I quote from the seventh column of page 4:

But Mr. Sargent countered that all the lawyers in Grey county have asked the Attorney General to remove Magistrate Stewart from the bench.

I did say these things, and in checking with Owen Sound lawyers today, I found for the record, that the Grey county bar association, Mr. Speaker, unanimously wrote a letter to Mr. Stewart advising him of their wishes concerning his conduct on the bench. Mr. Stewart replied to them by letter and they again wrote him and told him of their decision to force their wishes upon him or they would take steps to go to Queen's Park to the Attorney General.

So I correct my statement that they had come, as a body, to Queen's Park asking for his removal. That is for the record.

But further, I am advised, Mr. Speaker, that the Attorney General has had private approaches from Owen Sound lawyers and that he is aware of the position there. That is for the record. Thank you very much.

**Mr. Speaker:** The leader of the Opposition.

**Mr. R. F. Nixon** (Leader of the Opposition): Mr. Speaker, I have a question for the Minister of Trade and Development.

What steps remain following Toronto council's approval last night to accomplish the transference of Toronto housing authority's responsibilities to the Ontario housing corporation and when does the Minister expect

this transference to be completed and the province to assume responsibility for housing in Toronto?

**Hon. S. J. Randall** (Minister of Trade and Development): Mr. Speaker, I got this question a few minutes ago as I came into my office in Queen's Park and I can only say to the hon. member that the OHC team and the city of Toronto have been working on this takeover, as you know, for many weeks. I read in the press this morning that it had been approved by city council as of yesterday. Our team is proceeding and I would hope the takeover will take place within the next few days or so because there are some things to be settled. But most of the details are out of the way. I would think that within the next 30 to 60 days all will be settled. Perhaps, before then.

**Mr. Nixon:** Does the Minister still expect to find a job for Mr. Bradley?

**Hon. Mr. Randall:** Oh, I think Mr. Bradley will be—with the new Prime Minister up in Ottawa, Mr. Stanfield, after June 25.

**Mr. V. M. Singer** (Downsview): He will underwhelm the voters too!

**Mr. Nixon:** Mr. Speaker, I have another question for the Minister. With reference to his statement which appeared in the *Globe and Mail* on May 21, will the Minister explain how the province will provide financing for the HOME plan if private mortgage funds are not available in large enough supply and CMHC funds are channelled into public housing?

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I have a comparable question, which was going to be put on Tuesday last. Perhaps I could put it on the record and the Minister can deal with both.

In view of Tuesday's statement by an Ottawa merchant builder that "the HOME plan is as flat as a pancake" because of CMHC mortgage cut-off this year, and in view of the Minister's statement that Ontario is determined that a shortage of mortgage money will not be permitted to interfere with the HOME programme, what action does the Minister intend to take?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. leader of the Opposition. The answer to that question is that, though arrangements made with other lending institutions, OHC can arrange funds required by

all companies building under the HOME plan.

In answer to the leader of the New Democratic Party: in co-operation with the builders holding HOME lots, OHC has made adequate provision to provide funds for mortgages and we do not see any reduction or delay in the development of housing under the HOME plan.

**Mr. Nixon:** May I ask a supplementary question, Mr. Speaker?

Is it the Minister's intention to bring forward a formal programme which would permit the financing of these homes to come about? Does he believe that the programme would have to be instituted almost immediately, as his information is that the funds have dried up to the extent that they will not permit the HOME programme to proceed?

**Hon. Mr. Randall:** The programme of providing funds went into effect last Tuesday morning and anybody building under the HOME programme has been advised now that funds are available.

**Mr. Nixon:** A further supplementary question—I realize, we may go into this in the estimates, but this is of some importance now. What are the terms of the mortgages that you are providing for these people, in a general sense; what interest rate are you charging?

**Hon. Mr. Randall:** They are under NHA terms.

**Mr. Nixon:** Exactly?

**Hon. Mr. Randall:** Yes, exactly.

**Mr. Speaker:** The member for York South has a supplementary, I think, to his question.

**Mr. MacDonald:** Mr. Speaker, if I caught the Minister correctly, this new approach to provision of mortgage money was announced on Tuesday and, therefore, the statement attributed to this particular Ottawa merchant builder was just a day early. My question to the Minister is, has notification gone out to all merchant builders so that this man, and others who might still be in a squeeze for mortgage money, are aware of its new availability?

**Hon. Mr. Randall:** Yes, they were all contacted by phone—I would say in the first part of the week—Monday was a holiday. They were contacted by Tuesday. I might also say this. We were unaware that the central



mortgage and housing corporation were not going to give mortgages to people who had been turned down by two private institutions until about the middle of last week. When we recognized that this was the situation, we put this other plan in operation.

**Mr. Speaker:** The leader of the Opposition.

**Mr. Nixon:** Mr. Speaker, I have a question for the Minister of Labour.

Does the Minister plan to bring about further regulations of the temporary help services industry described in the May 23 *Globe and Mail* as a "slave market" in labour?

Second, what government departments, besides The Department of Lands and Forests, which was mentioned in that article, make use of this source of labour?

**Mr. M. Shulman (High Park):** Mr. Speaker, I have a similar question. Will the Minister introduce legislation to prevent exploitation of employees at temporary help agencies by such agencies, as outlined by today's *Globe and Mail*?

**Hon. D. A. Bales (Minister of Labour):** Mr. Speaker, in reply to the questions from the hon. leader of the Opposition and the hon. member for High Park.

The persons whose services are obtained from temporary help agencies are employees of these agencies and not of those for whom they go to work. The labour laws of the province—minimum wage, vacations with pay, workmen's compensation, and so forth—apply to these persons and to the agencies, just as they apply in other employer-employee relationships. As far as The Department of Labour is concerned, the labour laws are to ensure that the legal standards are applied for the benefit of these employees on the same basis as other employees. The department has been aware of the growth of this particular type of industry and has been considering whether additional regulations are required. We have been looking at the arrangements, as a matter of fact, in other jurisdictions as well. This matter has not been finalized.

In reference to the second part of the question from the leader of the Opposition, this would require considerable research and I would suggest it could be placed on the order paper for a detailed, written answer.

**Mr Nixon:** Mr. Speaker, I would be pleased to do that and I hope the Clerk will take note of it, if he would.

I would like to ask the Minister, in addition, if he feels that the charges that these working people are in some sense exploited have truth in them. Does he believe that there should be some investigation as to the conditions of employment beyond the regulation and supervision that the Minister presently has?

**Hon. Mr. Bales:** Our particular concern is that those who are working are paid the proper moneys that are due them for their labours and that they are working under proper working conditions in accordance with the laws of this province. The relationship as between the agency and the outside person is an independent relationship, as a matter of fact, a contract, and that does not enter into the control or protection of the employee himself. Certainly we must look at the other matter as well, but that would concern other departments.

**Mr. Speaker:** The member for High Park, I think, has a supplementary on his question.

**Mr. Shulman:** May I ask a supplementary?

Would the Minister not agree that if the facts as set out in the article are correct—that one-third of the salaries are being taken by an agency—that some action of the government is called for?

**Hon. Mr. Bales:** Mr. Speaker, we have no information before us, in the cases of which we are aware, that it is of that proportion. We will look into these matters and any other additional information which comes to hand.

**Mr. Nixon:** My last question, Mr. Speaker, is to the Minister of Energy and Resources Management.

Will the Minister have Ontario Hydro review its refusal to turn over land for parking needed for the Yonge Street subway extension, and has the Toronto transit commission been in touch with the chairman of Hydro, or the Ontario government, in connection with the land requirement?

**Mr. Speaker:** Perhaps the leader of the Opposition would finish the first question, land needed for the Yonge Street subway extension from Sheppard Avenue to Finch Avenue?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, the answer to the first part of the question is "yes". I am informed that Ontario Hydro sought to be accommodating to the Toronto

transit commission in examining, with them, the feasibility of using part of their property for parking purposes. The site has been reserved for several years by Hydro for construction of an important transformer station to serve the needs of what is now the borough of North York.

Ontario Hydro found upon receiving the details of the TTC requirements, that for part of the designated area, these were greater than anticipated and in serious conflict with the plans for electrical services expansion in the vicinity. Ontario Hydro is prepared to consider reasonable alternatives, including use of other Hydro property in the immediate neighbourhood. This was discussed at a meeting of the commission this morning, which was attended at their request by the hon. Minister of Labour and the hon. member for Armourdale (Mr. Carton), these being the members representing the constituents most vitally affected.

It should also be noted that arrangements had already been made by staff of the property division of Ontario Hydro to meet staff of the transit commission next Tuesday for the purpose of exploring alternative proposals.

To the second part of the question, the answer is, "Not at this date".

**Mr. Singer:** Mr. Speaker, on a point of privilege. Since the issue here seems to involve the whole of the borough of North York, I would like to point out to the hon. Minister that there are several members who represent portions of the borough of North York who are equally vitally affected in the provision of proper Hydro and subway services.

**Hon. Mr. Simonett:** Mr. Speaker, I might say that if there are several members interested, they did not request a meeting with the Ontario Hydro Electric Power Commission.

**Mr. Singer:** Oh, nonsense!

**Hon. Mr. Bales:** Mr. Speaker, if I may make it clear, I was in touch with the chairman of Hydro and the vice-chairman early this morning. I asked if I could attend their next meeting, which turned out to be this morning, and the hon. member for Armourdale and myself were there at 12 o'clock.

**Mr. Singer:** How did he get notice of it?

**Hon. Mr. Bales:** We talked early this morning on the telephone.

**Mr. Speaker:** The member for Scarborough Centre has some questions from last week.

**Mr. M. Renwick (Scarborough Centre):** My question, Mr. Speaker, is for the Minister of Trade and Development, a question relating to an answer of May 13.

What are the present disciplines in force at OHC to ensure that there is no possibility of any family receiving unmerited priority, from whatever pressure may be applied, for them to be housed?

And what are the more stringent disciplines that will be imposed, as forecast by the Minister in his statement—this question says yesterday, Mr. Speaker; it would be in his statement of May 13, 1968, in reply to my question about the Gray family.

Will the Minister table immediately in the Legislature, the present and proposed disciplines?

**Hon. Mr. Randall:** Mr. Speaker, in answer to the hon. member's question, the policies and procedures of OHC in connection with the allocation of dwelling units to families and individuals on its waiting list are under review by the corporation's board of directors at the present time. When this review has been completed and approved and any new procedures and policies established, I would indeed be pleased to let the hon. member have them and table them in the House.

**Mrs. M. Renwick:** Mr. Speaker, would the Minister accept a supplementary question?

**Hon. Mr. Randall:** I will say "yes".

**Mrs. M. Renwick:** I would just like to know whom the board of directors are?

**Hon. Mr. Randall:** I do not have the list with me but I would be glad to get it for the member.

**Mrs. M. Renwick:** A second question of the same Minister. What is the total number of applications for housing accommodation on file with the Ontario housing corporation at 188 University Avenue at this time?

**Hon. Mr. Randall:** Mr. Speaker, as of May 15, 1968, OHC has a total of 9,770 applications on file. In terms of accommodation size required they are as follows: bachelor: 831; 1 bedroom: 1,358; 2 bedroom: 3,556; 3 bedroom: 2,540; 4 bedroom: 1,172; 5 bedroom: 313.

As the hon. member will note, over 50 per cent of the applications on file with the corporation are in respect of bachelor and one or two bedroom accommodation, indicating

that there is a substantial demand by single persons, childless couples, and small families.

**Mr. Speaker:** The member has two more questions.

**Mrs. M. Renwick:** Mr. Speaker, may I ask the Minister a supplementary question? If a small family is in a two-bedroom apartment, would your restrictions cover the parents and one or two children?

**Hon. Mr. Randall:** I would say a maximum of two children.

**Mrs. M. Renwick:** Only two children? Mr. Chairman, for the same Minister, how many unleased Ontario housing units are there in Metropolitan Toronto at the present time?

**Hon. Mr. Randall:** Did you have another one for Scarborough at the same time? Would you like to ask that one?

**Mr. Speaker:** Yes, there is another one for Scarborough.

**Mrs. M. Renwick:** Yes, I was starting with Toronto and I was looking in the area that I represent.

**Hon. Mr. Randall:** Mr. Speaker, in answer to these two questions—

**Mrs. M. Renwick:** Should I repeat the second question?

**Mr. Speaker:** Yes, the Minister would like to answer both questions at the same time.

**Mrs. M. Renwick:** How many unleased Ontario housing units are there in Metropolitan Toronto at the present time? How many housing units are there in the borough of Scarborough at the present time?

**Hon. Mr. Randall:** On the date of the question, which I think is about one week ago, the only unleased housing units in Metro Toronto were those which were still under construction and had not been taken over from the contractor. Since that time, 35 units have been taken over in Pelham Gardens and one unit in Finch-Ardwick, which are currently being offered to applicants.

The second question with reference to Scarborough: At the present time the only unleased Ontario housing units in the borough of Scarborough are those which are still under construction and have not, as yet, been taken over from the contractor.

**Mrs. M. Renwick:** A supplementary question, Mr. Speaker so that I might understand

fully what areas this represents, because many of the people from the east end of the city—

**Mr. Speaker:** Order! The member placed a question in certain terms, and it has been answered in those terms.

**Mrs. M. Renwick:** May I have then a list of the areas of Metropolitan Toronto covered by the Ontario housing corporation?

**Hon. Mr. Randall:** I am not quite sure, do you want a list of all the developments in Metropolitan Toronto?

**Mrs. M. Renwick:** Yes.

**Hon. Mr. Randall:** I will be providing that during the estimates. If you would like to wait until then I can give you full details, but if you want us to go to work on it right away, we will.

**Mrs. M. Renwick:** Not right away, Mr. Speaker. Is there not a list automatically set up?

**Hon. Mr. Randall:** We have a list, but as I mentioned here, Pelham Gardens for instance, we did not have units there one week ago for lease. Within one week we took over 35 units. This is happening almost every day of the week now. The housing starts are coming into completed houses, and I would suggest that if you let this information go, I will have a complete report for you when the estimates come up.

**Mr. Sargent:** Still no action in housing.

**Mrs. M. Renwick:** Mr. Speaker, I just wanted to point out the relevance of my comment—

**Mr. Speaker:** Order! This is a question period. If the member has a supplementary question—

**Mrs. M. Renwick:** All right, I did not know where Covent Garden was, that was why I wanted the list.

**Hon. Mr. Randall:** That almost makes two of us.

**Mr. Speaker:** The member for Essex South has a question from the other day.

**Mr. D. A. Paterson (Essex South):** I have a question for the hon. Minister of Agriculture and Food. What steps will be taken by the Ontario food council to ensure that there will be a market for Ontario lettuce that is now reaching production? Will the food council request importers of Mexican and



American lettuce to restrict their commitments during Ontario's lettuce harvest season?

**Hon. W. A. Stewart** (Minister of Agriculture and Food): Mr. Speaker, I am delighted to have the opportunity of advising the House, through the question the hon. member has asked, that the food council is constantly involved in the promotion of Ontario grown produce. In anticipation of the Ontario lettuce crop which is just starting to hit the market now, our food council became involved in a speeded-up campaign to promote the use of Ontario lettuce.

In fact, just this past week the food editors and consumers editors of the various newspaper publications and news media, both radio and television, were provided with material from the council's home economist to the effect that these Ontario products were now in supply and recommending their use.

I have seen several of these ads already appearing in the papers, and I think it will have a very marked effect on the use of our Ontario-grown produce because, quite frankly, Mr. Speaker, I believe you would agree, as would all hon. members of this House, that Ontario consumers are interested in using Ontario grown products if they know they are available and on the market.

There appears to be a market for all of the lettuce that Ontario producers can grow, providing these producers are able to produce the quality demanded by a very discriminating shopper in today's market. The consumer for many months of the year is forced to rely on imported lettuce because it cannot be grown in this country, other than in hothouses, and the only way Ontario producers can win her back with the production of Ontario farms coming on the market is by producing a product of comparable quality in consistent supply.

I would like to add, Mr. Speaker, that our experience with the importer-wholesalers of these products has indicated that when Ontario grown products are available in the quality and quantity demanded by the market, then these people prefer to use them.

I would like to make mention here of the success of the canned tomato project that was instituted through your good offices, Mr. Speaker, when you very kindly allowed me, on behalf of the tomato growers and processors of this province, to place a can on all the members' desks. That programme was most successful. As a matter of fact, I have a report of it now and it appears that we were able to move an enormous amount of that product.

There are some hon. members, obviously like the hon. member for Sudbury (Mr. Sopha), who just do not appreciate the quality of Ontario products, but I am sure none of them could be found on our side of the House.

I believe, quite frankly, that there should be a review made of the seasonal import restrictions and quotas that apply on imported produce coming into this country. I am sure that we, in this government, and members of this Legislature, would not want to short the Ontario consumer of products at a time of the year when they cannot be grown in Ontario. But I believe we must recognize that while it is important to sell wheat in Canada and it is important to sell other products grown in western Canada, that one-third of the total agricultural wealth of Canada comes from the province of Ontario.

I would like to say, Mr. Speaker, that when the federal government recognizes this, and after June 25, I am sure that our party, when it is represented at the general House of Commons will do this—

**Mr. Nixon:** We are even going to win Middlesex county?

**Hon. Mr. Stewart:** Indeed we are. We are going to win Middlesex and a great many others. I think, Mr. Speaker, that when that review of seasonal import quotas is made that the producer of Ontario food products will receive the protection which he richly deserves.

**Mr. MacDonald:** Mr. Speaker, on a point of order, if the Minister were going to give a balanced and non-political reply he would have drawn the attention of the House to the fact that he did not succeed in getting the Conservative government under Diefenbaker to do any more than he has got the Trudeau government to do on this issue.

**Mr. Speaker:** The member for Sandwich-Riverside.

**Mr. F. A. Burr** (Sandwich-Riverside): I have a question for the Minister of Trade and Development. Will the Minister take steps to keep geared-to-income rent within reasonable limits by lowering the ratio of rent-to-income scale from the present 30 per cent to 25 per cent, and by relating rents to taxable income rather than gross income?

**Hon. Mr. Randall:** Mr. Speaker, this is another question I received on coming into the House and I would like to say this; the matter of geared-to-income rents has been discussed with central mortgage and housing

corporation. An agreement in principle has been reached to maintain rents of no higher than market, as I have previously outlined to the hon. members, and we anticipate official approval of the OHC recommendations from central mortgage and housing corporation shortly.

**Mr. Burr:** A supplementary question.

Could the number of dependents or children be taken as a factor in the sliding scale?

**Hon. Mr. Randall:** I cannot answer that. If you would like to submit a question in detail I will be glad to get the answer.

At the present time we have been negotiating, as I have said, with central mortgage and housing corporation. They are prepared to make some adjustments in this geared-to-income rent proposal. Whether we can get it before June 25 or not, I do not know. But in the meantime, the Ontario housing corporation is going along on the assumption that this can be worked out.

**Mr. Speaker:** The member for York Centre.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I have a question for the Minister of Highways.

On April 4, 1968, which I think is seven weeks ago, the Minister advised the Legislature that he would start negotiations with Metropolitan Toronto for an agreement to extend the Don Valley parkway to Steeles Avenue.

In view of increasing congestion in this area, what progress has been made in these negotiations?

**Hon. G. E. Comme (Minister of Highways):** Mr. Speaker, this is not quite the question I received, but in answer—the Metropolitan roads department have been contacted and we have been advised that this project is not on their current construction programme. While they recognize its importance, they consider other projects of higher priority.

**Mr. Deacon:** Would the Minister accept a supplementary question?

Mr. Speaker, I wonder if the Minister will reply whether their decision would be affected by a decision of The Department of Highways to commence construction of Highway 404 within a very short time?

**Hon. Mr. Comme:** I do not think that is so, Mr. Speaker.

**Mr. Speaker:** The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Speaker, I have a question of the Minister of Trade and Development.

In view of the representations made to the federal government for the donation of its land for municipal park purposes at Glen-garry Avenue and Wyandotte Street in Windsor, will the Minister act to donate the province's share of that land for park purposes?

**Hon. Mr. Randall:** Mr. Speaker, without more knowledge of what the land is and in whose right the land is held, it is not possible for me to give the hon. member a complete answer to this question.

There are several departments, as I understand, of this government which could help in providing a more definite answer. I have asked him if he would submit a question, giving full details of the property and its ownership. If you have the information, let me have it and I will check it out for you.

**Mr. Speaker:** The member for High Park has a rather large list of questions on which we might now embark.

**Mr. Shulman:** Mr. Speaker, I have five questions for the Minister of Lands and Forests.

**Mr. P. J. Yakabuski (Renfrew South):** Do not tell me the hon. member is in the lands and forests now.

**Mr. Shulman:** We must spread our abilities about.

**Mr. Speaker:** Order! Order!

**Mr. MacDonald:** You are up in the bush.

**Mr. Shulman:** 1. Is the Noisy River in Nottawasaga township to be poisoned next week from Highway 25 to Creemore by injecting into it chemicals aimed at purging the water of lamprey?

2. Is there any risk to humans drinking this water; and if so, has a warning been given to cottagers along the banks of the river?

3. Will these chemicals harm the other fish in the river or their food supplies—plankton, and so on?

4. From previous efforts, is a report available as to the effect of these chemicals on the lamprey and other fish?

5. Why is the Noisy River always used for this experiment, instead of varying it with

other fast streams in Nottawasaga township, such as the Pretty or the upper reaches of the Mad?

**Mr. Yakabuski:** Not noisy unless you are—

**Hon. R. Brunelle** (Minister of Lands and Forests): Mr. Speaker, in reply to the hon. member for High Park.

First, may I say that the programme of sea lamprey control on the Great Lakes is carried out in Ontario by the federal department of fisheries. I am not aware of details of their schedule, though I do know that the Nottawasaga River system was scheduled for treatment this year.

I may say that I have the most complete confidence in the federal government as far—

Interjections by hon. members.

**Mr. Speaker:** Order!

**Hon. Mr. Brunelle:** —as far as the treatment of sea lamprey control is concerned.

In respect to the details, I can only say that a specific lamprey poison is used which has no harmful effects on anything else. This poison is used in conjunction with a synergist; this is another chemical which intensifies the effect and is required in southern Ontario rivers which have a very high content of dissolved solids.

The lamprey requires four years to mature before leaving the streams so the treatment of streams at four-year intervals will produce a reduction in lampreys necessary to restore the Great Lakes fisheries. All portions of the system that may be reached by spawning lampreys have to be treated.

**Mr. E. W. Sopha** (Sudbury): Does the member want to quit now while he is behind?

**Mr. Shulman:** I have a question of the Provincial Secretary, Mr. Speaker.

Is it customary for the liquor control board of Ontario to back-date liquor licence transfers 2.5 months before the hearing authorizing such transfer?

If the answer to the above question is "no", why was this special privilege extended to Mr. David Rubinoff in relation to the 28 liquor licences transferred by him, as reported by the liquor control board of Ontario in its schedule of licence applications for week ending May 18, 1968?

**Hon. Mr. Welch:** Mr. Speaker, if one goes through the procedures which are involved in the transfer, you would understand that

it is a matter of routine with respect to the back-dating of these particular applications. There is quite a complicated transfer procedure which is entered into, involving the calculation of fees and the checking of corporate structure and so on, so it is not unusual, by the time these applications for transfer appear before the board, that in fact they become effective at a date prior to the actual formal hearing with the board.

Having answered in that way, I was anxious to qualify the "yes". Apparently, then, it is not necessary to answer No. 2 because my answer to No. 1 was not "no"—except that there is some unfortunate inference in question No. 2 which I would like the record to show as having been corrected by the Minister.

The liquor licence board of this province extends special privileges to no one. Secondly, Mr. David Rubinoff, as I informed the member on May 13 in answer to another question, does not hold a liquor licence in this province and did not hold a liquor licence. Therefore no liquor licences were transferred from him to anyone. In fact, there were not 28 licences involved, only 14; and I assume the licence activities he is talking about are for the liquor licence board of Ontario and not the liquor control board. They are two distinct boards. I understand that the hon. member, in fact, had an opportunity of questioning the members of the board themselves who attended before the committee on government commissions earlier this afternoon.

**Mr. Shulman:** Mr. Speaker, on a point of order, I have here a copy of the liquor licence board of Ontario activities for the week ending May 18, 1968, and it shows that Mr. David Rubinoff transferred all these licences. His name is mentioned in each licence.

**Hon. Mr. Welch:** Mr. Speaker, it does not show that. On that very point, if you just read this statement—I have a copy, and it shows from whom the licences are transferred. Mr. Rubinoff's name appears as one of the shareholders of the corporate transferor. This is exactly the sort of thing that I think, perhaps, this House is getting a little tired of. These questions show that the hon. member is not taking sufficient time to know what he is asking about.

**Mr. Shulman:** Mr. Speaker, to once again correct the Minister, listed here—



**Mr. Speaker:** Order! The member has made his point, he has drawn it to the attention of the Minister. He will now pass on to his next question, unless he has a further supplementary question.

**Mr. Shulman:** Mr. Speaker, the Minister has denied what I have in my hand here and I wish to set the record straight.

**Mr. Speaker:** The member has already said that he holds that. The member has asked a question and the question has been answered. The member has risen on the point of order that he held in his hand the report which indicated certain facts. The Minister has stated that he also has that record in front of him and it does not indicate the facts in the same manner as the member has placed it, and therefore so far as I am concerned, that concludes this particular matter.

If the member and the Minister wish after the House rises, or at some convenient time, to get together and compare their copies, it would be quite satisfactory to me.

**Mr. Shulman:** Mr. Speaker, may I ask a supplementary question of the Minister?

Interjections by hon. members.

**Mr. Shulman:** Will the Minister allow a supplementary question? Has the Minister a copy of this in front of him?

**Hon. Mr. Welch:** Yes.

**Mr. Shulman:** Well, we had better get together because one of us has to have our eyes tested.

**Mr. Speaker:** The member will now proceed to his next question.

**Mr. Shulman:** For the Minister of Reform Institutions: What punishments were meted out to those prisoners involved in the sit-down strike in Millbrook reformatory?

If the punishment included transfer to other institutions, to which institutions were the prisoners transferred? If the Minister does not wish to name these institutions publicly, will he supply them to me by letter?

**Hon. A. Grossman (Minister of Reform Institutions):** Mr. Speaker, in my answer to a question from the hon. member on May 21, I pointed out that the so-called sit-down strike was simply the refusal of 22 inmates to return to work after having completed their 15-minute smoke break in the yard.

Any disciplinary action taken was considered on an individual basis and, therefore, there was considerable variance depending on degrees of involvement. Loss of good conduct remission varied from zero to ten days. Close confinement on special diet varied from zero to a maximum of ten days.

In answer to his second question, "if the punishment included transfer to other institutions, to which institutions were the prisoners transferred?" And in brackets, "If the Minister does not wish to name these institutions publicly will he supply them to me by letter?"

**Mr. Sopha:** No, they can get together.

**Hon. Mr. Grossman:** Mr. Speaker, in answer to a question by the same hon. member of May 16, 1968, I said, and I quote from *Hansard*, page 3021:

Mr. Speaker, undoubtedly the inmate himself thinks it is a form of punishment to be deprived of the freedom of movement, the company of his friends and the facilities in the reformatory programme. However, our purpose is essentially to use county jail facilities to segregate unruly inmates who are disrupting the programme to the detriment of the other inmates.

And I, at that time, stated:

For security reasons, it is not deemed advisable to supply information to which particular institutions the eight prisoners were transferred.

However, as to the question of whether I will supply them by letter, if he will assure this House that he will honour the confidentiality of that information, I will supply them to the hon. member.

**Mr. Shulman:** May I say, Mr. Speaker, I wish to have the list so I may visit the prisoners involved.

**Hon. Mr. Grossman:** Mr. Speaker, I am of course aware of that. What I want from the hon. member is a public statement that he will honour the confidentiality of the information. He may visit them to his heart's content.

**Mr. Shulman:** Let me assure the Minister that I shall not release the names of the institutions publicly if he will supply them to me. I will, however, use whatever information from the prisoners that may be of help in upgrading the situation in the institutions.

**Hon. Mr. Grossman:** Mr. Speaker, while I am on my feet, I have another answer.

**Mr. Speaker:** For this member?

**Hon. Mr. Grossman:** No.

**Mr. Speaker:** Well, then, perhaps it would wait. This member has a series of questions.

**Hon. Mr. Grossman:** I might say, though, Mr. Speaker, so that there will be no misunderstanding that I am not satisfied with the qualifications the member made in respect of the qualifications I laid down with respect to the confidentiality. I should advise him that if, perhaps after this meeting today, we could lay down some terms of reference, we might come to some satisfactory conclusion that he is entitled to this information. I have to make sure that the security of the public is respected, and I will try to arrange it with the hon. member.

**Mr. Speaker:** Order, the Minister has made his point, the member will continue.

**Mr. Shulman:** For the Attorney General, Mr. Speaker: When does the hon. Minister intend to answer my question submitted earlier this session regarding the release of the sworn evidence of Mr. Murray Mehlman?

**Hon. A. A. Wishart (Attorney General):** Very shortly, Mr. Speaker.

**Mr. Shulman:** When does the Minister intend to answer my question submitted earlier this session regarding the laying of charges in the Canadian Oil takeover?

**Hon. Mr. Wishart:** Mr. Speaker, the question was asked on March 20: Will forgery and/or other charges be laid by the Attorney General on the Canadian Oil takeover by Shell? This was answered on that date, and the answer appears in *Hansard* after questions by the hon. member for High Park on page 1007. And then the answer by myself, "No, Mr. Speaker, I do not contemplate any such charges at this time."

The hon. member pursued the matter with a supplementary question and I accepted it: "In the Minister's reply to my first question, he said that he would not be laying charges at this time. Does this mean that at some future time charges may be laid in this case?" And my answer was, "No, it does not mean that, Mr. Speaker." So that question was answered on March 20.

**Mr. Shulman:** That is not the question that I was referring to, Mr. Speaker. Some days later, as a supplementary question following the questions on Ralph Farris, I asked the Minister at that time if he would give reasons why no charges were being laid in the Canadian Oil case, and he said that he would

take it as notice. That is the question that I am asking; when will I receive an answer thereto?

**Mr. Speaker:** Then perhaps the member will resubmit this question with the necessary particulars, so that the Minister can answer; I will be glad to receive that question tomorrow. There is a third question on that particular sheet.

**Mr. Shulman:** Yes, for the same Minister. When does the Minister intend to answer my question submitted earlier this session regarding the alleged North Gwillimbury police beating of a prisoner?

**Hon. Mr. Wishart:** Mr. Speaker, that question was asked on March 19. I took it as notice at the time and answered it on March 22; it is on page 1122 of *Hansard*. I answered at very considerable length, and the answer is there. The hon. member then asked a supplementary question, and I also answered that on page 1122.

**Mr. Shulman:** Mr. Speaker, in the Minister's answer—

**Mr. Speaker:** Order! Order!

**Mr. Shulman:** Mr. Speaker, on a point of order. In the Minister's answer, he did not look into the matter of the beating of the prisoner. I asked him if he would do so, and he said he would inform us. I am asking when he is going to inform us.

**Hon. Mr. Wishart:** Mr. Speaker, the original question had to do with the complaints of two constables for their treatment in some matter concerning the North Gwillimbury police—police constable Bayliss, and constable Garvey—one having been kept on night shift and one having been discharged. I answered that at great length. Then the hon. member said: "Will the Minister accept a supplementary question?" My answer was "yes", and I read from *Hansard* on page 1123.

**Hon. Mr. Grossman:** That was your mistake!

**Hon. Mr. Wishart:** Then he said, "Has the Minister investigated the allegation of the beating-up of prisoners?" This is an entirely different matter. I answered that I did not check it in this connection. I was asked for the reason why these officers were abused—if I would investigate those circumstances. The hon. member said, "I am sorry, perhaps it was ill-worded. Would the Minister be willing to look into this aspect of the case?"

Mr. Speaker, I crave permission to read my reply. I answered:

Mr. Speaker, yes, although I must say that the government of municipal police forces in each municipality is by either a board of police commissioners—which consists of a head of the council, the judge of the county or district court, and one other person, sometimes that other person is a magistrate, but it may be a citizen—or else we have a committee of the local municipal council. That body, or committee, or board of police commissioners would ordinarily make the first investigation. If there were to be a further investigation, these are usually reported to the Ontario police commission.

It would not necessarily come to the attention of the Attorney General in every individual single case. I have no objection in this matter to making myself informed about those circumstances, but I think that the hon. member can understand that not in every such case where an allegation of this kind is made—and as I have indicated here, there are sound reasons why one of these officers was assigned to a duty, and the other discharged—not in every such case is the Attorney General required or expected, nor would it be possible for him, to get down to the detail of such cases. But I would have no objection to the hon. member's request—

Now, the hon. member's request was for myself to look into that.

I would have no objection to the hon. member's request, if he feels that it would be helpful, to look into the circumstances of this matter.

I did not say anything about it, and there are no further words, and there—

Mr. Shulman: Did the Minister look into it?

Hon. Mr. Wishart: —is nothing about informing this House or the hon. member.

Mr. Shulman: Will the Minister allow a supplementary question?

Some hon. members: No!

Hon. Mr. Wishart: Yes!

Mr. Shulman: Will the Minister allow a supplementary question? Has the Minister looked into this matter, and what are the results of his looking into it?

Hon. Mr. Wishart: The Minister has looked into the matter, that is what he undertook to do.

Mr. Shulman: I am sorry Mr. Speaker, I could not hear your reply, the Ministers were—

An hon. member: You are hard of hearing—

Hon. Mr. Wishart: Mr. Speaker, the Minister has looked into the matter, which is what the Minister undertook to do.

Mr. Shulman: Does the Minister intend to inform the House what he discovered?

Mr. Speaker: Order!

Hon. Mr. Wishart: Mr. Speaker, I think that I should say, as I tried to indicate in my previous answer, that I think that all these individual cases are not matters that need to be retailed, in every case, in the House. If the hon. member wants private information, he can seek me. I have never refused discussion with him.

Mr. Shulman: Thank you Mr. Speaker. I have a question for the Minister of Agriculture and Food. Does the Minister intend to change regulations preventing the labelling of margarine containing no dairy products as such for the benefits of those suffering from allergies?

Hon. Mr. Stewart: Mr. Speaker, I read this question and re-read it and submitted it to my staff to read, and none of us can understand the meaning of it, quite frankly.

Mr. Shulman: That is par.

Hon. Mr. Stewart: Which, I suppose, is understandable. How one can prevent the labelling of something that does not contain dairy products, I do not know. I do not understand the meaning of the hon. member's question.

Mr. Shulman: May I elaborate, Mr. Speaker? There has been a request from people who have allergic children and who wish to supply margarine to them, to have those margarines that contain no dairy products so labelled, so that the children will not have allergic reactions. I am sure that every member has received letters from these people; surely the Minister must be aware of it.

Hon. Mr. Stewart: Mr. Speaker, the hon. member must surely know that under the regulations of The Oleomargarine Act, that the list of ingredients in the oleomargarine, and the percentage of each ingredient, shall be listed on the package in letters at least one-sixteenth of one inch high?

If there are no dairy products in the package, are they supposed to say "There are no dairy products in the package?"

Mr. Shulman: May they say it?

Hon. Mr. Stewart: I see no reason why they should not, if they want to do this. If there is no such product in there, why would they be requested to do it?



**Mr. Shulman:** The head of the milk commission says exactly the opposite to what the Minister is saying.

**Hon. Mr. Stewart:** Anyone who knows anything about the dairy industry knows that there are no dairy products in margarine.

**Mr. Shulman:** Mr. Speaker, am I to understand that they may so label? Will the Minister allow a supplementary question?

**Hon. Mr. Stewart:** No.

**Mr. Shulman:** Thank you. For the Minister of Tourism and Information, I have seven questions.

1. Was a film produced by splicing together various portions of films that had been refused passage by the censorship board, as is reported in today's Toronto *Telegram*, quoting a senior official of the Minister's department?

2. For what purpose was the film produced?

3. To whom has the film been shown and on what occasions?

4. Was this film destroyed last Thursday?

5. For what purpose were those elected members other than the Minister and the hon. Fred Cass—

**Mr. Speaker:** Order! The member was asked to submit this question in the proper form and the proper form was "the then Attorney General," and—

**Mr. Shulman:** I was coming to that.

**Mr. Speaker:** —and perhaps he would read it in that manner.

**Mr. Shulman:** I will read it as I have it here.

**Mr. Speaker:** You will read it as it was approved by the Speaker's office or the question will not be asked.

**Mr. Shulman:** But this is the question as it was returned by the Speaker's office—as you wished it to be read.

**Mr. Speaker:** The member has been told how the question was to be worded because the member has been referring to the Minister by his office and he should do so with anyone else that he wishes to name, including the Speaker.

**Mr. Shulman:** For what purpose were those elected Conservative members, other than the Minister and the then Attorney General,

present at the showing of the film "Bitter Ash?"

6. I am reading it as he asked me to read it—I am reading it here as he sent it back from his office.

**Mr. Speaker:** Order! The member will take his place. I have said to the member that this question had been corrected and sent back to him to be read that way. He is now telling me that that is not so. The member will retract.

**Mr. Shulman:** Sir, I said I was reading it as I have it here and that is the way it came back from your office.

**Mr. Speaker:** The member will retract.

**Mr. Shulman:** If I have insulted you I apologize deeply. What I intended today and—

**Mr. Speaker:** You have not insulted me, by any means, but you have not followed the proceedings of this House as they are laid down. You have persisted in contradicting the Speaker. You may contradict me in my personal capacity, but in this House I represent, not just the member for High Park, but all the members. When you are discourteous to the Speaker and contradict him, you are being discourteous to all the members of this House. Therefore, if the member will reword the question and not argue with Mr. Speaker as to in what manner it was submitted, or in what manner it was returned, the question may proceed. Otherwise, I will not allow the question to be asked today.

**Mr. Shulman:** Sir, if you feel I was discourteous I apologize.

**Mr. Sargent:** On a point of order, I very respectfully submit that you have no right to tamper with questions at all. The questions should be given to the members as submitted to you, and not tampered with by you.

**Mr. Speaker:** The member has raised such a point on many occasions, and I have pointed out the rules of this House—

**Mr. Sargent:** What kind of democracy is this?

**An hon. member:** Sit down!

**Mr. Sargent:** I do not have to sit down.

**Hon. J. Yaremko** (Minister of Social and Family Services): Ask the leader of the Opposition.

**Mr. Speaker:** Order! Order! Order!

**Mr. Sargent:** How much are you going to control this House?

**Mr. Speaker:** The member, of course, will refer to the rules of the House. If the member for Grey-Bruce had been at the little session which the Clerk of the House held yesterday at noon for members who wished to learn more about the rules of the House, he would have learned that the questions submitted—practically all of those submitted—by the member for Grey-Bruce should, on the consensus of the Clerk and those holding the seminar, have been completely disallowed as being against the rules of the House.

I have not done so because I feel that there should be latitude in the members to put the questions in the manner in which they wish to get the answers that they wish, if they can. Therefore, I have allowed questions which state facts, which state opinions, and other things, which the rules of the House distinctly say should not be placed.

In this particular instance, so that there may be no question about it, because from the series of questions the other day of which this is a repetition by the same member of the same Minister, it is quite obvious that the present Speaker is one of those whom the member wished to name. But in his questions he did not refer to the Minister of Tourism and Information by name, he named him "the Minister", and, therefore, it was quite improper from my viewpoint as the Speaker that he should refer then to the other Minister who was present at that time in his personal name, rather than by the office which he then held. That was the reason, the member for Grey-Bruce perhaps will understand, that I suggested that it be so worded.

As far as Mr. Speaker personally is concerned, there was not any question. The matter was discussed and the Speaker's name was mentioned when this question came up before. But I felt that these things should be kept in the proper terms, and had the member named the Minister of Tourism and Information by name in his question then I would have been quite happy that they should have continued to name the then Attorney General by that name.

That, members, is my situation in respect to this question. I think it is reasonable, and I accept the apologies and the explanations of the member for High Park, and would ask that he proceed then with question 5 of

his series of questions to the Minister of Tourism and Information.

**Mr. MacDonald:** On a point of order, Mr. Speaker. If there has been a little outburst here I submit respectfully that you provoked it.

Interjections by hon. members.

**Mr. MacDonald:** Do I have the floor for a point of order, Mr. Speaker?

**Mr. Speaker:** The member will continue, but as he was one of those who helped the disturbance before, he must put up with a certain amount of it at this time. Will the members yield the floor to the member for York South and give him the courtesy of a hearing?

**Mr. MacDonald:** Mr. Speaker, when you engage in a fit of anger in trying to silence a member for what you thought was a breach of the rules, you displayed the kind of bias which belies your statement of impartiality. The Minister of Agriculture and Food got up on his political podium and engaged while you were silent in your seat, in a flagrant—

**Mr. Speaker:** And the Speaker—

**An hon. member:** Just a minute. Take the halo off, Mr. Speaker.

**Mr. Speaker:** And the Speaker was quiet while the member for York South gave his rebuttal which was proper.

**Mr. MacDonald:** Yes, Mr. Speaker, but I got up to protest because you were silent in your seat and let him give his political speech, which was in defiance of what the Prime Minister said should not go on in this House.

**Mr. Speaker:** Well, there has been a great deal of it on both sides of the House.

**Mr. MacDonald:** Do you show partiality by chopping members down because you, personally, are unhappy about that situation?

**Hon. W. D. McKeough** (Minister of Municipal Affairs): That is a pretty sick way to bail Morty out.

**Hon. Mr. Randall:** Do not character-assassinate him.

**Mr. MacDonald:** What do you mean, character-assassinate him? Members of this House are not going to be victimized by partiality from the chair.

Interjections by hon. members.

**Hon. Mr. Randall:** The Speaker does not have to be character-assassinated by your members.

**Mr. MacDonald:** Mr. Speaker, there was no character-assassination. Mr. Speaker, if you had risen quietly in your chair—

**Mr. Speaker:** On the point of order, the member—

**Mr. MacDonald:** If you had risen quietly in your chair, instead of quivering with rage, and said, "I ask you to say 'the Attorney General' instead of mentioning my name", the hon. member would have done such.

Interjections by hon. members.

**Mr. Speaker:** Order! I would merely point out that I accept what has been said by the member for York South, except this: That when the message had been passed before the House opened, to the office of and I presume to the member for High Park that such was the request I would have presumed that it would have been followed. When it was not followed I took it, as I think I was entitled to, as a flagrant disregard of either the Speaker's position or of the manner in which questions should be asked.

The member for Humber has a point of order.

**Mr. G. Ben (Humber):** Perhaps this will assist you, Mr. Speaker. I am such a cool, calm and collected character, perhaps I could dispense the rest of my tranquilizer pills among the members here who are raising such a row.

**Mr. Speaker:** Perhaps the member for High Park will now proceed with question 5 of his series.

**Mr. Shulman:** Mr. Speaker, may I explain that no disrespect was intended, and I was reading it as it was returned to me. Obviously there had been a clerical error somewhere.

**Mr. Speaker:** I have accepted that.

**Mr. Shulman:** Question 5—for what purpose were those elected Conservative members other than the Minister and the then Attorney General present at the showing of the film "Bitter Ash"?

6. How many precensored pictures have been viewed by the Minister? Did the Minister consider that the censorship board was

not capable of making a correct decision in these cases?

7. Did the Minister enjoy the films?

**Hon. J. A. C. Auld (Minister of Tourism and Information):** Mr. Speaker, first may I say that I am delighted that I have not been overlooked today, although there is not anything new here.

Perhaps the first question I might unload first and divide it into its two parts. The hon. member asks, "Was the film produced by splicing together various portions of films that had been refused passage by the censorship board?" I simply repeat what I said on Wednesday. I said: "To answer point no. 1, Mr. Speaker—Mr. Silverthorne has no knowledge, nor have I, of any film made up of cuts being shown to senior civil servants in this building, either two years ago or at any other time in the last 20 years".

Secondly, the story in today's *Toronto Telegram* says, and I quote:

"I am sure Dr. Shulman is not aware of this fact, and he is a little confused," Mr. Auld said. "I would be delighted if he would give me all the details of the showing he was referring to."

The hon. member is apparently still confused.

I would say that the next paragraph in the *Toronto Telegram* story—

But a high government official said today the film described by Dr. Shulman had indeed been made and shown to the Attorney General's committee on obscene literature.

—is simply the point I referred to also on Tuesday when I talked about that great epic "Bitter Ash".

There is obviously no answer to 2, 3 and 4 which do not relate.

Question 5: For what purpose were those elected Conservative members, other than the Minister and the then Attorney General, present at the showing of the film "Bitter Ash"? I can only say that it was a small room. To my knowledge there was no other members of any political party present, but I must qualify that by saying that it was such a great epic that I fell asleep for about 20 minutes. Maybe somebody came in and I did not see them. I also say that if the hon. member would like to, he could think about changing two letters in those words of the title and he would have a better title.

In answer to question 6, I do not know what the hon. member means by precensored



films. I can only say that I have seen no film in Ontario which is required to be referred to the board before the board has dealt with it.

As far as question 7 is concerned—some I enjoy, some I do not.

May I finally say this, Mr. Speaker, repeating what I said on Tuesday and what I said in my estimates, and again I quote:

Therefore, if he still insists that a super-pornographic extravaganza of censored pieces of film were shown by the censor board two years ago to a group of civil servants in this building, I invite him to make public the details.

Perhaps I can make it, Mr. Speaker, a little more succinct—put up or shut up.

**Mr. Shulman:** Mr. Speaker, there is a very simple way the truth of this can be established.

Would the Minister be agreeable to going along with the request which I have already made to the committee on—

**Hon. Mr. Auld:** No supplementary question, Mr. Speaker.

**Mr. Shulman:**—committee on government commissions to have the censorship—

**Mr. Speaker:** The Minister says he will take no supplementary questions.

**Mr. Shulman:** I rise on a point of order, sir. I have been invited to put up or shut up. I am about to put up.

My point of order is as follows: I have already made a request to the committee—

**Hon. Mr. McKeough:** That is no point of order.

**Mr. Shulman:**—committee on government commissions that the censorship board be invited to appear before them to establish the truth of this matter. I trust the Minister will accelerate the appearance of that board.

**Mr. Speaker:** The member has a further question?

**Mr. Shulman:** For the Minister of Health:

1. Is the Tannahill ambulance service in Owen Sound using a station wagon as an ambulance that is also used for transferring human bodies from the mausoleums at Greenwood cemetery to graves in the cemetery and to distant cemeteries for later burials?

2. If so, will the Minister take steps to stop this practice?

3. Is the Tannahill ambulance service in Owen Sound varying its rates according to

the bloodiness of the injured person being transported?

4. If so, will the Minister take steps to stop this practice?

**Hon. Mr. B. Dymond (Minister of Health):** Mr. Speaker, I take the questions as notice.

**Mr. Speaker:** Has the Minister of Health his statement?

**Hon. Mr. Dymond:** Mr. Speaker, you will recall that the Throne Speech made mention of a proposal that the government would undertake a programme aimed at bringing down the cost of medications to consumers.

One essential feature of the drug plan announced at that time was the establishment of a drug quality and therapeutic committee.

Recognizing the dangers inherent in placing too great emphasis on the cost of drugs alone, The Department of Health decided upon this method of ensuring that drugs made available under the prices negotiation programme would be of satisfactory quality and effective from a therapeutic point of view.

The purpose of this committee shall be to ensure, insofar as is within its capabilities, medications considered for inclusion in a list by the provincial government, shall be reliable. The reason for a list is to ensure that drugs of quality are available at a reasonable price to hospitals and the public.

In more detail, this would mean that the drugs contain the active material in the amount and form claimed; that they are formulated in a manner to make these ingredients available to the patients in as satisfactory a fashion as can be expected, and are free from infective, toxic or other extraneous material apart from the ingredients in the formulation. This committee will rely on the experience of its members and information from a wide variety of sources to attain these objectives.

There will be seven members under the chairmanship of Dr. W. T. W. Clarke, professor of therapeutics, University of Toronto; Dr. Peter R. Galbraith, on the faculty of Queen's University, Kingston; Dr. Wm. Goldberg, head of the department of medicine, St. Joseph's hospital, Hamilton; Dr. Raymond LaForest, chief of paediatrics, Scarborough General hospital, Toronto; Dr. Ralph McKendry, University of Ottawa medical school faculty; Dr. John Parker, professor of pharmacology, University of Western Ontario, London; Professor George Walker, faculty of pharmacy, University of Toronto.

Executive support will be provided by The Department of Health.

It is again reiterated for emphasis that this programme will in no way interfere with the right of doctors to prescribe the drugs of their choice. It is expected that doctors will always have a continuing concern for the patients' economic status and that the bulk of the drugs they prescribe will be on the negotiated list. Generic drugs, I would remind you, will be included.

**Mr. Speaker:** The member for Grey-Bruce has questions.

**Mr. Sargent:** A question, Mr. Speaker, to the Minister of Mines.

In view of the fact that the federal government has gone into partnership with private industry in a consortium of 25 private corporations with the federal government holding 45 per cent back in oil explorations in the Arctic, would the provincial government consider a parallel consortium deal with small prospectors in the province of Ontario to explore the mining resources of northern Ontario?

**Hon. A. F. Lawrence (Minister of Mines):** Mr. Speaker, I have been out of my office all morning, away from the building since noon and just arrived back. I have not had time to give any consideration to that matter.

But I think I could answer it this way, by saying that I have a personal idiosyncrasy. I do not believe that policy changes should be announced at question time. I think they should be announced in due course by the government if any are going to take place. I can merely say that that matter is under consideration, and if and when a policy change is to be announced, it will be announced in due course.

**Mr. Sargent:** Thank you.

A question of the Attorney General.

In view of the report in the *New York Times* on March 19, that Chicago policemen have started carrying a chemical mace, a disabling agent, as part of their equipment, would the Attorney General advise what plans he has to use these agents in police enforcement in Ontario, and if Ontario police will be given training in these agents?

**Hon. Mr. Wishart:** Mr. Speaker, a chemical mace is not used by any police force in this province and at present, we have no plans for using it. The matter has been looked into and the police commission is not satisfied, at the present time, that the substance is not

injurious to the human body. We have no training and no plans to use it at this time.

**Mr. Sargent:** Does the Minister agree with that in view of the fact that 11,500 police in Chicago are using it now and the New York police force are going to start using it shortly?

**Hon. Mr. Wishart:** I would not necessarily follow the example of those police forces.

**Mr. Speaker:** Orders of the day.

**Hon. Mr. Grossman:** Mr. Speaker, on May 21, I took as notice the question from the hon. member for Wentworth (Mr. Deans) who unfortunately is not present—which read as follows:

In light of the article in the *Hamilton Spectator* on May 18, will the Minister order an investigation into conditions in Halton county jail?

Mr. Speaker, I had not, at that time, read the article. I have now done so and I have ordered my inspectors to investigate the conditions of the jail.

**Mr. Speaker:** The member for Sudbury East has a question.

**Mr. E. W. Martel (Sudbury East):** Mr. Speaker, a question of the Minister of Finance and Commercial Affairs.

Is it true that producers of rubber footwear, such as those located in Granby, will ship their goods to Toronto, Winnipeg, Edmonton and Vancouver prepaid, while the same goods are shipped to northern Ontario dealers collect, thus adding to the cost of rubber footwear which is passed on to the consumers of northern Ontario?

If so, why are such goods shipped to northern Ontario dealers collect? Is the Minister in a position to change that practice?

**Hon. Mr. Rowntree:** Mr. Speaker, I had no knowledge of the facts contained in the question but I shall inform myself.

**Mr. Speaker:** Orders of the day.

**Clerk of the House:** The 16th order; the House in committee of supply, Mr. A. E. Reuter in the chair.

# ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES (Continued)

On vote 2003:

**Mr. E. W. Sopha (Sudbury):** Mr. Chairman, at the end of the last sitting—

**Hon. J. Yaremko** (Minister of Social and Family Services): If I may just have a word at the very beginning—

**Mr. Sopha:** That is fine.

**Hon. Mr. Yaremko:** Mr. Chairman, during the course of the estimates the other evening, the hon. member for Scarborough Centre (Mrs. M. Renwick) asked a question as to what municipalities had the special provisions regarding the payment of 90 per cent with relationship to the 6 per cent provisions. I gave, as a reply, Cornwall. That was in error, that should have been Hawkesbury. Hawkesbury is the only municipality. Then, during the course of the estimates, we were discussing the amount of moneys which were obtained from Ottawa and I made reference to the fact that the executive director of the finance and administration division made sure that every dollar came from Ottawa. The member for Sudbury was evidently unaware who that director was and I am delighted to point out to him, perhaps the most senior woman in the public service of Ontario, Miss Crittenden, our director of administration and finance.

**Mr. Sopha:** Splendidly efficient too, my observations note. At the close of the last session, I had raised the question of this practice of local welfare administrators taking assignments from people in anticipation of the recovery of judgments. I have attempted to point out the contrast between recovery of moneys for traumatic injury and the return to work of a person who suffered from physical disease. I wonder, has the Minister considered this practice in the meantime, and would he give us the benefit of his views upon this practice?

**Hon. Mr. Yaremko:** I have not had the opportunity of looking into the matter but I assure the hon. member that I will check into it very fully with respect to this specific instance, and the whole field of recoveries. I will familiarize myself and see what is the basis for them and whether they contravene in any way our general attitude towards the administration of social services.

**Mr. Sopha:** Put in sharper focus, let me cite this simple body of facts. I recently received from the city of St. Catharines three assignments in respect of moneys that they have made to three clients who suffered injuries in an explosion at Levack near Sudbury. Would the Minister consider—if the city of St. Catharines wants to recover the

whole of the amount it gave these people for welfare—would the department buttress me if I took the position that they cannot recover the whole of it? 75 per cent, is it?

**Hon. Mr. Yaremko:** Eighty per cent.

**Mr. Sopha:** Eighty per cent is the province's money, and the most they may recover is the 20 per cent that the city of St. Catharines put up. Would the Minister as a fellow lawyer tell me: How does that grab him?

**Hon. Mr. Yaremko:** Far be it from me to suggest to the hon. member that he should not put forward every possible legal argument, whether it ultimately will hold water, be valid, or not. As you know, lawyers put forward all their arguments and trust that perhaps one or any number might hold water.

**Mr. Sopha:** Fine. Let us, as two lawyers, enlist the Provincial Secretary (Mr. Welch) to get an opinion from him on this particular matter.

**Mr. D. C. MacDonald** (York South): The three musketeers.

**Hon. Mr. Yaremko:** I bring to the attention of the hon. member that he would have to bring Ottawa into the picture too.

**Mr. Sopha:** Well, I can square this with Pierre, I have no trouble there.

**Mr. MacDonald:** He is a kissing cousin.

**An hon. member:** Flower power!

**Mr. L. A. Braithwaite** (Etobicoke): Mr. Chairman, the Minister will recall that some time in March I wrote him about a juvenile, a girl who was incarcerated in St. Mary's training school, 3044 Dufferin Street, Toronto. The reason I wrote him, Mr. Chairman, was that the parents of this child had received a letter from the department of welfare, wanting them to pay the sum of \$27.30 monthly for her maintenance. So I sent a copy of their letter which, Mr. Chairman, contained a setting-out of their earnings and their deductions and their various weekly expenses. Obviously these people could not afford to pay the \$27.30 that it cost to keep this girl in St. Mary's training school.

The hon. Minister replied to me that it was his understanding that there was a charge of 90 cents a day made to the family because the daughter was in the training school. Mr. Chairman, what provision is made for assistance to the family when there is a court order,



as the Minister intimated in his letter to me—that the \$27.30 was made up of 90 cents a day for the month—this was the result of a court order made when the child was committed to the St. Mary's training school. As I was saying, Mr. Chairman, the thing I am wondering about is, what provision is made when you find a family which cannot afford to pay this extra amount of money?

The Minister implied to me in his letter that the cost of keeping the child at home would be more than \$27.30—

**Hon. Mr. Yaremko:** Mr. Chairman, on a point of order, I am advised that this matter comes under The Training Schools Act, which is under The Department of Reform Institutions.

**Mr. Braithwaite:** Mr. Chairman, I was going to get to that point. There seems to be some disagreement in our points of view. That is why I am bringing it up here. The only thing that I want to find out is, what provision does the Minister make when parents cannot find this amount that is necessary to keep a girl—who has run away from home continually, I gather—in the training school? The people said they received a letter from the welfare department. That is why I am wondering what provision is made in the Minister's department for this type of case. It is a little unusual but the Minister in his letter to me—

**Hon. Mr. Yaremko:** Has the hon. member a copy of the letter that was sent out by the department of welfare?

**Mr. Braithwaite:** No, I have the Minister's letter; and if I can quote, he says: "No doubt the welfare department of the municipality of metropolitan Toronto wrote to the parent to remind him of his obligation and he has confused them with our department."

The point is that it is welfare. I feel that if this is the type of situation where the finances of a family are badly strained, badly enough that they cannot pay—this is something on which the Minister should have some policy. My concern is, what does the Minister do in cases such as this? This case may be unique, but I do feel it is a situation where these people have a cause for complaint.

**Hon. Mr. Yaremko:** First of all, Mr. Chairman, I would assume that the welfare department of the municipality of Metropolitan Toronto, which has a budget of, I think, this year, \$32 million, would have gone into the question of the availability of the funds to

that family in respect to the payment. Second, without being too familiar with the Act, I would believe that order would have been made by a judge under the Act, and he too, I would assume, would have taken into consideration the ability of the family to pay. This matter is completely outside the jurisdiction of the province.

**Mr. Braithwaite:** Mr. Chairman, the reason I bring it up here is, the Minister has stated previously that he has not had the opportunity to bring the board of review into operation, and I do feel that this is the type of thing that would come before the board of review. Inasmuch as we do not have a board, I think it is only proper that we raise it here and get some idea of the Minister's policy in this sort of thing.

**Hon. Mr. Yaremko:** It is not likely that that would come under the board of review. The only matters that are appealable within our department are those matters which come within our department. If something is outside our department, it will not be appealable to the board of review.

**Mr. Braithwaite:** I beg to differ with the Minister on that, could the Minister make some comment? I am wondering if we have a family who, as I say, cannot afford to keep their child in a training school, what does happen? This I would like to know.

**Hon. Mr. Yaremko:** Mr. Chairman, to wind up the conversation, the hon. member says that the family cannot afford it. I would imagine that the welfare department of the municipality of Metropolitan Toronto has passed on this and probably a judge has passed on it, and there would appear to be a difference of opinion. The municipality then will take whatever steps it is entitled under the law to take.

**Mr. Braithwaite:** Do I understand then, that this type of case or any similar type of case could not be brought before the board of review?

**Hon. Mr. Yaremko:** That specific type, no.

**Mr. Braithwaite:** Where would these people appeal? I am asking for a reply, Mr. Chairman.

**Hon. Mr. Yaremko:** They would go to the court, to the judge, and say they could not pay. Then it would be up to the judge to decide for a revision of the order.

**Mr. Braithwaite:** The reason I bring it up here, Mr. Chairman, is that although I do not want to dwell on this, the letter asking that they pay the money came from the welfare department of the municipality of Metropolitan Toronto. That would put this, to my way of thinking, under the jurisdiction of welfare, and I cannot see why they would have to go back to the judge. Why would the welfare department then, Mr. Chairman—perhaps the Minister would tell me—why would the welfare department write a letter asking them for the money?

**Hon. Mr. Yaremko:** I have no knowledge, Mr. Chairman.

**Mrs. M. Renwick (Scarborough Centre):** Mr. Chairman, I would just like to clear up two or three points left over from our dealing with 2003 previously. One, I would like to ask the Minister his interpretation of section 7 of the general welfare assistance regulations regarding the months where heat assistance is given to the applicant.

**Mr. Chairman:** Did the member indicate she had two or three small questions? Could she group them and perhaps the Minister would take them—

**Mrs. M. Renwick:** There is something further to this one, Mr. Chairman, which might make it a little awkward to go back. I can go on with another question, perhaps, then.

**Mr. Chairman:** If they are too involved perhaps the Minister would like to—

**Mrs. M. Renwick:** This is something that is not related, but it can certainly—

**Hon. Mr. Yaremko:** Mr. Chairman, there must be at least 15 or 16 lines of print here. I do not understand what the hon. member wishes when she wishes me to interpret them.

**Mrs. M. Renwick:** Mr. Chairman, on page 7 item 7, "For fuel" are the first two words.

**Hon. Mr. Yaremko:** Yes.

**Mrs. M. Renwick:** All right. Could I give my version of the interpretation and ask you if it is correct?

Section 7, General Welfare Assistance Act: "For fuel"—I am speaking of areas that we live in—an "amount provided" for the months of October to April in section (b). This is in relationship to my question of May 7, asking in the cold early days of May about heat for which there was no provision, in my under-

standing of the Act, at a time when according to the medical officer of health requirements in this city, they should have had heat.

**Hon. Mr. Yaremko:** The welfare administrator calculates the fuel needs for those particular months and then he may spread the payment over a period of 12 months or any other period. He could give it all in one month.

**Mrs. M. Renwick:** Mr. Chairman, I realize that. Further on, it says very carefully that this amount may be apportioned over 12 months. This amount—the amount being fuel for the months of October to April—seven months. Fuel for seven months may be apportioned over 12 months.

Regulations in our city require that fuel is provided to people for nine months of the year at a 68 degree temperature, 24 hours a day. My question on May 7, Mr. Chairman, was to ask the Minister if he would change, or consider changing, the regulations so that it did cover a nine-month period, and the Minister's answer intimated that the fuel supplied was in fact for greater than a seven-month period.

**Hon. Mr. Yaremko:** This is the method of calculation which has been adopted. The full requirements for a seven-month period are calculated and I am advised—one figure that has been given to me is  $\$29 \times 7 = \$203$ —and that may be spread over a period of up to 12 months—the payments.

**Mrs. M. Renwick:** Mr. Chairman, may I labour a little bit longer on this because I think it is important. I think the importance is that it is being based, is it not, on a seven-month period?

**Mr. G. Ben (Humber):** That is the heating law—seven, not nine months.

**Mrs. M. Renwick:** When heat is really required by the bylaws of this city for people, based on a nine-month period?

**Mr. Ben:** No, it is from October to May.

**Mrs. M. Renwick:** I have a copy since I have an interjection from the floor. I am advised by—

**Mr. Chairman:** May I point out to the member the interjection is out of order and that she address her remarks to the chair, through the Chairman to the Minister.

**Mrs. M. Renwick:** Thank you, Mr. Chairman. May I just keep the record straight

then, because I am going back now to an item of May 7 when I took the Minister's answer as being an accurate one. Since then, I have studied the Act for the purpose of my work today and I question the answer of the Minister. I mentioned that I questioned it when we finished vote 2003 two days ago.

By Miss Gibbons, The Department of Health, division of sanitation at city hall, I was advised and my secretary checked again, that the heat bylaw covers October 1 to June 1, 68 degrees, 24 hours a day, an eight-month period for the metropolitan area of Toronto.

**Hon. Mr. Yaremko:** Well, all I can repeat again is to tell the hon. member that she is aware of the fact that heat requirements are less in the beginning of the heating season and rise and taper off.

The hon. member shakes her head. Maybe she burns exactly the same amount of fuel in September as she does in December. I do not. I can tell when it is December and January by the number of times the fuel truck drives up to my home and puts that slip under the door. I know that in September he may come once and I may not see him again until November. In the months of December and January, it seems to me, he is driving by every second night.

We take a seven-month period—we could divide it over a nine-month or an 11-month period. We have taken the fuel requirements for a seven-month period and paid it. We pay it over a seven-month period allotment.

But we are taking into consideration spreading it over a 12-month period, calculating for the period and spreading the payment.

**Mrs. M. Renwick:** Mr. Chairman, I would like to say most respectfully, that how I work out my fuel arrangements and how the Minister works out his arrangements is not what is important at this moment. The importance is this, that this is a monthly calculation of the department. It states that it is a monthly calculation. If you look at the three lines from the bottom it states it is figured per month over a seven-month period.

The provision is what is important, not the payment. The provision is based, according to my interpretation of this section 7 on a seven-month period of so much fuel per month. It may be paid in nine months, 12 months, any number of months, but it is based incorrectly, according to our city bylaws.

**Hon. Mr. Yaremko:** Mr. Chairman, that is the hon. member's interpretation. We pay out \$203 for fuel requirements for a six-room home. Now that is—

**Mrs. M. Renwick:** You base it on seven months.

**Hon. Mr. Yaremko:** If the hon. member were to say to me that \$203 does not provide sufficient fuel to heat a six-room home, well then perhaps you might make an argument that I could listen to. But to get into the method of calculation. We could be at different poles and somebody else could come along and have their own interpretation of what should be required.

**Mrs. M. Renwick:** Mr. Chairman, I respectfully submit that the amount of money is not the point. It is the basis. The basis of the amount of money is, according to section 7, on the requirements of the family over a seven-month period.

I began, Mr. Chairman, by asking the Minister's interpretation of this section. The Minister referred to my giving my interpretation. I am quite happy to ask, what is the Minister's interpretation? I feel that it is at variance with the bylaw of this city for heat requirements.

May I just ask the Minister, Mr. Chairman, what is his interpretation of the period of time that this fuel allowance is based on? The calculation is important in my view. The period of time that this fuel allowance is based on is important. If you are basing it per month on a seven-eighth basis, it is definitely going to be a figure less than a nine-month figure based on a monthly basis. If the requirements for heat are nine-month and not seven-month, it is very important.

**Mr. Chairman:** May I say that the interpretation placed upon the section by the member at seven months has been concurred in by the Minister.

**Mrs. M. Renwick:** Concurred? No, I think he—

**Mr. Chairman:** The Minister indicated that it was based on the seven-month period but paid over more months. However, comparison between the provision of the section and the municipal bylaw is irrelevant in the discussion of these estimates. May I suggest to the member that she get her point across to the Minister or the Deputy Minister?

**Mrs. M. Renwick:** Mr. Chairman, may I ask a question? In section 7, is the fuel re-



quirement based on providing fuel for a seven-month period?

**Mr. Chairman:** This is how I understand it was interpreted by the Minister.

**Mrs. M. Renwick:** Section b of item 7, general welfare assistance.

**Hon. Mr. Yaremko:** Mr. Chairman, section 7a says for the months of September in each year to May the following year, with an applicant or recipient, section b says of October in each year to April—October to April, that is seven months where the applicant or recipient does not reside in a territorial district; we take seven months multiplied by \$29, which gives \$203 for a six-room home. That amount can be payable over a 12-month period. We feel that \$203 is ample to supply fuel for a six-room home.

**Mrs. M. Renwick:** Mr. Chairman, I asked a simple question. Is the fuel allowance based on seven months? I believe from the Minister's answer that I am correct, Mr. Chairman; that the answer is yes, it is based on seven months.

**Mr. Chairman:** The member for Scarborough Centre is quite correct. The calculation is based, as the Minister said, on seven months.

**Mrs. M. Renwick:** I have one small question to follow up, Mr. Chariman. This is a monthly calculation, is that correct? A monthly calculation for seven months?

**Mr. Chairman:** The Minister has said that it is \$29 per month.

**Hon. Mr. Yaremko:** We calculated the fuel requirements of a six-room home to be \$203 during the course of the heating season. We made provision for it to be paid in seven equal instalments, but it may be paid up to 12 monthly instalments.

**Mrs. M. Renwick:** Mr. Chairman, I would like to state that, and correct me if I am wrong, you are calculating the heat on a seven-month period on a basis per month, no matter how many dollars it is. I submit that it is worthy to consider changing this item, because people are protected in the Metropolitan area by the heat requirement bylaw, that they should have heat for eight months, not seven months.

**Hon. Mr. Yaremko:** Under the regulation, they can get a cheque for fuel in the month

of July when they will possibly have no heat requirement whatsoever.

**Mrs. M. Renwick:** Mr. Chairman, that is not the question. They can get a cheque in July because they have been shortchanged somewhere else along the line in the other months. The question is, are we providing heat for the eight months of the year? You would not have this question, Mr. Chairman, nor this delay if we did not have families calling the New Democratic Party offices in this building in the early part of the month of May because they were cold, because they did not have a fuel allowance under The General Welfare Assistance Act for the month of May.

**Mr. Chairman:** The Minister has provided all the answers that he can on this point.

**Mrs. M. Renwick:** Next point, Mr. Chairman. I would like to go back, hopefully not so far, just to the last date of our exchanges—May 21—when the hon. member for Parkdale (Mr. Trotter) asked the Minister, and I quote, "Is it correct to say that an 'unemployed' single man in the city of Toronto, if he is on welfare, receives \$62 per month, and what does that cover?" The hon. Minister answered, "That does not include shelter." The member for Parkdale asked, "Well, then, what would the shelter include?" The hon. Minister said, "It can be up to \$43."

My interpretation of the Act, Mr. Chairman, is that prior to answering the member for Parkdale—what a single "unemployed" man is entitled to, under The General Welfare Assistance Act—what should really have been questioned by the Minister was, is the person "unemployed" but "employable"? If he is unemployed, but employable—I say to the hon. member for Parkdale—our requirements are that we must be satisfied that the applicant or recipient is willing to undertake employment for which he is capable. Note, "capable" not "qualified" and is making a reasonable effort—which is not defined as to what a reasonable effort is—to secure employment.

Mr. Chairman, I am thinking of a man in his mid-forties who, because of one finger missing, went 22 times to an employment registry office in the last six months and could not get employment. I think that if we are going to categorize under this Act who is "unemployed" but "employable" and what "employable" means, we have to define exactly what efforts we expect the beneficiaries to make. Because in the Minister's

answer to the member for Parkdale, he assumed that because this was an unemployed single man he was automatically "unemployable" and he would be entitled, automatically, to benefits under this Act. Now, under this Act, an "unemployed" single man is not, I respectfully submit, entitled to benefits until he is categorized by the department as to whether he is "unemployed" from a physical or mental disability or "employable" and if he is "employable," what effort is he making to secure employment?

**Hon. Mr. Yaremko:** When we were discussing what amounts he would be paid, I could only have made the natural assumption that he would have been entitled to some allowance. The hon. member started to ask questions on the assumption that the man was entitled; if a man is not entitled, then he does not get anything. He is not entitled, period.

**Mrs. M. Renwick:** Mr. Chairman, I submit that there are two kinds of "unemployed" under this category—the kind who are unwell and unable to work, and the kind who are "employable," this was a very important question; before answering how much money, the answer should have been for the member for Parkdale.

I would like to ask, then, Mr. Chairman, when a person is "unemployed" but "employable," what does the department do to be satisfied—as this is the wording in section 7 of The General Welfare Assistance Act, that the applicant is willing to take employment for which he is capable, and is making efforts to seek employment. What does the department do in that regard? Mr. Chairman, I say that it is not an assumption by your department that a single "unemployed" man would get a benefit. It is categorized, by item 3, section b, page 3, of The General Welfare Assistance Act, under the categorical aid system.

**Hon. Mr. Yaremko:** Mr. Chairman, I think that we will continue to talk at cross-purposes. Neither in our department nor in any other department, to my knowledge, is there anywhere where somebody can say, "I am unemployed and I need some money."

There is an interview, and if the person is entitled within the confines of this legislation or other legislation, he then gets certain benefits which may vary.

Does the hon. member say that somebody should be entitled to walk up to a wicket and say: "I need some money to get along with

next week" and the answer should be: "How much?" And a cheque written out? We are discussing at completely cross-purposes here.

**Mrs. M. Renwick:** I made no such assumption.

**Hon. Mr. Yaremko:** If a single man is entitled—if he brings himself within the description that society sets down that he is one who is worthy of receiving assistance at the hands of his fellow taxpayers through society machinery, then he would be entitled to a pre-added budget of \$62 and a shelter maximum of \$43 for a total amount of \$105. That is under the family benefits. Under general welfare assistance it works out to the same thing—\$47, \$8, \$7 and \$43 for shelter, a maximum of \$105.

**Mrs. M. Renwick:** What category?

**Hon. Mr. Yaremko:** Under the general welfare assistance.

**Mrs. M. Renwick:** Mr. Chairman, may I ask then what category of person those figures cover?

**Hon. Mr. Yaremko:** A single person entitled under the legislation.

**Mrs. M. Renwick:** A single person unemployed? I think Mr. Chairman, if the Minister would state clearly what kind of single person unemployed is entitled to benefit—

**An hon. member:** Any kind, after they have been screened.

**Hon. Mr. Yaremko:** Mr. Chairman, the municipality decides whether a person comes under the description of 1(e), (i) or (j), and then makes the decision.

**Mrs. M. Renwick:** Mr. Chairman, I submit that I did not ask who would make the decision, which I understand now is the municipality. But I asked, according to The General Welfare Assistance Act, page 3, item 3, section (b), what kind of person will be given benefits if he is unemployed?

**Mr. Chairman:** Would the member please state what she means by "what kind of person"? I must confess I am having a little difficulty following.

**Mrs. M. Renwick:** Is he an "unemployed", but "employable" person? All right, he is an "unemployed", but he is "employable". All I am asking is, how does the department satisfy itself, because I will read the clause, Mr. Chairman, and then you will see what I

am getting at, and I hope to waste no further time, either yours or the House's or anyone else's.

**An hon. member:** You are doing pretty well.

**Mrs. M. Renwick:** Where the person is "unemployed", but "employable", be satisfied—

**Mr. Chairman:** Surely this is laid down in regulations by which the municipality welfare officer is guided.

**Mrs. M. Renwick:** The Act, of course, Mr. Chairman, comes from the Minister, but I do not understand why this clause is in the Act if they do not act upon it.

Do you act upon the section which says you must be satisfied that the applicant or recipient is willing to take employment for which he is capable, not work that he is qualified for, or not low income work from which perhaps he cannot contribute as much to our economy as if he waited a week or two and got some higher form of income.

It is important, Mr. Chairman, it is not irrelevant.

"And is making reasonable efforts". What are reasonable efforts? Twenty trips to the unemployment service branch, ten, 50, none? Is this being checked up at all? Is this not being exercised right now, Mr. Chairman, might be a good question since there does not seem to be an answer.

**Hon. Mr. Yaremko:** The answer is that it is up to the municipality which has the jurisdiction under the legislation to make the decision.

**Mrs. M. Renwick:** Mr. Chairman, could I ask the Minister, should you have set down to the municipality what you expect the municipality to check before giving out a benefit?

**Hon. Mr. Yaremko:** What is the hon. member reading from?

**Mrs. M. Renwick:** General Welfare Assistance Act or regulation; I believe, the Act. Eligibility, page 3, white pages.

**Mr. Ben:** Mr. Chairman, since the speaker is seated, maybe I can enlighten the members. What the member for Scarborough Centre said is that there are two types in the category unemployed; the unemployed employables and the unemployed unemployables. The first are usual referred to simply as unemployed, and the latter as unemployable.

**Mrs. M. Renwick:** Yes.

**Mr. Ben:** Evidently, according to the answer given by the Minister, you leave up to the municipality the discretion of determining whether the person who is seeking relief or welfare is unemployable or unemployed.

The hon. member wants to know why are you not more stringent? Why do you not set the steps out which are to be followed by the municipality in determining whether a person is unemployed or unemployable and not leave it to the discretion of the municipality so to do?

We have been on this thing now for 45 minutes and I think it is about time that the answer was given or else we will never cease pursuing the thing.

**Hon. Mr. Yaremko:** I have given the answer time and time again. The statute and regulation are there, and the responsibility is up to the municipality to make the decision.

**Mr. Ben:** This is the decision of the municipality?

**Mrs. M. Renwick:** Mr. Chairman, I would like to correct the statement made by the hon. member—

**Mr. Chairman:** May I point out that the interjections are out of order?

**Mrs. M. Renwick:** He was on his feet speaking, Mr. Chairman. It was not an interjection, and it was in error. The member said there are two categories of the Minister's department, one is unemployed and one is employable and that is not correct.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Let us not go into all that, let us get on with the estimates.

**Mrs. M. Renwick:** Mr. Chairman, for the correct interpretation under this Act you must be an "unemployed person," disabled, unable to work. "Unable to work" is one category.

**Mr. Ben:** Unemployed employables!

**Mrs. M. Renwick:** Order, please, Mr. Chairman! There are two categories. One is unemployed, but unwell and unable to work—

**Hon. Mr. Rowntree:** Mr. Chairman, this member is obviously filibustering. Repetition and what not are unacceptable.

**Mrs. M. Renwick:** Order, please, Mr. Chairman! Even for the hon. Minister.

**Hon. Mr. Rowntree:** Unacceptable.

**Mrs. M. Renwick:** There are two categories: one, "unemployed" and unable to



work through illness and disability, the other is "unemployed," but he is "employable." Now, who determines what efforts the person is making to be employable? If the municipality determines them, then in my interpretation this department should be telling the municipality the guidelines by which they should be judging these people as to whether they are acceptable.

**Mr Ben:** That is what we said.

**Hon. Mr. Yaremko:** Guidelines are set up in the regulation.

**Mr. Chairman:** It has been suggested that there are regulations, that there are authorities within the various municipalities who deal with these on an individual basis. I think if the hon. member wants further information it will be proper for her to contact the department rather than to prolong these estimates in this manner.

Vote 2003.

The member for Windsor-Walkerville.

**Mrs. M. Renwick:** Mr. Chairman, I still have the floor, have I not?

**Mr. Chairman:** I thought the member had two or three questions to ask. She cannot have the floor all day.

**Mrs. M. Renwick:** I said, three, sir, and I have one more.

**Mr. Chairman:** All right, one more.

**Mrs. M. Renwick:** I presume, Mr. Chairman, you would not like one simple question as to what "being satisfied" means by this department.

**Mr. Chairman:** We discussed this particular aspect just a few moments ago.

**Mrs. M. Renwick:** Very well. Could I ask about the practice of this department on the percentage of rents, or the amounts of rent in dollars paid in relationship to tenants on their recipient rolls to the Ontario housing corporation?

**Hon. Mr. Yaremko:** We will pay what is charged up to our maximums.

**Mrs. M. Renwick:** I am sorry, Mr. Chairman, could I ask the Minister to repeat that to make sure I understood?

**Hon. Mr. Yaremko:** We will pay what is charged, subject to a certain ceiling, certain maximum.

**Mrs. M. Renwick:** May I ask what is the ceiling? I am trying to determine what amounts of money are being transferred from this department to the Ontario housing corporation, because they are not done in the way that you as a worker would be paying. The percentage is much smaller.

As an example, a family earning say \$200 a month would pay \$32 a month to the Ontario housing corporation. Now, a family in receipt of family benefits or general welfare assistance in the vicinity of \$200 would pay how much to Ontario housing corporation for rent? I am sure, Mr. Chairman, you will find it is much more than the minimum of \$32.

**Mr. Chairman:** Does the Minister have any further information on that particular point?

**Mr. E. W. Martel (Sudbury East):** He has not given any yet.

**Hon. Mr. Yaremko:** The family does not come within the fact that it has an income, so the Ontario housing corporation will charge, in this case, what is the maximum that we will pay of the ordinary costs.

**Mrs. M. Renwick:** May I ask, Mr. Chairman, of the Minister, what that maximum amount is then?

**Hon. Mr. Yaremko:** Eighty-five dollars plus \$5 for each dependant over two children.

**Mrs. M. Renwick:** Thank you. Mr. Chairman, my last item, a small one. Could I ask what The Department of Social and Family Services intends to do about the fee increase of the nursing homes where the people are being removed at the present time?

**Mr. Chairman:** I wonder if that is a proper question for these estimates.

**Hon. Mr. Yaremko:** Yes, it is in order, Mr. Chairman.

The Minister of Health (Mr. Dymond) is embarking upon a survey of the matter, a resurvey. Any review that we will make will be made subject to the study which will be made.

**Mrs. M. Renwick:** Since this is a crucial problem right now, I wonder if we might ask when that survey will be ready, Mr. Chairman.

**Hon. Mr. Yaremko:** I think that the Minister of Health, in my conversations with him, is moving right ahead with that study.

**Mrs. M. Renwick:** You do not know, then, when it will be ready even though these

people are being moved from these homes daily at the present time?

**Mr. Chairman:** Order! Order!

The Minister has answered that question quite clearly.

**Mrs. M. Renwick:** Thank you.

**Mr. Chairman:** He is moving right ahead with it.

The member for Windsor-Walkerville.

**Mr. B. Newman (Windsor-Walkerville):** Mr. Chairman, back in 1963 and 1964, the department conducted a fairly intensive study of long-term assistance families in the city of Hamilton. Following that, they conducted a similar study of long-term public assisted families in the city of Windsor. This study was conducted from January 25, 1965, to June 24 of that same year, 1965.

Now the conclusions, as a result of the study, Mr. Chairman, are very substantial; and as a result of them I think the programme, or the study, should have been an on-going programme. The conclusions, as recorded on page 18, mention the saving and expenditure of public funds in cases of those who had this intensive rehabilitation and counselling amounted to \$4,538 monthly or approximately \$60,000 for the year. Whereas the balance of the 102 cases, nothing could be done for them, and as a result, the total expenditures for them amounted to \$111,000.

The complete programme cost—or would have cost—\$170,000 but as a result of the rehabilitation efforts and the counselling of the various individuals involved in this programme, there was a saving of \$60,000 on 102 families.

Mr. Chairman, since this was so substantial I think that such a programme should be an on-going one in not only my own community but all communities so that we can withdraw as many people as possible from welfare rolls and once more, make them gainfully employed.

Has the Minister any comments concerning this programme?

**Hon. Mr. Yaremko:** Mr. Chairman, you will recall my introductory remarks when I made mention of the shift in emphasis that has been taking place in the department; the setting up of our family services branch under vote 2004; and then the fact, as I announced, that the skills and staff and personnel that we have developed under vocational and rehabilitation services branch will

be brought to bear under the leadership of Mr. Amos. We will be moving ahead in this counselling field and rehabilitative work. We are also making provision for the municipalities to provide counselling work and we will share in the cost of that counselling.

That is the direction I said we are going. As I stated, having provided a level of income we feel that, by and large, we will meet the needs of our people who need social assistance. Our efforts will now be turned to getting as many people off those rolls and preventing others from going on.

**Mr. B. Newman:** Since that programme had been completed, Mr. Minister, through you, Mr. Chairman, have any efforts been made by the department to initiate further studies or to supplement this?

**Hon. Mr. Yaremko:** I do not think there are any more studies necessary. We are moving ahead into the field of action. Those studies and others have proved their worthwhileness.

**Mr. B. Newman:** So we can look forward, in our own community and other communities in the province, to a greater effort on the part of your department towards counselling and rehabilitation.

While I am on my feet, Mr. Chairman, I would like to bring to the attention of the hon. members of this House, the 76 people in the east gallery here, from the great riding of Windsor-Walkerville; from the city of Windsor. They are students from John Campbell school, who have come with the principal of the school, a Mr. Smart, and five members of the staff. I know each and every member in the House would like to wish them a warm welcome.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, on item 7—you will be glad it is not still item 4. However, I would just like to point out that \$41 million is what we are trying to deal with here. Under item 7, may I ask, Mr. Chairman, of the Minister how many visiting homemakers there are in our province at this time? How many are certified under the provisions of the Act? How many are in training and not yet certified?

**Hon. Mr. Yaremko:** We have some 880 homemakers employed by private and public agencies throughout the province. As to training, I have not got the breakdown of that

880 but I have of the homemaker training. Some 46 received their certificates in 1967; from the Red Cross society courses, 75 graduated. And then there is in-service training being carried on by the municipal welfare departments in Ottawa, Hamilton, Kingston, Sault Ste. Marie and Belleville, and by the visiting homemakers association of Toronto, Hamilton and Ottawa.

**Mrs. M. Renwick:** Mr. Chairman, how many then did we provide in 1967? Am I correct, I would like to ask the Minister, in thinking a total of 121?

**Hon. Mr. Yaremko:** Yes, plus those who would be in service training, a figure I do not have.

**Mrs. M. Renwick:** How many are anticipated to be enrolled, Mr. Chairman, in the near future? I am thinking of the health estimates recently, where the Minister of Health was concerned about the long stays in our hospitals; the highest, I believe, in a study recently. Knowing the need of visiting homemakers is correlated to the release from hospital, I am concerned about the future plans for graduating visiting homemakers.

**Hon. Mr. Yaremko:** We will be encouraging the development of as many as possible in this field, because it is part and parcel of our whole preventative and rehabilitation programme.

**Mrs. M. Renwick:** We do not know then, Mr. Chairman, how many we will be able to produce in 1968?

**Hon. Mr. Yaremko:** I do not have that figure before me, Mr. Chairman.

**Mrs. M. Renwick:** Could I please ask, Mr. Chairman, under the nurses section of item 7, does the Royal Victorian order of nurses fall under this category?

**Hon. Mr. Yaremko:** There is a Victorian order of nurses.

**Mrs. M. Renwick:** Dr. K. C. Charron, the deputy in The Department of Health, recently mentioned that these nurses could possibly be used in a further extension of services, such as spotting emotionally disturbed children. Is there any thought being given to their activities extending beyond the actual nursing of the person in the home?

**Hon. Mr. Yaremko:** No, I think the nurses strictly nurse.

**Mrs. M. Renwick:** Could I ask, Mr. Chairman, the percentage of the population receiving general welfare assistance in the municipality of Toronto and in the large municipalities of Ontario? I believe the department lists about 40 key municipalities in the province, Mr. Chairman—the percentage in 1968 compared to 1966-67.

**Hon. Mr. Yaremko:** Did you wish the total figures?

**Mrs. M. Renwick:** Total figures or percentage—

**Hon. Mr. Yaremko:** The percentage of population on general welfare assistance in the province of Ontario during 1967 was 1.4 per cent. The total number of cases was 34,000; the number of dependants was 64,000, for a total number of persons in Ontario of 99,000. I do not have the figures for Metropolitan Toronto before me.

**Mr. Chairman:** On vote 2004: the member for Welland South.

**Mr. R. Haggerty (Welland South):** I would like to pursue the question that the member for Sudbury put forward previously that was one of a judgment case where recipients of welfare who had an injury in automobile accidents—some persons seriously with long disability and permanent injury. I can think of two cases that received welfare while waiting for settlement from the Ontario motor vehicle accident claims fund. In many cases persons receive less than 50 per cent of their actual income while on welfare and, finally, when a settlement is granted and that person makes payments to his many debts incurred through this hardship, money is held back by the solicitors to be handed over to the county welfare administration, are persons who had received welfare required to pay the cost of this service?

**Hon. Mr. Yaremko:** The member for Sudbury and I had a very full discussion on this matter.

**Mr. Chairman:** Vote 2003?

**Mr. Haggerty:** Mr. Chairman, I think the point I want to raise here is that I have a letter which was sent to the Minister some two weeks ago and I still have not had a reply. I was wondering if perhaps this was one way of getting it. The answer that was given to the member for Sudbury was no answer.



**Hon. Mr. Yaremko:** Mr. Chairman, that is one of the wonderful things about being a Minister, you are able to be in two places at one time. Normal human beings cannot do that, but we can. I have signed, even today, dozens of letters; it is regretful that the hon. member's was not in there, but I will make sure that tomorrow morning, or even between the 6 and 8 period, I will check to see where that answer is.

**Mr. Haggerty:** Mr. Chairman, could the Minister clarify that statement he gave to the member for Sudbury? It was not too clear to me.

**Hon. Mr. Yaremko:** The hon. member for Sudbury understood it. Of course, he is a man of great perspicacity. That is one of his words.

There is nothing in the legislation which requires a municipality to do this. This is very often based on an arrangement which is made between the municipality and the person at the time and then this is a follow-up on that. But, as I said to the hon. member for Sudbury, this is a matter into which I will check completely—this type of assignment recovery, as well as other recoveries which I have become aware of.

Vote 2003 agreed to.

On vote 2004:

**Mrs. M. Renwick:** Is vote 2004 carried?

**Mr. Chairman:** Not yet.

**Mrs. M. Renwick:** Could I ask, Mr. Chairman, of the Minister, if he would give a short description of what the family services branch is engaged in? I am looking at last year's *Hansard* where it was glowingly outlined and I would just like to know if it is doing the remarkable things that the hon. Mr. Spooner delivered, in place of the hon. Minister, in the last estimates.

**Hon. Mr. Yaremko:** Mr. Chairman, one of the wonderful things about social welfare is that it never comes to a halt. There is always something to be done tomorrow and projections are made over a period of time. This branch is a new development within the social service field of the province of Ontario, at the provincial level. As I explained, it will have responsibility for counselling, rehabilitation, assistance in employment placement, treatment of other social problems such as marital discord, poor financial management, and housing difficulties.

We are not sold, as the members of the NDP group are, that providing of money is the total answer. We think that counselling and rehabilitative services is the answer. The problem is, of course, that with counselling services you need the type of communication from person to person that the leader of the NDP group seems to be against, but we are fortunate that within the department we have a vocational rehabilitation services branch. In order to be able to go ahead with the projects that we have in mind and to push them with great vigour, we have now decided that we will be able to use some of the experiences and counsellors of the vocational rehabilitation services branch to give us the start within this particular family services branch.

**Mr. Braithwaite:** Mr. Chairman, in the light of what the Minister has just said—

**Mr. Chairman:** Just a minute please, the member is not finished.

**Mr. Braithwaite:** Oh, I am sorry.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask the Minister if he would outline exactly what counselling the family services branch has taken and where and how many people it has serviced; in what category—and I will try to keep my cool about his reference to the NDP policy—that it is simply one of supplying money. I would like to point out that there is 50 per cent of this budget under vote 2002; \$110 million under just giving money; there is another \$40 million under giving money. I would like to see the family services branch budget in the vicinity of millions of dollars for counselling, rehabilitation service, information centres like the pilot project in Burlington, the two-year pilot project under the social planning and research council of Hamilton and district as sponsors, the two-year demonstration project—the actual demonstration which we in this province have not yet carried out—to get some decent research done.

It is very important that this department grow. I would like to say, Mr. Chairman, the Minister said the one thing about this department is that it never comes to a halt. I would like to re-emphasize that my lead-off in these whole estimates and my thinking and the position of the New Democratic Party is a very simple one—we do not believe that the department of welfare should be allowed to go on forever without a halt. We must balance it out by having research,

by having volunteers active in centres, information centres, by having rehabilitation, by having counselling—and by having it in open, available places where everyone knows that it is a by-word that if they need assistance before they fall on the roll of benefit and general welfare, that they have a place to go where they will be helped in preventative measures as the Canada assistance plan outlines—prevention, rehabilitation, counselling. This is where the millions of dollars should be, Mr. Chairman, I submit respectfully, in this department.

**Mr. Braithwaite:** Mr. Chairman, in the light of the Minister's recent remark I might point out to him that—

**Mrs. M. Renwick:** The Minister has not answered my questions; I asked the Minister three or four questions, sorry.

**Hon. Mr. Yaremko:** Mr. Chairman, the hon. member has very fully set out what I have been saying for the past year, which we initiated and which will be put into effect.

**Mrs. M. Renwick:** Mr. Chairman, because the Minister has not answered my questions I would like to go back. I would like to know how much counselling has been done, where, how many families it has covered and under what categories the assistance came. How much counselling, where?

**Hon. Mr. Yaremko:** Mr. Chairman, our counselling has taken place in the Metropolitan Toronto regional office and we are beginning to use the experience which we have received from that type of counselling to be able to move ahead by bringing the counselling services of the vocational rehabilitation services branch into this family services branch in order to be able to do exactly what the hon. member has stated—and which I not only say that I adopt, but I have been preaching that particular gospel for over a year now.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask how many counsellors are here giving counsel.

**Hon. Mr. Yaremko:** We have a projected staff of this branch for this year of 54 persons, of whom 38 will be direct counsellors because they will be classified as social workers.

**Mrs. M. Renwick:** How many people have been counselled, Mr. Chairman?

**Hon. Mr. Yaremko:** I do not have that figure before me. This is the projected total complement.

**Mrs. M. Renwick:** Mr. Chairman, I would like to submit that it is very important that we know how many people have been serviced by this branch before passing the estimate of \$433,000 for next year. It does not seem like very much money to do very much counselling. I would like to ask what we are going to do, or what we have done previously, in the way of counselling. How many people, in which categories do they fall? We have got to have research and this is the only way we can get it.

**Hon. Mr. Yaremko:** Our research has passed, we are now into the position of going ahead and establishing a family services branch. Although the amount of dollars may be small you have to have a beginning somewhere; we are now on the verge of that beginning and I would like to be around ten years from now to see what figure is in this amount, because as these other amounts will be going down, this one will be going up.

**Mrs. M. Renwick:** Mr. Chairman, may I just ask, is the department not established, then? Is it not established, or is it established, and if it is established, how much—

**Hon. Mr. Yaremko:** It is in the process of being established.

**Mrs. M. Renwick:** It is not established yet?

**Hon. Mr. Yaremko:** Not the complement as outlined here.

**Mrs. M. Renwick:** May I ask then, Mr. Chairman, will it be established in this building? Where will it be established, the counselling service for the people of the province of Ontario?

**Hon. Mr. Yaremko:** We are going to use our regional welfare offices throughout the province for the family services branch.

**Mrs. M. Renwick:** Mr. Chairman, may I ask how much money was spent in this particular department last year?

**Hon. Mr. Yaremko:** No expenditure under the vote was made in this particular branch.

**Mrs. M. Renwick:** Could I ask if an information centre such as the pilot project in Burlington is in any way a part of a future programme of The Department of Social and Family Services?

**Hon. Mr. Yaremko:** That will be for the future to decide after we have our regional offices equipped and operating in this regard.



**Mrs. M. Renwick:** There is no plan, then, Mr. Chairman, in the light of this excellent pilot project which was carried out under the auspices of the social planning council, which gave much information as to what is basically needed in our province—it gave many enlightening facts; it was a two-year project; it was on a main floor where people could come and go, and the percentage of services that were followed through was very high. The recommendations that were followed through, were as high as 62 or 63 per cent. My question about any future demonstration is: It is very clear that with an expenditure of the amounts we have gone through in assistance we need counselling very badly in our province. This project is the sort of project that we as a government should be presenting.

We should have—and I submit this to the Minister for consideration—information centres in our province. And we need to tie in with them a research and a demonstration department, so that we do, in fact, ourselves carry out two-year projects of demonstration, or one-year projects of demonstration, not institute a whole plan which may or may not succeed. The outcome of many of these plans is that they were not as revealing as they thought or they were not as successful as they were thought they would be. The study-demonstration on multiple problem families was not a successful project. We do not want to pursue something unsuccessful. Therefore, I submit, Mr. Chairman, we need demonstrations from this province, two-year demonstrations, to see in effect how they assist in reducing the numbers of people from dependence on our society. We need those demonstrations to be piloted from this department, I say to the Minister, and we need the research gathered in this department, so that it may cut down the numbers of people dependent on this department.

I would ask the Minister to consider pilot projects for assistance from this department. In fact, I would even go as far as to say that a separate department for the money payments would be worthy of consideration; and a separate department to concentrate on prevention, counselling, rehabilitation. This department should be enlarged to include research and demonstrations. Leave the money payments in a separate department.

I think it would also be a very good suggestion, if in some way, we could lump together, for want of a better expression, several departments under a department of departments. We need to deal in this province with some of the problems and the views of education, health and welfare all at once; this

would come to light through projects. The needs of the people and the assistance of this government could be calculated from pilot projects, and I urge the Minister, Mr. Chairman, to try at least one, such as was carried on in Burlington under the social planning and research council of Hamilton and district.

**Hon. Mr. Yaremko:** Mr. Chairman, that project was subsidized by this government.

**Mrs. M. Renwick:** I am delighted to know that, Mr. Chairman. I might read from their report, Mr. Chairman. This is very important. It involved for the first time in Ontario, not only financial interest but also active participation by provincial, county and local governments, as well as volunteer and community groups. Volunteers were used most effectively, and this also is a source which I feel, Mr. Chairman, the Minister should consider in a pilot project—using volunteers in order to get the kind of research which will cut down the numbers of people dependent upon this department.

**Mr. Chairman:** The member for Etobicoke.

**Mr. Braithwaite:** Mr. Chairman, I just want to make a few very brief comments in connection with a family service project in the riding of the member for Downsview (Mr. Singer)—the Lawrence Heights family and children's service project. The reason I bring this up at this time, Mr. Chairman, is that apparently the Lawrence Heights project covers something like 5,000 people.

We have in Etobicoke the Thistle town project which is located between Martingrove Road and Islington Avenue in the vicinity of Albion Road. The problems we have there, Mr. Chairman, are legion. We have people being brought in as emergency cases, in many cases, from the central part of Toronto and other parts of Toronto. They are brought into brand-new houses. The thing that we find they lack most is some sort of centre where they could go for counselling service and to get general information on where to go to get help with their problems.

I noticed in the newsletter of May 1968, of the Ontario association for emotionally disturbed children, a report by Mrs. Dorothy Hahn, on the family and children's service project at Lawrence Heights. Apparently the new counselling service is going very well.

Most of the problems referred to in that newsletter are found also in the Thistle town project in Etobicoke. In the same newsletter, Mr. Chairman, Mrs. Marion Kellerman, social worker with the FSA, stressed the three prin-



ciple ways in which the project approach differs from the traditional service approach.

First, it is a team approach drawing upon a pool of knowledge, able to review cases, and having the school as the major resource for community service.

Second, volunteers, of which there are already between 80 to 100 at work, provide clothing and encourage sewing, and so on, on an informal basis, and try to develop as many relationships as possible. Nursery rooms are staffed, instructions are given, visiting is done, big sister facilities provided, and so forth.

And third, there is a commitment to develop indigenous leadership within the community itself.

Mr. Chairman, in the light of the serious housing shortage and the fact that there are many other housing projects quite similar to Lawrence Heights and the Thistletown project, I want to know if the Minister has given any consideration to the provision of special funds for salaries and for the paying of rent or the purchase of premises in these large low-rental areas.

It is my feeling, Mr. Chairman, that when these areas are planned there should be consultation between the Minister and other departments that are connected with low rental areas, so that provision can be made before the needs arise for homemakers, social workers, guidance and counselling, and many of the other things that are associated with the poor, and that are required by the poor.

Mr. Chairman, we have a problem in the northern part of Etobicoke in that it was not long ago that we had a centre for counselling such as this on Islington Avenue just opposite Rexdale plaza. Apparently, because of the shortage of funds on the Metropolitan Toronto level, there has to be a drawing in and reduction of social workers. From what I can gather, there is a dire need for all sorts of services. I am wondering if the Minister would be good enough to comment if his department has any plans for this type of group counselling service project. As I said, we have a serious housing shortage, and the fact that many people are being put together in these types of developments. I would like to hear the Minister's comments.

Hon. Mr. Yaremko: Mr. Chairman, of course, the higher family services branch, when it gets into full operation, will be servicing the whole community. If problems are generated in any particular area—for example, an area which is made up of such a high concentration of population, as in the

Lawrence Heights projects—then, very naturally, the services will be given to those people, combined with the services which will have been provided through volunteer agencies of the kind.

This was a joint effort of the children's aid society and the family services and, of course, it was the provision of additional funds to the children's aid society which enabled this type of participation.

I would point out to the hon. member, and to the hon. member for Scarborough Centre, that we do now, in addition, have a planning and research branch listed within the estimates of the department. That branch will have the responsibility of planning new projects and keeping an eye on the development of other projects which are going on both within and without the department, to make sure that we are making the correct approach, and an approach which is bringing in returns.

Mr. Braithwaite: Mr. Chairman, carrying on with the debate, I notice on the first page of the newsletter I referred to previously, that it is stated that the Lawrence Heights is a self-contained area of relative poverty in the middle of a long-established middle-class district. Then it is also stated that, although no one admits it, there is some stigma attached to living in this area where most of the children attend one school. At the high school level children are hard put to compete with their peers in the matter of clothes, spending money, and so on.

I am pleased to hear the Minister state that his research branch is going to be looking into this, but I would like to bring to the Minister's attention the fact that, in this housing project, and as, probably in others, the problems are with us right now. I am talking about the Thistletown project. Last year there was a long waiting list just for counselling when there was a branch office of the family services association on Islington Avenue, which was some distance from the project. Now that they have moved it and they have consolidated things further south in the borough, I am wondering what is going to be done about the problems that we are having in north Etobicoke right now.

I understand that there are something like 2,000 families, or there will be in the very near future. I wonder if the Minister has any plans at all. Has he considered any emergency steps that could be taken to assist both Metropolitan Toronto and the borough of Etobicoke in meeting this problem? As I say, it is not only a question of money, it is a

question of social attitude. It is a question of people learning how to live in new quarters.

There are many, many factors involved. They have solved some of these at Lawrence Heights, apparently. We still have them in Etobicoke. And I would like to know if the Minister has any immediate plans.

Hon. Mr. Yaremko: Not for that particular area.

Mr. Chairman: Vote 2004.

Mr. V. M. Singer (Downsview): Mr. Chairman, I wanted to say a word or two about Lawrence Heights. It is in my riding, and I do know a bit about it. Quite a bit about it. The information that my colleague from Etobicoke refers to in essence is true, but the emphasis he puts on it, I think, is perhaps misplaced.

An approach has been made, a nibbling approach has been made, and it is by far from being a solution. A long, long way from being a solution to the problems that exist in Lawrence Heights.

I will quarrel with a phrase or two of my colleague's remarks. One is that Lawrence Heights is such a wonderful setting, and a wonderful idea, Mr. Chairman and that it will be repeated. I hope Lawrence Heights is never again repeated anywhere in Canada, because it was a first experiment in low cost housing, and it concentrates in one area a number of people, far too many people, who are unable to completely provide for themselves and need government assistance. So in fact, unfortunately—for lack of a better phrase—a ghetto type of community has been built and this should never again be repeated.

The accommodation that is provided there is outstanding. The buildings are good, and the ability to provide for people who cannot otherwise provide for themselves is certainly a substantial help. But I would hope that anyone who has any control over it—and I would think that this hon. Minister does, to some extent—would keep his voice loud and clear on proposals to build new publicly assisted housing, and make sure there is never again as large a concentration in one area, because it just is no good.

I think the people who deal with housing have come to this conclusion. This type of project should be spread through the community and integrated through the community. Such concentration as now exists causes many of the type of problem referred to in the newsletter that my colleague from Etobicoke read.

The second point that concerns me very much—and unfortunately it is true in the Lawrence Heights area—is the number of one-parent families that exist there. I have forgotten the proportion. There are figures, and perhaps the Minister has them, but there is a shockingly large proportion of one-parent families.

One has to admire the very great courage that so many of these single parents have devoted to the upbringing of their children. The one parent available, most often, is the woman. She has devoted great time and care and attention to giving her children a reasonable home and a reasonable opportunity for education. She has to work so hard to provide the necessities of life, even with the assisted accommodation that she is able to obtain. But the problems in Lawrence Heights are multiplied far out of proportion, I would suggest, to the problems of this type that exist anywhere else in the province of Ontario.

It is my very great concern that this department, and other departments of government, do not work together in looking at these problems. Beginning an experiment is not enough. I would think that this should be one of your areas of prime attention, because the type of problem that exists there exists in no comparable way anywhere else in the province of Ontario.

I intend to get at the Minister of Trade and Development (Mr. Randall) in housing when his estimates come up but I think that the concern of this Ministry should be directed here as well. There are a great many problems that exist there, insofar as the payment of rent is concerned, which result from a variety of causes, such as illness, strikes, unemployment, failure to pay alimony, alcoholism, and it goes on and on.

You get the Ontario housing corporation which has a job to do, I suppose, in making sure that the rents that are levied are collected. But you also get problems that affect the department of this Minister. It has been my substantial experience that there is very little liaison between the various departments of government, both provincial and municipal, that are set up to deal with these problems.

In other words, when a problem arises and comes to my attention—or to the department's attention or to someone's attention, and I know that the Minister will consult with his officials and he will know the amount of correspondence that I direct to



his department coming from this particular area—it would seem to me that the problem pervades several departments of government at the same time. If tenant X cannot pay his or her rent, I would hope that there would be some method of immediate inquiry as to why.

Has the job been lost, has there been a strike; has the husband run off and stopped paying his money; is there alcoholism; is there sickness? These matters require all sorts of different types of care and attention. There are emotional problems, a variety of concerns exist in super-abundance, unfortunately, in this area.

It would seem to me that there is a great field available now for this Minister in co-operation with his colleagues, the Minister of Health and the Minister who deals with housing in particular, to work together when these problems arise. A problem came to me just yesterday. A man who lives there is an employee of the Massey-Ferguson corporation which is on strike. His strike pay is \$35 a week. His normal pay is \$135 a week; he is in arrears on his rent.

The housing corporation says "All right, we are not going to press you, but you get the union to say that if we carry you until the strike is over—and I suppose in parentheses one could ask if the strike is ever going to be over—with somebody's assurance that the back rent will be paid up, we will let you stay there.

What happens to this man? He is beside himself. At the moment he is incurring a monthly debt of \$135 on the basis of an income of \$35 per week, and he just cannot do it. Now, there is a problem.

I ask the Minister of housing, what can you do? He says, well, we cannot help it. To some extent he went on strike as a voluntary decision. You know how these things work, Mr. Chairman. The one worker that is so concerned has very little control over whether he and his colleagues went on strike. In fact he assured me that if it was his choice, he would be back to work tomorrow morning. The Ontario housing corporation treats it as though he went on strike voluntarily.

Here is a problem that should concern the Minister whose estimates are before us. But he never really gets pulled into this thing until there is a serious welfare problem. In the meantime, housing is doing a different kind of job. It is my grave concern, Mr. Chairman, that with the variety of services

that various government departments make available, there is so little co-ordination, and so little real understanding, of why these problems exist. It may be that some rent adjustment downwards should take place while the strike continues.

His rent is geared to his last year's income. Does it make any sense when his income drops \$100 a week and he has six children, that he is incurring a continued indebtedness? How is he to support his six children?

It is going to be a while, I suppose, before the Minister of Social and Family Services gets to hear about this—until these people become a very serious welfare problem. So I make a plea, and a very serious plea, sir, for some sort of intra-government study about areas like Lawrence Heights where this Minister, together with several of his colleagues—and I mentioned health and the Minister in charge of housing particularly—and their staffs get together and begin to analyze the kind of problem that continually comes up.

This is not just a problem of Mr. Jones not being able to pay his rent. Why can he not pay his rent? If he is living in a place like Lawrence Heights, or a place in Etobicoke that my colleague was talking about, then there has to be further inquiry. There has to be a central gathering point where all of these government facilities are made known to the people who have these difficulties.

Maybe it is a question of legal aid. But by the time the aggrieved tenant or the tenant in difficulties fumbles his way through, because there is no ready means of access to the variety of services that are available, the problem has been aggravated, and the concern has been aggravated, and the families have suffered. So I make this plea very seriously, Mr. Chairman. I think that we have to have a new approach.

Let me get back to where I started. I hope that no one holding public office in the future ever again brings together 5,000 people who need government assistance and lodges them in one place again. It sounded great when it started and I played a role in creating it at the beginning as a member of the Metropolitan council of that day. But the thinking of that time just was not advanced enough. It serves a very good purpose now, and there are far better ways of doing it. My final plea is that there be a real, meaningful, co-ordination of governmental service on the departmental level, intra-governmental, so



that the very serious problems that affect these brave and courageous people who are trying to make a real go out of bringing up a family can have the benefit of all governmental facilities that are available, and really help them, perhaps even in advance of the time when they say they need that help.

Mr. Chairman, perhaps I interpreted somewhat wrongly the remarks of my hon. friend from Etobicoke. I was only using that as a starting point and I did not mean to criticize him at all. He emphasizes that he does not disagree with me at all in my comments as to density. I thought, however, that, having mentioned Lawrence Heights and knowing a bit about it as I say, the remarks at this time could have some helpful effect.

Mr. Braithwaite: Just to clarify, Mr. Chairman. The remarks that I made prior to the remarks of the member for Downsview were in connection with the family service projects, that co-ordinated project, the family and children's services project. I was just pointing out how the newsletter pointed out the fact that the service was working, it was helping. This is what I want to bring to the Minister's attention. I must say the same mistakes that were made with reference to Lawrence Heights, the grouping together of so many people in one spot, is the problem that we have in Thistletown in the OHC project there. What I was referring to in my comments were specifically the questions of the needs of these people and how they were being met at Lawrence Heights by the combination of the family and children's services.

This was a combination of workers, and how they all work well together. I cannot stress too strongly, Mr. Chairman, that I do not think anyone wants to see a coming together of a combination of so many different problems as we find when we put 2,000 needy people together in a place like Thistletown or Lawrence Heights or any other large project. I think that this type of housing should be spread throughout the whole of the Metropolitan area, in any city. They should not be put together in one project.

Hon. Mr. Yaremko: Mr. Chairman: let me just say that the hon. member for Downsview has stated a very good case. I think that he is aware that there has been a great change, as of today, in the philosophy of having everybody take their place throughout the whole of the community rather than any concentration of any kind. As a matter of fact, in the Metropolitan area, we are getting

a type of city living where you walk down the street and you may have 50 different vocations or levels of income on one street. I may say to the hon. member that it is, and was, my intent to establish perhaps a closer relationship with in particular my friend here, the Minister of Trade and Development and housing. His housing problems go far beyond those who need social assistance but with reference to those who do, I think here again we can assist that particular type of person from becoming any worse off, and perhaps getting them into a better type of accommodation.

Mr. Singer: It is not only the welfare. It is health help, legal help—a variety.

Hon. Mr. Yaremko: I am hopeful that the counsellors within the family services will be of a calibre that they will have the knowledge and will as a group and individually know and be aware of all the facilities which are available in other departments. When situations arise to bring that other particular department's attention, like health or education, into a particular field, I think we are going to establish with the housing authority a continuous and intimate direct relationship at all times.

Mr. Braithwaite: Mr. Chairman, I am pleased to hear the Minister make these statements, but the problem I see in the Thistletown project is that there are many more of these rows of houses planned. They are still putting them up, in spite of the fact that the problems are multiplying. I would beg the Minister if he would be good enough to bring some of the comments he has made here today to the attention of the hon. Minister of Trade and Development. I do not know why we cannot put a stop to these problems before they become too big. I think we are going to have many, many problems which we could stop right now by freezing the size of the Thistletown project.

Mr. Chairman: The member for Parkdale.

Mr. J. B. Trotter (Parkdale): Mr. Chairman, I just would like to dwell on this point about the co-operation between the various departments. The member for Downsview certainly hit the nail on the head and I was glad to hear the Minister say that he was going to co-operate with the Minister of Trade and Development. I believe it was the family service association of Metropolitan Toronto that said public housing is housing plus services, and the services are what this department has to supply. But all the family counselling in the world is not going to assist the

families, or the people of the province of Ontario, unless for example, you can supply the homes in which they can live.

If you go down to a place like Seaton House and see the families which have been uprooted with no place to go literally, counselling is a waste of time until you have found a place for them to live. As the member for Downsview said, the important thing is to find the cause why people have to come to the government in order to make use of the counselling services that we have.

For example, in Metropolitan Toronto, the number of applications for public housing from September 1966 to September 1967 has doubled, and since September of 1967 it has continued to go up. So, all the counselling in the world is not going to help this government solve many of the unhappy family problems that exist here in the province, unless we can find homes for the people to live in.

I think in Metropolitan Toronto there are approximately 60,000 families that really have no permanent home. It is true they may live in a flat, they may live in a room, but they are in such economic circumstances, or in such circumstances as far as the father and mother are concerned, that they are never in one place for any length of time. So you are going to have a good many problems to solve under this vote unless you do solve the housing problem.

I think, in fact I know, the head of the children's aid society for Toronto has said that there are a number of children, literally hundreds, in foster homes who would not be in foster homes if their natural parents had a place to keep them. So here again housing is a very major problem.

I know that the committee on youth, under the member for Kingston and the Islands (Mr. Apps), emphasized time and again the importance of treating the problem not only of youth, but of the family. In fact, they went so far as to recommend that we have a separate department of youth.

Whether or not that is a good idea I am not at this point prepared to say, but it does emphasize the importance of the various departments such as Health, such as Reform Institutions, and such as Social and Family Services, working together. What disturbs me is that despite the fact that the committee on youth comes forth with a very excellent report, and although it does affect many departments, it does put a lot of emphasis on the department that is before us now, and does in many ways affect the counselling that is needed for family services.

Relatively little use has been made in the form of legislation of that report. There have been 275-odd recommendations made, and yet I would expect to see coming from this Minister a great deal more legislation in order to implement the recommendations that have been made. It just goes back to the point that is before us on this very estimate, that you cannot counsel families, you cannot solve their problems, until you get behind the problems, find out the reason why. And this government simply is not doing this.

My own impression over the years, insofar as these particular problems effected health, there is relatively little or no co-operation between The Department of Health and the department that is now called Social and Family Services.

Each seems to have a little empire of its own, and is fearful that its jurisdiction may be cut by the other.

In conclusion I would like to ask the Minister how often does the Minister meet with the other Ministers, and I do not mean by this a Cabinet meeting, but how often does the Minister meet in a year, with, say, the Minister of Health, the Minister of Reform Institutions or with the Minister in charge of housing?

**Hon. Mr. Yaremko:** Continually.

**Mr. Trotter:** I tell you if that is the answer, it is completely wrong.

**Hon. Mr. Yaremko:** That is a fact. The hon. Minister of Trade and Development and I sit beside each other and we talk almost daily about the problems. I meet the hon. Minister of Health who is in the same building, and I am continuously talking—

**Mr. Trotter:** How often with the Minister of Health? I will tell you. I was on a committee on aging. We had verbatim reports taken, and your answer is diametrically opposed to what the Minister of Health has said.

**Hon. Mr. Yaremko:** Mr. Chairman, I speak for myself. This is one of the problems, that you gentlemen, the members on the other side, never seem to know.

**Mr. Singer:** And we were getting along so nicely.

**Hon. Mr. Yaremko:** Yes, there have been changes. I gave him a straightforward answer, he said how long.

**Mr. Trotter:** It is a touchy point. You fight tooth and nail.

**Hon. Mr. Yaremko:** I said "continuously".

**Mr. Sopha:** I think you mean "continually".

**Mr. J. H. White (London South):** No, he means "continuously".

**Mr. Chairman:** Order, order.

**Mr. Trotter:** All I can say, through the Chairman, to the Minister is that if what you say is correct, obviously the committee on youth, the committee on aging, a majority of whom were government members, have come to completely wrong conclusions, and their recommendations were completely not needed, because one of the things that it emphasized throughout—and quit looking at the clock, you are one of the worst clock-watchers I have never known.

**Mr. Chairman:** Order! These remarks are out of order.

**Hon. Mr. Yaremko:** I tell the hon. member it has a handsomer face than he has.

**Mr. MacDonald:** How low can the Minister get?

**Hon. Mr. Yaremko:** To whom was the member directing the comment?

**Mr. Trotter:** I just said to quit looking at the clock.

**Mr. Braithwaite:** That is a very high level of comment for a Minister.

**Mr. MacDonald:** He is trying to cover up on his fatuous reply.

**Mr. Trotter:** This is about the speed we get from this government, so I am not surprised and not worried about the remark.

But I am greatly concerned because government has become so large and these departments—a lot of them do an important work—do not have the necessary co-operation that is needed. There is no point in this government spending many thousands of dollars on members who are on select committees such as myself, and going about this province and this country looking into these problems that come exactly under what is called the family services branch, because it includes so many problems. There is no use of us doing that if these things are to be ignored.

My argument and submission to this Minister through you, Mr. Chairman, is that in

essence this is what is happening. Sure the department has a pilot project in Burlington, which is a good thing, I am not denying it, but the—

**Mrs. M. Renwick:** It is not the Minister's project; his department just contributes to it.

**Mr. Trotter:**—but the fact the project in Burlington was a success obviously means it is needed in a big way. I am not asking you to go out and spend money unnecessarily, but the answer is that if you spend money on prevention, in the long run you are going to save the taxpayer a tremendous amount of money. We are also going to help the individual, which is even more important than the money.

Now, I am back to this very point that I was emphasizing the other day—please take a look at the Alberta preventive services Act. It is not the answer to everything, but you can actually get money from the federal government for many of these things, not only to help government agencies but to help volunteer agencies. The family services association is completely dependent, I think, on the united appeal. I come back again to the big brothers, who do a lot of this work right here, they do it without government expense. Yet why in the world do we not get busy and do a lot more than we are doing? But if you will, just read again the report of the committee on aging, the report of the committee on youth, not only in black and white, but read between the lines. Please get together with the other Ministers. You may talk continually, but whatever you talk about you are not getting the results that are needed.

**Mr. Singer:** Mr. Chairman, I was quite prepared—

**Mr. Chairman:** Order, please! The member for Scarborough Centre has the floor.

**Mr. Singer:** On the same subject?

**Mrs. M. Renwick:** Mr. Chairman, my subject is a direct follow-up on the comments of the hon. member for Parkdale to the chair.

I would like to comment first of all, Mr. Chairman, on the answer given to the member for Parkdale by the hon. Minister. I would like to refresh the memory of the assembly as to the Health estimates, when I asked the Minister of Health how many visiting homemakers we had to help alleviate his problem of getting people out of hospitals—when he



was concerned that the average stay in hospital in Ontario is nine days instead of six, as in other areas that were under the study. He turned to the hon. Minister of Social and Family Services, or to his chair, if the Minister was not here at the time, and said that would be a good idea. In other words, it has not happened up until now.

I would like to point out also, in light of the answer of the Minister today about the co-operation and co-ordination between the various departments, when I asked about brochures that were available to publicize the benefits that are available in his department, the Minister showed his interest in preparing more of these pamphlets. When I asked what languages they would be prepared in, he said that was up to The Provincial Secretary's Department.

I saw the hon. Provincial Secretary in the halls of the assembly today, Mr. Chairman, and I asked him what relationship he had with preparing these pamphlets in different languages. He shrugged his shoulders and intimated there was no such thing. So, therefore, I really question that there is, and has been, as the Minister answered the member for Parkdale, an ongoing system of discussion and co-operation.

I go back, Mr. Chairman, to my comment very early in this vote 2004 when I said it was time when The Department of Social and Family Services should separate its moneys into a separate department and concentrate on counselling, the rehabilitation and the prevention of adding more people to its lists, the people already dependent on our society. I believe I stated at that time that we need information centres. We need neighbourhood centres from those information centres, but we need a large information centre and the pilot project in Burlington to which I referred earlier states this quite clearly. And I stated earlier, Mr. Chairman, as to how much it was used. I think it is very important that we ask now how much participation did this government give to that pilot project; how much in funds; and what was the cost in the overall project of the Burlington two-year project under the social planning council of the Hamilton and district area?

**Hon. Mr. Yaremko:** I wonder if we could leave that, Mr. Chairman, until we deal with planning and research under the demonstration projects? That is what that would come under, I believe.

Incidentally, Mr. Chairman, I do not know the gist of the conversation that the hon.

member had with the Provincial Secretary and Minister of Citizenship, but I said to the hon. member for Scarborough Centre that the department's brochure was being published in 13 different languages—English and French, plus 11 others. And this is a revised edition.

I have in my office now—and other members are fully familiar with the fact that the government services brochures are published under the aegis of The Department of Citizenship and have been for many years. It was my privilege to have instituted that procedure. And they are at present being developed by the department and published under the aegis of The Department of the Provincial Secretary.

I meet with the Minister of Health and with the other Ministers; I refuse to keep a score on the days we meet, but we are together now. The hon. member for Sudbury East said continuously means 24 hours a day and he is right, it is continually, because although it is not 24 hours a day, it is roughly about 16 hours a day.

**Mr. Singer:** Mr. Chairman, is it possible for anyone else to get a word in? With the greatest respect, the hon. member said she was on such-and-such a subject, we are off into a different—

**Mr. Chairman:** Order! May I just point out that there were four Liberal speakers and there were no speakers from the New Democratic Party. I recognize the member for Scarborough Centre.

**Mrs. M. Renwick:** Mr. Chairman, I think the important thing is that the hon. member for Parkdale, and I say this for the benefit of the member for Downsview, that the member for Parkdale, in my view, hit the nail on the head of what is not working in this department. That is what I was elaborating on when I said there is no co-ordination between the departments. And it is time, as I said earlier, that we might even think in terms of a department for departments—certainly something that would tie in education, health and welfare, and in all likelihood, housing, so that they are handled to the best advantage of the government and the people.

Mr. Chairman, just for the record, I would like to read in that when I asked the Minister about brochures two days ago in discussion of these estimates, my recollection of his answer was definitely not in accordance with what he said today, when he said they were prepared in 13 different languages. My recol-

lection was that he said that was something to do with another department.

**Hon. Mr. Yaremko:** No, no. I want it clear, as a matter of fact—I do not know whether they are in the printer's hands at the present time, but they are printed—and I say—

**Mrs. M. Renwick:** Just for the record.

**Hon. Mr. Yaremko:** —this on my word as a gentleman to the lady and as a member of this House—they are printed in 13 different languages, the brochures. I may say this with reference to brochures; it was brought to my attention that we do have a substantial supply of brochures which I will refer to under the day nurseries branch.

**Mrs. M. Renwick:** Mr. Chairman, I would like to add for the record that in my view a great deal of the wasting of time here today has been from the hon. Minister's answers rather than from the hon. members of this assembly.

**Mr. Chairman:** The member for Downsview.

**Mr. Singer:** Thank you, Mr. Chairman. Mr. Chairman, the Minister and I were getting along quite well, I thought, in the remarks I had to make a few moments ago, but I must admit I got quite incensed at the remarks he directed to my colleague from Parkdale.

This continuous consultation that he talks about is not producing the results that it should. Let there be no mistake that in a place like Lawrence Heights, where there are 5,000 people, most of whom have difficulties, they do not know where to go. They do not know what services are available to them and there is nobody to consult. They get into trouble with OHC—OHC leaves them on their own. They get into trouble with welfare—welfare looks after their little bit. They get into trouble with health, that is a different thing. They get into police trouble, that is a different thing. If they need legal aid, that is a different thing. And they are left, unfortunately, on their own to far too great an extent.

I was prepared to accept the Minister at his word when he said the co-operation would be better and the kind of service that could be supplied would be better provided but do not let anyone fool anybody, Mr. Chairman, that is not happening now. And you can be conferring with your colleagues

24 hours a day, seven days a week—I do not know what you talk about but it does not permeate through to the people who need help in Lawrence Heights. Just let us keep the record clear in that regard.

**Mr. Braithwaite:** And the same applies to Etobicoke.

**Mr. Chairman:** Vote 2004. The member for Windsor-Walkerville.

**Mr. B. Newman:** Mr. Chairman, before the orders of the day, I asked a question of the Minister of Trade and Development that deals directly with this vote. It has an effect on this vote. It was in view of the representations made to the federal government for the donation of its land for municipal park purposes at Glengarry and Wyandotte Streets, Windsor—and this is in the area where the Glengarry court is—a government-sponsored project of homes both high-rise and—there is another name that I forget now—will the Minister act to donate the province's share of that land for park purposes?

In the development of any housing project lands should be set aside for park purposes, and I can foresee problems, family problems, youth problems in the area unless the property that is available there now be turned over by both levels of government to the municipality for the development of a park.

In the original planning of this area there should have been consultation with the Minister's department and other branches of government to prevent problems that may arise as a result of the heavy concentrations of people in a given area. Not only should there be provision in that for recreation to prevent problems but there also should be common rooms where the people can discuss general problems that they may have concerning this department of government or any other department.

I will leave that for the time being and ask the Minister if the department is considering a debt counselling assistance to municipalities, so that people who do not know how to manage their funds may get direct assistance from The Department of Social and Family Services?

**Hon. Mr. Yaremko:** As I indicated, we have made provision for municipalities to provide counselling. That will be a shareable service and there can be counselling of any kind, including debt counselling. The only debt counselling at present is in Metropolitan Toronto. It was brought into being

through the Department of the Attorney General—grants supplied at that time because that department had charge of certain items which now come under the hon. Minister of Financial and Commercial Affairs. That is where the grant initiated and is being continued.

But debt counselling, we have learned by experience, is a very important part. It is not enough to give people money if they do not know how to handle it.

**Mr. B. Newman:** This is why I mention the topic, Mr. Chairman. There have been interested organizations in the community attempting to set up a service and I think they have reached the point where they will have a service set up. Then, if they do have the service set up, Mr. Chairman, will grants be available from your department to assist them?

**Hon. Mr. Yaremko:** Nothing I can answer at this time.

**Mr. B. Newman:** Then may I suggest that you consider grants to the organizations that may be set up to counsel individuals on the spending of their funds. The organizations behind these debt counselling services are the Anglican and Roman Catholic churches, children's aid society, family service bureau and credit granters association. You can see the organizations that are involved here are seriously concerned and I know that they would be able to do a much better job were funds available so that they could, maybe, have a larger staff.

Vote 2004 agreed to.

Vote 2005 agreed to.

On vote 2006:

**Mr. Chairman:** The member for Kingston and the Islands.

**Mr. S. Apps (Kingston and the Islands):** Mr. Chairman, in this connection I am not quite sure whether this should not have been discussed on vote 2004. I believe the children's aid societies have the authority to establish family counselling services within the society. I wonder if the hon. Minister could advise me how many of the children's aid societies have established family counselling services within the framework of the work they do in their societies.

**Hon. Mr. Yaremko:** I am under the assumption that they all do, because that is part and parcel of their work in general.

That is part of their work at the present time.

**Mr. Apps:** I think it is rather important to get a definite indication as to how many are doing this because, as has been rather thoroughly discussed this afternoon, this is a preventive service which I think is most important. I would suggest that the Minister make a definite point of trying to find this out to determine just how many children's aid societies do have fully established family servicing agencies within the society.

A second question: does the department make any grants for family services organizations who are operating on their own, not under the children's aid societies?

**Hon. Mr. Yaremko:** We do not at the moment.

**Mr. Apps:** Mr. Chairman—

**Hon. Mr. Yaremko:** Your point on the family service counselling is something that we will check into. I have made an assumption, and I hope that that assumption is correct.

**Mr. Apps:** Thank you, Mr. Chairman. I think probably it should be looked into fairly carefully because I understand there are some children's aid societies that do not do much in connection with family counselling. I would also make the suggestion that in those areas where children's aid societies are not performing this function, that the department consider very seriously providing similar grants to agencies that are concentrating only on family counselling services.

**Mr. Chairman:** Vote 2006; the leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, the vote for the children's aid societies, amounting to close to \$30 million, would be spent in part to assist emotionally disturbed children. We have discussed this in the House on another occasion; but this is where we can get some of the details of the Minister's responsibility and our responsibility here in this House for providing the services to assist these unfortunate young people.

The Minister might be able to give us some more up-to-date figures than the ones that I have, but we are told on good authority that in the province of Ontario there are as many as 50,000 young people who are to some extent mentally disturbed. These problems are by their nature difficult to diagnose,



occurring in family circumstances. On many occasions this results in the young person becoming a charge of the children's aid society and a ward of this Minister.

Mr. Chairman, you already know the circumstances involved and the heartache and the financial difficulty that come upon a family when a young person in the family cannot be treated under normal circumstances because of emotional disturbance and must, in fact, be institutionalized to get the treatment that is available. In many cases, as has already been pointed out to the Minister, those families which have to take this on themselves cannot meet the charges on a regular basis amounting, in the Brown camps case—which is the most regularly and easily available service—to something close to \$30 a day; or even in the facilities operated by the Government of Ontario, where the charges are almost twice that amount.

There have been cases put before the House where parents have had to go before the courts and have the young person designated by a family court as being unmanageable and put in charge of the children's aid so that the family can take advantage of the grant that we are asked to vote on this afternoon. This young person can then get the treatment and care that is available in this province.

In the Minister's opening remarks, he emphasized the fact that there were a large number of institutions that were available for the children's aid societies across the province, for their use in referring these young people so that they could get the care that they need. The Minister realizes, of course, that there is very little alternative open to these autonomous children's aid societies. In most of the cases they have to refer the young people to the Brown camps establishments that are proliferating across this province and across this country. There is no point in us here at this particular time discussing the usefulness and the efficiency of the treatment that they receive, because there have been conflicting opinion on this. From everything I can gather this treatment does achieve remarkable results with young people who have not been helped by other services — through children's aid, through medical practitioners, or even through the government's own facilities.

My point is this, that this Minister and the administration are relying unduly on private enterprise. At least in part, non-profit enterprise is providing facilities in this province for these unfortunate young people. Now in

my view, and the view of this party, the government should undertake a programme so that public institutions can be established on a reasonable basis in the various communities across the province so that the children's aid societies will have these public institutions to refer the young people that we are concerned with.

I want to ask some specific questions, but before I do, I want to say further that the Minister's attitude towards the children's aid societies and in the provision of the funds that they require, for the budgetary year in which we find ourselves in now, has been strange, to say the least. He told us earlier in these estimates that he had ample warning from the Treasury board that he was going to have to restrict the children's aid societies in the availability of public funds.

Yet it was not until May of this year that the Minister, through his department, set out very restrictive guidelines to the children's aid societies that, in fact, made it difficult and will continue to make it difficult for them to meet their responsibilities to the staff and the provision of adequately-trained social workers for the preventive care that has been emphasized by the Minister's policy statements in recent months and years.

I would like the Minister to tell us, specifically, what alternative the children's aid societies have when they have in their charge emotionally disturbed children. I would like to know what part of the figure of \$29 million will be spent by these children's aid societies which, while they are autonomous, come under the regulations and certainly the guidelines that the Minister has put down financially for their direction.

I would like to know if the establishments that are basically operated on a private enterprise system, or be it, I say again, on a non-profit system, at least in part, if they come under government audit, and if they come under continuing government inspection.

Finally, I would like to know the Minister's attitude in respect to the recommendations made by the committee on youth, which says that these young people should not be segregated, as they have been, into the care, actually, of four departments of government —The Department of Reform Institutions, The Department of Health, the department that looks after welfare, and The Department of Education.

Their recommendation is that there should be a unified approach to this continuing problem; that it should be established on a community basis. I would add to that that I do

not support the free enterprise principle in treating this particular function or difficulty across the province. It is incumbent upon this Minister and the policy of this government to see that the facilities are available on a public basis. We in this legislature are prepared to vote the funds that are needed in order to provide the treatment that the Minister would recommend under those circumstances.

**Mr. Chairman:** Vote 2006, the member for Parkdale.

**Mr. Trotter:** Mr. Chairman, this is one more instance of the sad situation that child welfare has reached in the province of Ontario; one more instance of a lack of co-operation between two departments.

In some cases we discuss the care of the disturbed children, the emotionally disturbed children, under the estimates of The Department of Health. Yet when we bring up this, the Minister of Health says, "my department has nothing to do with that, that comes under The Department of Social and Family Services."

**Mr. Chairman,** I want to underscore the remarks made by my leader in respect of the fact that the care of children, be they emotionally disturbed or otherwise, should not be a private enterprise project.

I have been one of those, as well as probably most of the members—in fact all of the members of the NDP—who have said that when it comes to health insurance there should not be any profit in health. I think that thought stands in good stead when we deal with the care of the emotionally disturbed children; but we must bear this in mind, basically the fault is with government policy.

Because, in all fairness, where are the children's aid societies going to send the children? I do not want to get into an argument with the member for Beaches-Woodbine (Mr. Brown) as to his treatment, one way or the other, because this is left to experts. I am no expert on the care of emotionally disturbed children and I am not trying to be one. But I do know that the experts in this province and throughout this country and in North America tell us that there are hundreds of thousands of disturbed children in Canada, a large proportion of them in the province of Ontario.

It is not that we are apt to be emotionally disturbed as individuals in this province, but simply that there are more people. We are

an urbanized community more than the rest of the country, and it seems that as there is more urbanization there are apt to be more emotionally disturbed children as well as emotionally disturbed adults. Whatever the numbers, we know they are large. And we know they have not been receiving the proper care and treatment, simply because there has been no place to send them. If I was a worker with the children's aid and I had a teenager whom I could not place, except maybe in a training school—how often have we seen family court judges quoted in the newspapers saying, Well I do not want to send you to a training school.

I should not send this child to a training school, but there is nowhere else to send him.

If you are a judge of a juvenile court, if you are a children's aid worker, what do you do? So the government has left us at this impasse; we have private enterprise, maybe it is well meaning. Again I am not getting into that argument and undoubtedly they must be doing, in part, a good job, or the children's aid society people would not send the children to the one place where they can be sent.

The main fault is with this Minister, and even at this late date there is no indication whatsoever from this department of government or any other department of this government that they intend to do anything about it. This is the real serious part of the situation. We can argue about members having a conflict of interest and saying this person should not be elected, or should not be speaking on this estimate. That may well be true, but what I am interested in—and I think what every member of this party and certainly every member in this House, is essentially interested in—is what are you going to do about the emotionally disturbed children?

**Mr. Chairman,** we do not have any kind of an answer. We do not even have an attempt at making an answer. I have often accused this government of governing by headlines and doing white-wash jobs, and so on, but this one is even worse. The bare facts are that literally hardly a thing has been done up at the Thistleton hospital under The Department of Health; there have been certain projects. The Clarke institute has again, under The Department of Health, conducted certain projects in helping to solve this problem that seems to be with us in modern society, the problem of the emotionally disturbed child.



Again, we know that something can be done, what with the efforts we have seen in Warrendale before The Department of Health took it over. I hope that the work is still going on in Warrendale. But I, as a man in public life, despair at what I am going to say to people who have emotionally disturbed children.

There is so much conflict. Admittedly there is professional conflict, and I do not want to be involved in that, because I, as a politician, am willing to trust people who are experienced in the professional end of trying to analyze an emotionally disturbed child. But no matter what the diagnosis is, there is no place really in this province, except through the vast use of public moneys for private enterprise. This principle disturbs me a very great deal.

I have spoken endless words in this House, Mr. Chairman, and we are probably going to have to speak many more, about the use of public moneys for the use of private profit. It seems an odd situation that in a relatively short time, this care of emotionally disturbed children should become a multi-million dollar business. And it is a multi-million dollar business because there is firstly a real need, and we simply have to find some place to help the children that need the help. But, because of government policy, if there is a teenager in this province, there is literally no place, or no group that will take a disturbed teenage child, except the Brown camps. And I can say that for them in all honesty, because, Mr. Chairman, I have asked a number of people experienced in this field, "what do you think of the Brown camps?" and people that ask me why do I not get involved in the debate as it broke out a year and a half ago—the Brown camps and the government—and I, Mr. Chairman, was as confused in this matter as many of the public have been.

Who is right? I really still do not know. In fairness to the people who operate the Brown camps, I am convinced that they do a considerable amount of good. There is no question in my mind that they have helped people who have helped children that no one has been able to help before, and people who completely disagree with the economic set-up of the Brown camps and who may have personal differences with the man who heads that organization, the member from Beaches-Woodbine, will quite frankly admit that they can do something.

In defence of the children's aid society, I say this, that they have hundreds of cases

on their hands and they must do something. I am of the opinion, for example, that the children's aid society in the city of Toronto—despite all the criticisms it may get, you cannot please everybody—I think that it is an excellent organization. My opinion of the children's aid society as a whole—there may be exceptions, I do not know them—but as a whole in the province of Ontario, I think that we can be proud of them. I think when you look at them, compare them with most similar organizations anywhere in the world, that we rank out in front.

It is the result of a lot of volunteer work, a lot of trained professionals, and of course, the government is seeing that these people can help and have invested money in them. The money is well invested. But we have come back to the nub of the whole situation, that this whole problem of child care—and literally child care, be it emotionally or otherwise, but at this point I am emphasizing the emotionally disturbed child—has literally and utterly been shamefully ignored by government over a great number of years—

**An hon. member:** Hear, hear!

**Mr. Trotter:**—despite incessant warnings by numerous associations. The Canadian mental health association has written reams on it. Well publicized, well done, and yet nothing has been done.

The social planning council of Toronto has, for years, been aware of it and has spoken out. There are many people that you can go to today, in governmental circles, either provincial or federal, or in circles that are interested in social and family services, that can give you a long history of the situation and how they come against the stone wall, when they try to deal with government. It must be frustrating for many of the civil servants who have to work under politicians who just seem to be utterly dense when they are faced with an obvious problem. And the tragedy of it is that this is not just affecting the children as they are today, but it is going to be like a small pebble in a pool. It is going to spread circles through our society for a number of generations.

We must remember this, if people say, "well, why worry about emotionally disturbed children, you never had to worry about them before," we just have to remember we live in a different world than our grandfathers and our fathers lived in, and this problem is with us whether we like it or not. The only solution is for the government to take a firm



stand. It is the duty of government to say that this is a public problem, that public funds must be invested, and that public funds will not be used for private profit.

**An hon. member:** Hear, hear!

**Mr. Trotter:** Because, when I have urged the government to increase grants to the big brother group or the family services association, these are strictly volunteer groups. There is no private profit under any circumstances. It is money that is poured back into the public.

But we here have reached an embarrassing situation. I do not for a minute try to put the blame on the Brown camps, despite what I might disagree with about a number of things, and despite what other people might say; the fault, the blame, is with this government. And unless this government has the courage and the guts to solve this situation, this problem is going to multiply itself many times. The time now has come to put a stop to it.

I feel that legislation—if it is too late in the spring of this year—legislation should be introduced at least by the fall, wherein we have a completely new government approach to the care of the emotionally disturbed child in particular. Mind you, Mr. Chairman, I will not take the time of the committee now, but the whole approach to child welfare needs an overhaul. But in particular, where we are spending these millions of dollars on the handling of emotionally disturbed children, we need new legislation, and we need to see to it that this is a government responsibility, and that it is about time that this government got its head out of the sand and measured up to its responsibilities.

**Mr. Chairman:** The member for Kingston and the Islands.

**Mr. Apps:** Mr. Chairman, I think we are confusing, to some extent, the responsibilities of The Department of Health and The Department of Social and Family Services.

In order to try to clarify this, may I try to find out from the Minister just where the responsibility lies. For instance, in the city of Kingston, which, I think, is in pretty good shape as far as the care of emotionally disturbed children is concerned. We have the psychiatric ward in the Kingston General hospital. We have the Beachcroft psychiatric clinic, which is the regional psychiatric centre for eastern Ontario, and we have Sunnyside children's centre, which is one of the finest

homes for emotionally disturbed children, I think, in the whole province.

In this connection I disagree with the leader of the official Opposition when he says we should discontinue private homes such as this and have the government take on the sole responsibility of providing care for emotionally disturbed children—

**Mr. Nixon:** No, I did not say that at all.

**Mr. Apps:** —because I believe that if you take away the dedicated service of many people in this province who are doing a tremendous job for emotionally disturbed children, we are losing a great deal of help.

**Mr. Nixon:** Mr. Chairman, on a point of order I should just inform you, sir, and for the benefit of the hon. member, that private hospitals and private care will always have a place in what we want to do here in Ontario, as they have now. But, failing the provision of public care, you cannot leave it all to private enterprise. Surely the hon. member understands that.

**Mr. Apps:** I am pleased to hear the hon. leader of Opposition say that because it was my understanding when he first made his statement that he felt—

**Mr. Singer:** You were not listening.

**Mr. Apps:** I was there and I was listening very carefully, contrary to what you were doing. But to carry on, it is a little bit confusing to me that The Department of Health operates the Beachcroft psychiatric clinic and The Department of Social and Family Services looks after the wants of the Sunnyside children's centre. For my own clarification, Mr. Chairman, I wonder if the Minister of Social and Family Services might tell me where one jurisdiction stops, and the other jurisdiction begins.

**Hon. Mr. Yaremko:** Mr. Chairman, I think that if we had a general discussion on this particular subject matter then I could make a statement.

**Mr. Chairman:** I had the member for Scarborough Centre—if she would yield the floor to the member for York South—

**Mrs. M. Renwick:** Mr. Chairman, to the member for York South.

**Mr. MacDonald:** I do not want to intervene at great length but I wanted to say that I listened with great interest to what the leader of the Opposition and the hon. member

for Parkdale said and I would agree 100 per cent. I am a little perplexed in equating the balanced perspective in the approach today with some of their earlier statements, but let bygones be bygones.

**Mr. Nixon:** What earlier statements?

**Mr. MacDonald:** Earlier statements in which there seemed to be a much greater pre-occupation with who was doing the job than the important thing—that somebody is getting the job done when this government has failed. This is the point.

This government has in the province of Ontario tens of thousands of emotionally disturbed children, with varying degrees of emotional disturbance. The toll in terms of wrecked human lives, in terms of future expenditure of public funds—in the medical field, in the welfare field, in the reform institutions field—is absolutely inestimable. Yet this government sits silent, almost dumb, in terms of coming to grips with this problem.

What is it doing to build the facilities? You have the tragic episode of the takeover—and that is as kind a phrase as one can use—of the Warrendale institution. Now what have you done in the Warrendale institution? Half the time it has not had a full complement of children in it, and if I may say—you had in John Brown a man of dedication who had made his life work in this field. When he was chased out of it by this government, he went out and built new institutions to meet the need.

**Hon. A. Grossman (Minister of Reform Institutions):** Out of dedication?

**Mr. MacDonald:** Exactly. Mr. Chairman—I have the floor, Mr. Chairman—

**Hon. Mr. Yaremko:** On a point of order, Mr. Chairman. This government chased nobody out; this government was invited by the board of directors of St. Faith's Lodge, a private agency, who hired and fired Mr. Brown. They then invited this government to come in and operate the institution.

**Mr. MacDonald:** Mr. Chairman, I do not want to go back into that issue.

**Hon. Mr. Yaremko:** That is exactly it. Those are the facts.

**Mr. MacDonald:** But all of that action followed after John Brown took a nomination for the New Democratic Party. It did, it did. All right—agreed, agreed. Let us forget that aspect of it and get back to the part that

counts—the desperate need for facilities for emotionally disturbed children so that the children's aid societies are driven to distraction to find places where they can put the children's aid societies are driven to distraction, and what is even more important, the Scooges on the Treasury board apparently are not willing to do anything about it. There are no real plans to provide it so instead of harassing individuals who are building the facilities and providing the service for the treatment of these emotionally disturbed children, let us focus on the important point that it is being done.

Mr. Chairman, let me make one point about this business of private enterprise and public enterprise in this field. I would agree that for the most part this is a public enterprise responsibility. Sure, that always means that there is a field for private enterprise, for individuals to harness the dedication and the energies of people to assist in this desperate human need. But in this instance, private enterprise has had to fill the void because the void is yawning and staring at this government and it will not do anything about it. It happens to be private enterprise by a group of people who are socialist in their motivation.

Interjections by hon. members.

**Hon. Mr. Grossman:** Crying all the way to the bank.

**Mr. MacDonald:** Mr. Chairman, why can I not continue without disturbing the conscience of the Minister of Reform Institutions? Mr. Chairman, the interesting thing is this—and may I just digress for just one moment on this business of private enterprise? This interjection of “crying all the way to the bank”—the fact of the matter is that Brown camps are providing the service for 50 per cent of what this government is spending for a comparable service.

**Hon. Mr. Grossman:** All right, but they are still crying all the way to the bank.

**Mr. MacDonald:** Normally one listens to people on the other side of the House who are the champions of free enterprise, saying for example, “this is wonderful if a man can provide a service and meet the needs of the market.” This is commendable. Now suddenly the standards are reversed and somebody is being decried because, allegedly, he is “crying his way to the bank.”

**Hon. Mr. Rowntree:** Is the member changing his acceptance of the standards?

**Mr. MacDonald:** Mr. Chairman, what the hon. Minister does not realize is that the party that really believes in private enterprise is the New Democratic Party—really believes in it. Those of you who mouth private enterprise tolerate the development of monopoly enterprise which squeezes the little fellow out.

Interjections by hon. members.

**Mr. Chairman:** Order! Order! May we get back to the estimates?

**Mr. MacDonald:** What you have had in the instance of the development of Brown camps is a very striking indication of private initiative harnessed to meet human need.

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. MacDonald:** Now, Mr. Chairman, let me just deal with one aspect that was raised by the hon. member for Parkdale because I think it is a rather important one. He said he did not want to get into the argument as to methods, treatment methods, and quite frankly neither do I. I will take my cue for the moment from the hon. Minister of Health.

After the Warrendale tragedy, the Minister of Health set up an investigation and the report was going to be made available because it was assumed that that report is going to be 100 per cent critical of Warrendale. Then suddenly the Minister changed his tune and the report became an interdepartmental study that nobody was going to get the benefit of.

The answer, of course, was that the report was balanced—sure it may have been critical of Warrendale and their methods. Nobody from any given vantage point can fail to be uncritical of any methods. They are all open to criticism.

**Hon. Mr. Yaremko:** I will applaud that one.

**Mr. MacDonald:** Right. But they were more critical of the government's sins of omission and commission than they were of Warrendale, so the report was hidden. All right, the Minister made a virtue of necessity and he said, "At this point we do not have the final answers, but we know is that any method that is meeting this desperate human need is a defensible method and is a method to which we will give support." Therefore he would not take a stand on the so-called Warrendale method as opposed to the so-called medical approach. And quite frankly, as far as I am

concerned, this is the intelligent approach to it. Because nobody has the definitive answer in coping with the complexity of human emotions.

I would add this one final point—the reason I think there is a great scope for the so-called Brown camp approach. That is because the Brown camp approach is based for the most part on personnel who are non-professional. They work under professionals, but it involves human beings—and I know many of them and I can speak personally of them—many human beings, young people who have a capacity to communicate; young people who can look after children, who can look after a sick person—they give that kind of human relationship which is the first step to coping with emotional disturbance.

Indeed, if I may just relate one instance to the House, Mr. Chairman, which I think is a graphic illustration of it. Up in Brown camps, as it was so-called, in the Minden area a couple of years ago, there was one child. The child had not responded to a human being for years. Nobody knows why, but that just seemed to be no communication at all. And for whatever reason, goodness knows, when that child came into the camp, it responded to one of the young workers, the first time they met, and the child even asked if he could sleep with this worker that night. The child had not responded to a human being for years. Nobody knows why, but that child, was partly deaf and unable to talk, within two or three months made more progress because of the human contact that had been made. And this was not a professional person, this was an ordinary son or daughter like anyone of us here might have in our homes.

This is the reason why I would give a whole-hearted support, and I am glad that the government is not tending to be critical as it used to be of the Brown camps approach.

**Hon. Mr. Grossman:** Why not without a profit?

**Mr. MacDonald:** The Minister is obsessed with the profit aspect. Mr. Chairman, may I have the floor until I have finished this?

**Hon. Mr. Grossman:** Mr. Chairman, the hon. member does not like the "cut and thrust."

**Mr. MacDonald:** Can I have the floor until I am finished with this?

**Hon. Mr. Grossman:** —except when he is doing the "cutting" and "thrusting".



**Mr. MacDonald:** If Brown camps can provide a service at half the government cost and still make a profit, I would think the hon. Minister would be cheering them.

**Hon. Mr. Grossman:** There are many of us in private agencies which are operating without a profit, and have been for years—hundreds of private agencies.

**Mr. MacDonald:** What is happening in this approach, Mr. Chairman, is the few professionals, along with non-professional people, are able to provide a service in a so-called therapeutic family where you provide an effective substitute for parents.

**Mr. Sopha:** Is it in the tradition of Hull House; would Hull House approve? Would Jane Adams approve? Would Arnold Toynbee approve?

**Mr. MacDonald:** This I do not wish to get into.

**Mr. Chairman:** Order!

**Mr. MacDonald:** The fact of the matter is that it is being done—it is being done successfully, in the view of the experts. The children's aid are seeking more and more opportunity for it, and I, personally, am profoundly grateful that, in spite of inspired efforts at some local level, the courts are now recognizing that if we are going to fulfil a principle that this government has enunciated, that the coping of an emotional disturbance on the part of human beings shall be done in a family setting, not great institutions.

**Hon. T. L. Wells** (Minister without Portfolio): Wait till the appeal court sees it.

**Mr. MacDonald:** Wait until the appeal court sees it. I would think the hon. Minister, Mr. Chairman, would be on the side of meeting this human need.

**Hon. Mr. Grossman:** Without a profit.

**Hon. Mr. Wells:** I am on that side.

**Mr. MacDonald:** If the Minister is, then do not hope that the appeal court is going to throw it over.

I find it awfully difficult, Mr. Chairman, not to get involved in some of the politics of it, particularly when the Tories in the east end of Toronto went and packed a meeting in Bramalea to stir up opposition—

**Hon. Mr. Rowntree:** Come off that.

**Mr. MacDonald:** Yes, Tories from the east end of Toronto—

**Hon. Mr. Wells:** They did not.

**Mr. Chairman:** Order! Has the member very much more to say at this point?

**Mr. MacDonald:** Mr. Chairman, it is obvious that many other people want the floor and you and I want to go and have dinner, so let us do that.

**Mr. Sopha:** Mr. Chairman, I want to raise a point of order. The point of order is that *Hansard* very frequently has difficulty picking up interjections. I want to put two of them on the record. There was one from the Minister of Reform Institutions where he said, "They cry all the way to the bank." There was one from the Minister of Financial and Commercial Affairs when he said, "Tell us about the airplanes." I do not want them to swing from both sides of the plate and I want those interjections on the record.

**Hon. Mr. Grossman:** I hope they are on.

It being 6:00 of the clock, p.m., the House took recess.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Thursday, May 23, 1968

Evening Session

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, MAY 23, 1968

The House resumed at 8 o'clock, p.m.

## ESTIMATES, DEPARTMENT OF SOCIAL AND FAMILY SERVICES (Continued)

On vote 2006.

**Mr. Chairman:** The member for Scarborough Centre.

**Mrs. M. Renwick** (Scarborough Centre): Mr. Chairman, under vote 2006, item 5. Speaking on the brief presented by the Ontario children's aid society to the Minister of Social and Family Services, a brief on financial guidelines, I would like to begin, Mr. Chairman, by saying that where one body supplies the money and one body spends it, as in this case, we recognize that there is a need for some control. Since The Child Welfare Act places responsibility on the children's aid society for providing certain standards of service to children and families, the government must ensure that these bodies have the funds to carry out this responsibility in the manner which the government's Act states should be the level of service.

Following a crucial quote from the brief, I would like to ask two pertinent questions.

In the preamble to the quote it states:

At the annual conference of the Ontario association of children's aid societies, when all 52 societies were represented by close to 800 delegates, the following resolution was carried with only one dissenting vote:

"Whereas some of the recently announced guidelines regarding 1968 operating budgets of children's aid societies of Ontario may adversely affect their ability to continue service at a level required under The Child Welfare Act, 1965, be it resolved that the Ontario association of children's aid societies petition the Minister of Social and Family Services immediately to give serious consideration to an immediate review of the proposed reduction in operating budgets of the societies so that the services to children and families will not be placed in jeopardy."

Question 1: If this government is going to question children's aid societies' budgets, is it prepared to judge them on some sort of objective criteria, Mr. Chairman? Such as salary surveys to ensure that they attract and maintain staff in a continuing supply; have an independent body to set standards, criteria, cost of service per child in various categories, cost of service per family in various categories.

**Mr. R. F. Nixon** (Leader of the Opposition): I wonder, Mr. Chairman, on a point of order, since the hon. member has just taken her seat, expecting an answer to this specific question: There were some matters put before the Minister before the supper recess and he did not rise to answer specific questions at that time. I got the impression that he was going to wait until that subject had been exhausted and that he was then going to give his comments. Perhaps, before we embark on a somewhat different tack, the Minister might like to comment on what was said previously.

**Hon. J. Yaremko** (Minister of Social and Family Services): Mr. Chairman, I was under the impression that the hon. member for Scarborough Centre was going to continue the discussion along the lines that had taken place prior to 6 o'clock.

My comments in this regard will be very brief. No single matter has been of more concern to me in this past year than the problems confronting, and the solution of the problems relating to facilities for emotionally disturbed children. Here again I say to the hon. member for Parkdale (Mr. Trotter) that the hon. Minister of Health (Mr. Dymond) and I have been in continual conversations about this, together with related discussions with the hon. Minister of Reform Institutions (Mr. Grossman) and the hon. Minister of Education (Mr. Davis).

Now the broad outlines of the government's programme and policy are set out in the white paper—that is the broad ideas. It may be a pie in the sky concept, but it is a long term goal that this government has headed for.

This past year has been taken up with both carrying out some of the implementation of that white paper together with the development of concrete ideas of reaching that goal. An architect, Mr. Chairman, may dream up a wonderful structure, but there comes a time after that structure is dreamed of, that somebody has to get the bricks and mortar and the men to lay them. This is the stage we are at. The Minister of Health has been making facilities, and he has also—I know this because he and I have had continual conversation both in this House, and in the rooms outside where we often see each other—held discussions as to how to come to grips with certain basic problems.

**An hon. member:** The men's room?

**Hon. Mr. Yaremko:** No, there is a lobby out there, and it is a good place to carry out a conversation.

The leader of the Opposition has pointed out some of the problems that confront both the Minister of Health and myself in dealing with these matters concretely. One of the main problems that will confront the actions of this department in general is its relationships *vis à vis* the relationships of voluntary facilities, as compared to public facilities.

This is the great question which lies before us in the province. The hon. member for Scarborough Centre is going to deal with one particular aspect of the concept of voluntary agencies. We will be dealing with that in one moment. The provision of facilities for children in general has traditionally come within this department under The Children's Institutions Act which is really a different version of The Charitable Institutions Act.

But just as there is very little so-called charity, or much less charity in charitable institutions today as compared with many years ago, so within the concept of the children's institutions where, a few years back, we were providing facilities of shelter and some care to a degree, now as the problem of emotionally disturbed children has risen in the course of the past few years, or come to surface—whatever the process has been whether, it has been produced by this society or whether it was there before, nobody knew it, this is a question for others to decide—they are now in the open.

So the emphasis is being changed on the role of this department in looking after these children, and in the role of The Department of Health in coming more prominently to the fore. This is where the hon. member for

Kingston and the Islands (Mr. Apps) posed a very good question to which there is at present, no answer. There is no line, no black and white area, just as the spectrum of ailments that may be called emotional children encompasses a broad range of emotionally disturbed types. There is the very black, and then you get down to the white, and you have all those different shades in between.

I cannot answer the hon. member for Kingston and the Islands and tell him what child falls on this side.

**Mr. J. B. Trotter (Parkdale):** You have not read MacReady's report.

**Hon. Mr. Yaremko:** I can assure the hon. member that I have read his report several times, and I may suggest that one of the reasons that there is all this co-ordination and co-operation is because the reports of the select committee on youth and the committee on ageing have been read by all the Ministers several times.

Because, historically the development of the physical facilities for children, other than those in those very large mental institutions which have been traditional in this province, basically a small handful have been under our care. We now have to work out a system whereby, as to The Department of Health in the carriage of its duties under the white paper, that there will be a shift of responsibility, a shift of care and treatment from perhaps our department into The Department of Health.

Or, we may continue to have the technical carriage of them, but the servicing will be done by The Department of Health, so that we may share in the Canada assistance plan, because when they are under our roof we share; when they are under The Department of Health's roof there is no sharing. So that technically they may be in our hands, but they may receive care and treatment under The Department of Health.

In deciding where and how the care and treatment is to be given, the major questions are now: The facilities to be provided outside the government, or are they to be provided by The Department of Health? For example, The Department of Health does not operate the hospitals, although the hospitals come under the jurisdiction, in an indirect way, of the Minister of Health.

I think we are coming more and more to the conclusion, in this particular field, that to a degree the government must step in



and provide the facilities, because these facilities have not been forthcoming under the traditional growth of the children's institutions.

The one thing that must be remembered is that when the Minister of Health assumes responsibility for something, he assumes responsibility at a standard which is far beyond and above that which is expected of anyone else.

The Minister of Trade and Development (Mr. Randall), when he provides housing, cannot provide the kind of housing that a great many people live in and quite satisfactorily. The hon. leader of the Opposition knows the kind of housing that the Minister is developing. This is the standard which is expected of governments, and this is the problem that confronts my colleague, the Minister of Health.

These things will be solved in this order. There must be co-operation among the four departments, or the five departments, that participated in the production of the white paper. First of all there must be the identification of the child. It may be that the best place for the identification of the child will be through the facilities of The Department of Education and the boards of education, because that is where the children are. We may be able to decide whether there are in fact 50,000 emotionally disturbed children.

**Mr. Trotter:** When?

**Mr. D. C. MacDonald** (York South): That is a good question. When?

**Hon. Mr. Yaremko:** That is a good question. Can the hon. leader of the Opposition tell me where and how he arrives at his figure of 50,000 emotionally disturbed children? I would like to know the source of this figure.

**Mr. MacDonald:** At least we know there are enough to do something.

**Hon. Mr. Yaremko:** I am not disputing that figure, but figures are bandied about, depending on whose point of view is being put forward. The hon. leader of the Opposition saw fit to use 50,000 children; that is a lot of children. Now it may be that it all depends on what you include. One tantrum a year does not necessarily make a child emotionally disturbed. I do not know, that is for the experts to say.

The child must be identified. After identification, it must go to an assessment centre,

which the Minister of Health has provided to assess that child's needs. After the child's needs are assessed, there must be accredited facilities that will meet the needs of the child, and there again that is the function of The Department of Health. Those are the procedures.

The hon. member for Oshawa (Mr. Pilkey) says we are not all perfect, and I will admit, right here and now, that the situation in respect to this particular item is not perfect, but there is the goal for which we are reaching.

**Mr. MacDonald:** If only you had a programme!

**Hon. Mr. Yaremko:** We have a programme.

**Mr. E. W. Sopha** (Sudbury): What is your programme?

**Hon. Mr. Yaremko:** The white paper. It is being put into effect and in a year from now, Mr. Chairman, the facts and figures will be recited as all of these things have jelled to a far greater degree than they have now.

**Mr. Trotter:** Mr. Chairman, on a point of order, one of the officials of The Department of Health made a public statement that as far as the white paper was concerned, it was the great hope for the future. To try and tell us that the white paper is a programme is ridiculous.

**Mr. Nixon:** Mr. Chairman, to pursue this a bit further, it appears then that the government has no policy, as to the provision of public facilities in this regard. They intend to get along using the facilities that are made available by those who are going to provide—

**Hon. Mr. Yaremko:** The government has a policy. This comes under the jurisdiction of the Minister of Health. I am looking forward to an announcement that he will make relating to what has been discussed.

**Mr. Nixon:** That is the provision of public facilities for the care and treatment of emotionally retarded children?

**Hon. Mr. Yaremko:** It will be in relationship to the provision of services; facilities with respect to the emotionally disturbed children.

**Mr. Nixon:** I wonder if the Minister could tell me how much of the \$30 million we are asked to vote for The Child Welfare Act in general, would be used to finance the private

care of emotionally disturbed children. Is there any way of knowing that, approximately?

**Hon. Mr. Yaremko:** We do not have a precise figure but we estimate that in that sum, there will be some \$4 million.

**Mr. Nixon:** Oh, then \$4 million is spent by the autonomous children's aid societies in providing the care through private facilities.

**Hon. Mr. Yaremko:** That is correct.

**Mr. Nixon:** Do the children's aid societies have the sole responsibility for the inspection of the homes into which these children are placed, or is this the responsibility of the Minister and his department?

**Hon. Mr. Yaremko:** The children's institutions which come under The Children's Institutions Act are licenced by this department. Other facilities—for example, certain facilities of the Brown Camps—are registered under The Children's Boarding Homes Act.

**Mr. Nixon:** Who gives those licences? Is it this department, or The Children's Boarding Homes Act?

**Hon. Mr. Yaremko:** Yes—

**Mr. Nixon:** Well as far as the inspection that you would carry out, is this—

**Hon. Mr. Yaremko:** Actually they are registered under the Act.

**Mr. Nixon:** I thought you carried out no inspection whatsoever; the municipalities would inspect them for fire hazard and that sort of thing, is that right?

**Hon. Mr. Yaremko:** Under The Children's Institutions Act we do the inspection. This department does the inspection of the facilities on care and treatment. Under The Children's Boarding Homes Act, they have to meet the standards as laid down by fire inspectors and health inspectors.

**Mr. Nixon:** Yes, you do accept the responsibility for the inspection of the facilities associated with treatment, as well?

**Hon. Mr. Yaremko:** If an institution is licenced, we inspect it for care and treatment, but under The Children's Boarding Homes Act, there is a provision that only where five or more unrelated children are treated, or looked after do they have to be registered under that Act. Under that figure they do not have to be registered.

**Mr. Nixon:** So there would be a considerable amount of money spent for the provision and care of these emotionally disturbed children that would come under your inspection. I was wondering what responsibilities you have to audit the books of non-profit organizations?

**Hon. Mr. Yaremko:** We have certain audit inspections of the institutions that are registered under The Children's Institutions Act, because those are the institutions to which we grant direct subsidies. In respect of those that are registered under The Children's Boarding Homes Act where we do not make any direct subsidies, there is no audit.

**Mr. Nixon:** Mr. Chairman, it really surprises me greatly that the Minister would find himself in a position where he would have to use \$4 million of public funds to fill a very serious gap in the facilities, which should have been provided over the years. There should be some programme, at least now, to provide it, so that we in this House could see that while we are in a difficult situation now, we were moving toward a solution in the next three or four years. It surprises me that the Minister would come into this House and say that he needs funds in order to set up these facilities. As we have suggested, and as most reasonable people would think that they could be constructed, surely we would be prepared to permit the Minister to ask for funds that would fill this stopgap period.

But he is asking us to do this on a continuing basis on little or no inspection, except that which I suppose is carried out by the municipality and with no control of the expenditure of the funds at all. It is becoming increasingly more difficult to realize or to go along with the Minister's suggestion that while he does have these goals, the department is moving toward them. He has given us no evidence that he is moving toward them at all.

Now this veiled suggestion that his colleague with whom he is in continual communication is going to make some announcement in the future about some progress whereby the facilities may be provided, is really inadequate, and I am really surprised that the Minister—at least if he is going to use the private facilities to meet this public responsibility—does not undertake to see that they are closely supervised, audited and governed as they should be if they are going to provide this service that is so important.

**Hon. Mr. Yaremko:** Mr. Chairman, as I reiterate, those institutions which come under The Children's Institution Act which is the statute for which this department has responsibility, are audited, and there are inspections I will assure the leader of the Opposition. One of the first statements that I made when I became Minister was that I took the position that the taxpayer's dollar should be under the same scrutiny and subject to the same control as all tax dollars—every single tax dollar, regardless of whom it is spent by. Now, there is no doubt in my mind that the scrutiny and the control that The Department of the Treasury has over this department is very great and very strict. I have taken the position, and the Treasurer shares that right across the board in respect of all of the government spending where the tax dollars are spent by some other agency, that there should be the same type of control and scrutiny.

**Mr. Sopha:** May I ask the Minister if perhaps somebody could furnish the answer? This disorder of the person described as an emotional disturbance; how many years has it been recognized as an isolated disorder?

**Hon. Mr. Yaremko:** I think like all others, the concept of "emotionally disturbed" is a very simple umbrella. You know most people like to categorize things because it makes for simplicity.

**Mr. Sopha:** For how many years have they been using the term?

**Hon. Mr. Yaremko:** Well, my thinking is that it must have come into prominence about three or four years ago when I first heard the words, often I had nothing to do with the carriage of the matter, but it was about three or four years ago. I see the hon. member shaking his head. As a matter of fact, this department at that time began to take steps in this direction because you will see grants to the boys' village, which was an experimental project that was undertaken—

**Mr. E. Sargent (Grey-Bruce):** It was a long time ago.

Interjection by an hon. member.

**Mr. Sopha:** So I take it that it is fairly recent! Therefore I would like to ask whether there is anyone in the government service, not necessarily in this department—if in this department, fine—but does the Minister know of anyone else in the government service that can be considered an authority on the dis-

order of the person known as "emotional disturbance"?

**Hon. Mr. Yaremko:** I would think that there is. Those persons are in The Department of Health.

**Mr. Sopha:** Well do you know that they are?

**Mr. Sargent:** I am with you.

**Hon. Mr. Yaremko:** I think that is a question which should be directed sometime to the Minister of Health.

**Mr. Sopha:** Well, here is the point. During the estimates of The Department of Health, whenever this matter was attempted to be raised, we were told that it was the responsibility of The Department of Social and Family Services. And in addition to the other, to the rest of the edifice of neglect that the leader of the Opposition has portrayed by his questioning, I must say that I am very surprised indeed, indeed I am, if there are 50,000 of these children suffering this disorder in the province. Now we are told, there is a confession made, in fact, that apparently there is no one in this department—

**Hon. Mr. Yaremko:** On a point of order.

**Mr. Sopha:** What is the point of order?

**Hon. Mr. Yaremko:** The figure 50,000 is a figure pulled out of the head of the leader of the Opposition.

**Mr. Sopha:** Not at all.

**Hon. Mr. Yaremko:** He could have used a million, he could have used a thousand. I may say, in my opinion, this is something that nobody can get up and state categorically how many emotionally disturbed children there are.

**Mr. Nixon:** Mr. Chairman, the figures come from the estimates, the educational estimates, and it does not mean all of those require institutional care by any means. It means that they require care or, at least, some special facilities in the school and some trained teachers to assist them. It is very widespread—the umbrella covers a large number of young people—but the numbers that are presently being treated in the institutions would be a number which surely the Minister can give us. And he must know as well those who are awaiting treatment—if there



are those numbers, or whether the private institutions are simply expanding to accommodate any that the children's aid societies can send to them.

**Mr. Sopha:** Apparently there are some thousands. I would think that a great many people outside this House and throughout this province will be very disturbed, indeed will be rendered most anxious, to learn that \$4 million of public money voted by this Legislature is channelled through an autonomous organization to a private group and that there is not even in the department a person who can be described as an expert in the field. Not even one! Surely, as a layman, an intelligent view can be founded that somewhere in North America, or in Europe or perhaps in Austria, there are schools to which some person could have been sent in order to take training in this very important area of human disorders.

And when the leader of the Opposition directs a question, as he did—what inspections are made?—and when he received the negative, faulty answer, devoid of any concrete facts at all, that he got from the Minister, surely then it is a proper remark to make that one would think that the government would have some person that could go around to the private institutions in order to evaluate the care that is given, and thus exercise a responsibility over the spending of public funds.

But not only has the Minister shown the hon. member for Parkdale that there is no programme at all, just airy, empty, rhetoric talking about a long-term plan in a white paper, but, in the absence of the programme, there is apparently a satisfaction in the government circles that the private institutions continue to carry out the responsibility in this sector. That is buttressed, of course, with the remarks which I made sure got on the record, that there is somewhat of a feeling of a combination of guilt complex and a gleefulness about it that does not speak very well of the Ministry. There is a gleefulness.

One Minister of the Crown, in regard to this important area, says they are laughing all the way to the bank. Another one sits on his perch as the House leader and says, tell us about the aircraft. Well, what are we talking about here?

**Hon. A. Grossman** (Minister of Reform Institutions): We know what we are talking about.

**Mr. Sopha:** We are concerned here with the care these children get, and that has nothing whatever to do with these snide interjections.

**Hon. Mr. Grossman:** On a point of order, Mr. Chairman.

**Mr. Sopha:** All right!

**Hon. Mr. Grossman:** On a point of order, just to get the record straight. I know the hon. member would like it straight. I think it was just a slip of words he did not appreciate. I made the statement, the interjection, that "they were crying all the way to the bank". It was the hon. member for Oshawa who then added to that interjection, "and laughing". I think the hon. member for Oshawa will agree to that.

**Mr. Sopha:** It shows a measure of irresponsibility on the part of the Ministers. It shows a measure of their irresponsibility.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): The hon. member is wasting an awful lot of time.

**Mrs. M. Renwick:** Stick to the facts.

**Mr. E. A. Winkler** (Grey South): Depends on where you sit.

**Mr. Sopha:** Indeed, I can see the whole edifice of irresponsibility here. Instead of facing up to the problem they hide their embarrassment by hurling innuendoes across the hall, because those two innuendoes that I referred to could be easily translated in real terms. You do not have to have a dictionary to translate them.

But to go back to my earlier assertion, I would think that it is fundamental, at the earliest time, that some person in the child welfare branch be sent to some appropriate school somewhere to seek training in this area, so that the government, in carrying out its responsibility, can send that person, or persons, around to these private institutions, if that is where the care is going to take place, in order to ascertain that proper standards of care, recognized systems of treatment, adequate standards of health and everything else are provided.

It is a funny thing, is it not, the fastidiousness and strictness with which we police licences in hotels—a privilege granted by the government and that is all private enterprise. But when it comes to spending \$4 million of public money dealing with disorders of the person, apparently we have not got a single

person in the government service that can go out on behalf of the taxpayer, can go around and come back and say, "Yes, the money is well spent, the children are getting the best treatment that is available."

So the measure of the lack of a programme to provide the treatment publicly is accompanied with a total ignorance about the adequacy of the treatment provided by the private sector. So, out in Ontario, when this debate is read tomorrow, any uneasiness that may have festered there about the care of emotional disturbance in these youth people, the most valuable members of our society, will not be allayed one whit. It will not be diminished one whit by anything the responsible Minister has said here tonight. They will not be relieved at all to know that their government, the people's government, the first in the universe, are dead last in this one. I would suspect that perhaps Tanganyika, Tasmania or Togoland may be ahead of them.

**Hon. Mr. Rowntree:** What kind of a debate is this?

**Hon. Mr. Grossman:** It is like the United Nations.

**Mr. Sopha:** I am just calling a spade a spade. You do not like it, do you? No.

**Hon. Mr. Rowntree:** I am just talking like you when you get on the estimates.

**Mr. Sopha:** You do not like it.

**Hon. Mr. Rowntree:** The reason the estimates are here—

Interjection by an hon. member.

**Mr. Chairman:** Order!

**Hon. Mr. Rowntree:** You ignore that.

**Mr. Sopha:** You get up and exalt and ozone slides out when you are announcing some programme that is the first in the universe.

**Hon. Mr. Rowntree:** I am just talking about getting on with these estimates—

**Mr. Sopha:** The last hit.

**Hon. Mr. Rowntree:** —to enable the government to carry on their job.

**Mr. Sopha:** Yes.

**Hon. Mr. Rowntree:** All that is going on here is a filibuster to delay the—

Interjections by hon. members.

**Mr. Sopha:** You like that word, do you not?

**Hon. C. S. MacNaughton** (Provincial Treasurer): Well, never mind Togoland.

**Mr. Sopha:** We have our responsibilities and no label put on our responsibilities by you will detract one whit of our carrying them out.

**Mr. Chairman:** Back to the estimates.

**Mr. Sopha:** Now, I want to make one comment about this interjection made from over here. I want to say—

**Mr. P. Yakabuski** (Renfrew South): Not about Trudeau!

**Mr. Sopha:** I want to say, as I said by interjection, that whatever the system is that is used in the private institutions, I merely say, having knowledge of the history of the subject, that it is a long way from—

**Mr. Chairman:** Order!

**Mrs. M. Renwick:** Mr. Chairman, on a point of order.

**Mr. Chairman:** Order, please! Will you state your point of order?

**Mrs. M. Renwick:** Mr. Chairman, last night I made the mistake of speaking to an interjection and I was cut off from the chair. I submit that the member for Sudbury is speaking to an interjection from this side of the House and has no right to speak on it at this time.

**Mr. Chairman:** The Chairman is doing his best to enforce the rules of the House.

**Mrs. M. Renwick:** Mr. Chairman, may I state that you advised me to cease, and I did, and I expect that perhaps the same thing—

**Mr. Sopha:** Let me just finish. I have one more sentence to make.

**Hon. Mr. MacNaughton:** Let us hear from the Chairman.

**Mr. Sopha:** What do you want to hear?

**Hon. Mr. MacNaughton:** The point!

**Mr. Chairman:** I think the member for Sudbury should confine his remarks to the estimates.

**Mr. Sopha:** Yes.

**Mrs. M. Renwick:** Thank you.

**Mr. Chairman:** Because he indicated he had one or two questions to—

**Mr. Sopha:** Right. Whatever system it is, and I do not fully comprehend the system that is used to provide care for emotionally disturbed, but I know this, that that system as I understand it, the reports about it, is a long way from the tradition of Jane Adams, Hull House, Arnold Toynbee, and all those other pioneers in the field of social welfare which are the philosophical beginnings.

**Hon. Mr. Grossman:** And shades of J. S. Woodsworth.

**Mr. Sopha:** Philosophical beginnings of this party.

**Mr. Chairman:** The member for York South.

**Hon. Mr. Yaremko:** Mr. Chairman, just in reply to the member for Sudbury, I want to assure the hon. members of this House—

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Hon. Yaremko:**—because he is working for the headlines, there are—

**Mr. Sopha:** Who are you talking to.

**Hon. Mr. Yaremko:** I am talking to the members of the Legislature, and I do not necessarily have to look at you.

**Mr. Chairman:** Order!

**Hon. Mr. Yaremko:** There is an accreditation committee and that all the departments represented on the interdepartmental committee that produced the white paper, have experts, tops in their field, and I am ready to abide by their decisions and their knowledge in this field.

**Mr. Macdonald:** Mr. Chairman, I want to deal with two points. And the first one the Minister has touched on. I do not want to get into an argument, but the hon. member for Sudbury—

**Mr. Chairman:** This is on the same committee?

**Mr. MacDonald:** Oh yes. I do not want to get into an argument with the hon. member for Sudbury, but he has painted a completely false picture which is just going to confuse the issue rather than clarify it.

To suggest that we have nobody who is an expert in identifying emotionally disturbed children is a piece of nonsense.

**Mr. Sopha:** That is what the Minister said.

**Mr. MacDonald:** The Minister did not say it, and heaven forbid that I should be defending the Minister, but in the first place, if these children are being sent to privately operated institutions, they are being sent by children's aid societies which are operated by experts. And they have assessed the needs of the child; and they have assessed the facilities to which they are sending the child. So that in both instances, experts are dealt with.

Second, as the Minister indicated, the accreditation committee, which involves two or three departments, is not just looking at the physical structure of the buildings, but it is looking at the treatment that is offered within those buildings, so they too are experts in their assessing.

Finally, Mr. Chairman, if there was any dispute as to the relative merits of the medical approach to dealing with emotionally disturbed children and the approach that has been pioneered and has been developed in Ontario and in Canada by Brown Camps, by the hon. member for Beaches-Woodbine (Mr. Brown) and his organization, you had an investigation that involved experts from the United States and Canada. They brought down their report which I indicated before the dinner hour as never being made public, but I do not think there is any doubt that the report said that this method had validity. Whether it is the best method, whether it is the only method, they were not going to come to any final conclusions. But as the Minister of Health has stated, all of these methods have a contribution and until we are much more appraised of the best way to cope with emotionally disturbed children, they all have their parts to play. So let us not create a false picture. We have a government which has been lethargic, which has not done a job.

But to say that it cannot define emotionally disturbed children or that there are no experts who can define and categorize and identify emotionally disturbed children, is nonsense.

The final point in this connection is that the Minister seemed to use as an excuse for his preoccupation with a long-term programme—providing public facilities of sufficient proportions to be able to meet the needs—that the need was to identify the



number of emotionally disturbed children. Can anybody say how many there are? The leader of the Opposition said 50,000. And the Minister blurred the whole picture by saying, "we do not know exactly how many there are." Well, he is right. Except that we know that there are one or two or three or four thousand. We are dead certain of that. And what we would like to see this government do is to build sufficient public institutions to be able to meet some of that fantastic need.

**Mr. Sargent:** Not all of it, eh?

**Mr. MacDonald:** Even if it is within the framework. Well, yes, all of it, if necessary.

**Mr. Sargent:** What happened to your budget.

**Mr. MacDonald:** And as a matter of fact those who are involved in the provision of private treatment would be glad to see that it is turned over to the public. Just wait and you will discover that it will be on a public and non-profit basis as quickly as the legal angles can be contended with.

**Mr. Sopha:** Well, we have accomplished something.

**Hon. Mr. Grossman:** Well, did you find out how to keep the properties?

**Mr. MacDonald:** As Ron Haggart said, you and some of your friends in the city, importing wines from Italy, you certainly were making a fast buck, so I suggest you just be quiet.

**Mr. Chairman:** Order!

**Mr. MacDonald:** You just be quiet. You go back and read the column of Ron Haggart. How you and your Tory friends—

Interjections by hon. members.

**Mr. MacDonald:** —while you were head of the liquor licencing, and maybe you should be silent. Maybe you should be silent.

**Hon. Mr. Grossman:** I will not be silent at all.

Interjections by hon. members.

**Mr. Chairman:** Order, order!

**Hon. Mr. Grossman:** Making money out of the emotionally disturbed is disgraceful.

**Mr. MacDonald:** Well, as a matter of fact, nobody is more emotionally disturbed in this

House than the Minister of Reform Institutions.

Interjections by hon. members.

**Mr. Chairman:** Could we have fewer interjections, please. The member for York South has the floor.

**Mr. MacDonald:** Exactly. I had the floor until the further interjections. Mr. Chairman, I wanted to clarify a point with the Minister, if I can capture his attention. Did I understand the Minister correctly in saying that it is going to be the future policy of the government to audit or to follow through in supervising the expenditures of moneys made available in this area when it is spent by private agencies.

**Hon. Mr. Yaremko:** Further. We now do have audit and certain controls over private agencies which receive direct grants from us. For example, the children's aid society is a private institution.

**Mr. Nixon:** Well, that is a different thing to what you said before.

**Hon. Mr. Yaremko:** No, no. I said that the institutions coming under The Children's Institutions Act are audited. However, when that institution with which we are in direct contact uses outside services, then we do not have the control. And I am now taking the position, and have taken the position, that the tax dollar whether it be spent by our director of finance or whether it be spent by the treasurer of the private organization or spent by somebody further removed, that that tax dollar as passed along, should be subject to the same controls and the same scrutiny.

**Mr. MacDonald:** Well, fine. Now just a minute, Mr. Chairman, I have the floor. If I may, let me complete this.

The Minister, I think, has clarified this and I see it. It is not only the children's aid society to whom, for example, the grant is made; but the Minister goes one step further and says that if the children's aid seeks a service outside, from a private agency, you are willing to pursue the expenditure of that dollar to see how it is being spent, to be sure the taxpayers' interests are being protected. The Minister nods affirmatively.

May I say *en passant*, that when one of the newspaper reporters wrote an article on Brown Camps he was invited to go and look at the books in Brown Camps. They are wide

open. So if anybody, including the leader of the Opposition thinks that this offers another witch hunt, fine—the books are wide open.

The second thing, and this rather intrigues me, Mr. Chairman—

Mr. Sopha: I never saw him more embarrassed.

Mr. MacDonald: No, I am not more embarrassed. This rather intrigues me, Mr. Chairman—the government's desire to follow the expenditure of the tax dollar in meeting human needs such as those of emotionally disturbed children. I am not opposed to it. I think that an examination of the expenditure of the tax dollar is first rate. But what intrigues me is the double standard that has emerged in this House. Are you going to apply that, for example, to the expenditure of the tax dollar to the highway contractor, when he is building highways. And if not, why not?

Interjections by hon. members.

Mr. MacDonald: It is being done? When the highway contractor bids and gets the contract, he is the lowest bidder. He gets the contract. Is the Provincial Treasurer saying that he is going to examine it to find out how much profit that highway contractor got, so that we can see whether the tax dollars are being spent in excess. Is that what the Provincial Treasurer is saying?

Hon. W. D. McKeough (Minister of Municipal Affairs): Are we talking about profit-making organizations.

Mr. MacDonald: Yes.

Interjections by hon. members.

Mr. MacDonald: Okay. Just a minute now. There are two or three angles, and if the hon. Minister of Municipal Affairs thinks he has got me over a barrel let me assure him he has not.

Mr. Chairman: Order!

Mr. MacDonald: If the Minister, whose estimates are before us now, has indicated government policy clearly—that the government is going to pursue the expenditure of the tax dollar into private profit-making organizations—I look forward to a public audit of the highway contractors.

Interjections by hon. members.

Mr. MacDonald: Oh, no?

An hon. member: Ho, ho!

Mr. Chairman: Now perhaps we can get back to the estimates.

Mr. MacDonald: As a matter of fact, that Santa Claus "ho, ho" was indicative of the derision that they are going to pour on the idea, because obviously it will not be done. It was the hon. member for Scarborough East (Mr. T. Reid) who said that the government is far more interested in hardtop on the highways than they were in human beings, when he was dealing with one estimate—I have forgotten the context. You are now going to pursue the expenditure of \$4 million, only \$4 million to deal with a desperate human need, which is made available at the cheapest source in the "market", but you are not going to pursue the expenditure of \$200 million that goes to highway contractors and creates the millionaires who provide your slush fund.

Interjections by hon. members.

Mr. Chairman: Order!

Mr. MacDonald: We are now getting close to the bone of this issue.

Mr. Sopha: Did you ever see him on the defensive before?

Mr. MacDonald: As a matter of fact, the hon. member for Sudbury is on all sides of the issue all the time. He likes to go after the government because they will not speak up, and he is on all sides at all times, so let us not be bothered with him.

Interjections by hon. members.

Mr. Chairman: Order! Can we not get back to the estimates and some dignity in this House? The member for York South has the floor.

Mr. MacDonald: Mr. Chairman, I can quite understand why the member for Sudbury is now with the Tories, because the Liberals, too, produced their highway millionaires like Franceschini—

Mr. Chairman: With respect, could we get back to The Department of Social and Family Services?

Mr. MacDonald: So when we get to an issue like this, they are in the same boat. No wonder they are with them.

Mr. Chairman: Vote 2006.

**Mr. MacDonald:** All right, I will sum it up, Mr. Chairman.

I look forward to this government fulfilling the policy which has been enunciated by the Minister—that they are going to pursue and supervise the expenditure of \$4 million to meet the needs of emotionally disturbed children. But when they start doing that, there are going to be a few of us around here to ask that you pursue the expenditure of the \$200 million going to highway contractors, because they are exactly the same thing—the taxpayer's dollar.

Interjections by hon. members.

**Mr. S. Apps** (Kingston and the Islands): Mr. Chairman, perhaps we could get back to the vote for a moment or so.

**Mr. Chairman:** Does the member for Scarborough Centre have a point of order?

**Mrs. M. Renwick:** Mr. Chairman, might I ask where I may correctly continue what I began when you gave me the floor earlier this evening?

**Mr. Chairman:** As soon as we get off the mentally retarded children.

The member for Kingston and the Islands.

**Mr. Apps:** Mr. Chairman—

**Hon. Mr. Rowntree:** What a way to treat a lovely lady member.

Interjections by hon. members.

**Mr. Chairman:** Order! The member for Kingston and the Islands has the floor.

**Mr. Apps:** Mr. Chairman, in defence of the Minister, I might say that in Sunnyside again, in Kingston, which is a fully accredited institution, I am certain that the officials of the department have been down there on many occasions to see how it operates and to make certain that the treatment is good treatment. In so doing, I am certain they are getting good supervision of that particular facility down there.

Whether that same thing happens to Brown Camps, or something else like that, I am not sure, but as far as my experience has been, the department is certainly giving supervision to this particular institution.

I would like to ask the Minister a question and that is, when a children's aid society refers an emotionally disturbed child, say to an institution like Sunnyside, who pays for the treatment they get there?

**Hon. Mr. Yaremko:** The children's aid society pays the institution but the children's aid society, in turn, is reimbursed 40 per cent by the municipality, 60 per cent by us.

**Mr. Apps:** Well, this brings up a point that I would like to throw out to the Minister and that is, there have been occasions when this particular facility has had more accommodation available than they have children in the institution, and they have been getting very few referrals from the children's aid society. I think the reason is that all children's aid societies are on a certain budget and when they refer an emotionally disturbed child to an institution such as that, that is a pretty expensive proposition for them.

As a result, they have less money to spend on some of the other things they do in going about the work of the society. I think this has resulted in the fact that children who probably should have been referred to a facility such as Sunnyside, are not referred because of the expense involved to the children's aid society.

And I would like to suggest that the Minister look into the proposition of increasing the grants to the children's aid societies for emotionally disturbed children who are referred to private institutions, and I think that will encourage children's aid societies to refer more children who should be sent to a facility such as Sunnyside.

I would hope that the Minister might look into this and, in his wisdom, perhaps raise the percentage so that children's aid societies and municipalities will be encouraged to send these emotionally disturbed children to such institutions.

**Mr. Chairman:** The member for Grey-Bruce.

**Mr. Sargent:** Mr. Chairman, on this vote—

**Mr. Chairman:** On this particular aspect of it, emotionally disturbed children?

**Mr. Sargent:** Yes, sir. As I understand it, Mr. Chairman, the little people we are talking about here go into the private sector. We handle the older emotional people by public institutions. Do I take it that you have a target date shortly that you will not have need for places like Brown Camps, in the private sector, that it will all be handled by public moneys, public buildings?

**Hon. Mr. Yaremko:** Not necessarily, it all depends what the experience shows. I think there is a place for this type of institution.



For example, the member for Kingston and the Islands has cited a really outstanding example, Sunnyside, which is in the private sector, supported by public moneys, but which is doing an excellent job.

The approach will be to provide facilities in total in the public sector so far as it comes under direct provincial control and in the private sector such as that, so that all needs will be satisfied.

**Mr. Sargent:** This may sound naive or kind of stupid, but we do not handle the older people by the private sector. Why do we take the little people and use them differently? What is the thinking behind that?

**Mr. Apps:** Mr. Chairman, I think it is because the younger people, particularly the five, six, seven, eight, nine years of age category, who are handled in this particular institution I have been talking about—which, by the way, is a non-profit institution—are bright kids, and there is a great deal of hope for them through the treatment they get in these institutions.

**Mr. Sargent:** I know about that, but why would you take—

**Hon. Mr. Yaremko:** Mr. Chairman, in all aspects there is judicious use of public and so-called private facilities.

**Mr. MacDonald:** For the adults.

**Hon. Mr. Yaremko:** For the adults, there are the homes for the aged.

**Mr. Sargent:** We have Ontario hospitals right across the board.

**Mr. Chairman:** Order! Perhaps we could have the Minister's reply.

**Hon. Mr. Yaremko:** There are the homes for the aged, the rest homes under the Act, and also the nursing homes in the private sector.

**Mr. Sargent:** How many operations does the Minister have in the field in competition with Brown Camps? How many people in the field against them?

**Mr. MacDonald:** They have to meet the need.

**Hon. Mr. Yaremko:** John Brown Camps, I believe, is in rather a unique category.

**Mr. Sargent:** What portion of the market then do they handle? My colleague tells me

they have 107 on the market now, is that true?

**Hon. Mr. Yaremko:** No.

**Mr. Sargent:** Well what percentage of the market do they have? The disconcerting factor is that we have the leader of the New Democratic Party here and he has had a hard day today, but he comes up and sells a bill of goods for his colleague who cannot be here. And this is a disgraceful situation. He is selling a bill of goods for Brown Camps, and he says, "Don't look at their books too closely".

**Mr. MacDonald:** On a point of order, the problem of emotional disturbance is obviously broader than we thought.

Interjections by hon. members.

**Mr. Chairman:** Order, please!

**Mr. MacDonald:** Get with it!

The problem of the emotional disturbance is obviously broader than we thought. Mr. Chairman, since that got on the record, just let me repeat, so that it will be close to the record and not mislead anybody.

What I stated was that when one of the newspaper boys in the gallery did a story on Brown Camps, the hon. member for Beaches-Woodbine said, "Come up—the books are open. See them for yourselves. Bring anybody else you want to look at them."

**Mr. Chairman:** Does the member for Grey-Bruce have any further contributions on this.

**Mr. Sargent:** I am not satisfied in my own mind that we will continually have to go to the private sector to handle this growing problem.

**Mr. MacDonald:** As long as you have a Tory government—

**Mr. Chairman:** Order, please!

**Mr. J. H. White (London South):** On a point of order, Mr. Chairman.

I am now looking for your guidance, sir, I have some remarks to make on this vote—

**Mr. Chairman:** Would the member please state the point of order.

**Mr. White:** Yes, I am speaking on a point of order. I have some remarks to make on this vote. They apply in particular to items 4, 5, and 6. I would prefer to make my remarks later in the hope and expectation that

the member for Beaches-Woodbine, and/or the member for Scarborough West (Mr. Lewis) will have the honour and the integrity—indeed, the courage—to do what they said they would do; that is to be present for this debate and for these votes. And for that reason I now ask for your guidance and ruling and I ask the privilege of speaking on this later in the hope that one or both of these hon. members will appear. And in making your ruling you might wish to consider page 732.

**Mr. Chairman:** Could I have the point of order first?

**Mr. White:** I am asking for the right to speak on items 4, 5, 6, at the end of this vote.

**Mr. Chairman:** I said to the member we are not taking vote 2006 item for item; we are taking a broad general discussion on the vote.

**Mr. White:** Then I will have the opportunity at the end of this vote of speaking with respect to these particular items, even although the items have been passed.

**Mr. Chairman:** Vote 2006, the child welfare grants.

**Mr. M. Shulman (High Park):** I am not amused by the member for London South. Perhaps you would be kind enough to explain; I have had a little difficulty—

**An hon. member:** Get that man off.

**Mr. Shulman:**—in understanding. It seems that last week the convoluted conservative thinking was begging that these two members not speak, and not be present at this vote. They are now begging that they be present. I would just like an elucidation from the Conservatives. Just exactly what do they want?

Interjections by hon. members.

**Mr. Chairman:** Order! Vote 2006.

**Mr. White:** Mr. Chairman, on the point of order raised by the member for High Park, I said during the debate on the point of order that these members had a right to debate the issue, having declared their self interest. I referred to May's in making that point. I likewise said, it was my belief that they did not have the right to vote. They insisted that they did have the right to vote, and now I point out to the chair that they have deliberately absented themselves from this vote, which all of us knew would be coming before

the House tonight. Now I am going to postpone all my remarks in the hope that they will have the courage and the honour to appear as they said they would do.

**Mr. MacDonald:** Mr. Chairman, on a point of order—

**Mr. Chairman:** Please, is this a new point of order?

**Mr. MacDonald:** This is the same old and related point of order.

**Mr. Chairman:** Whose point of order was it?

**Mr. MacDonald:** Mine!

Now, Mr. Chairman, I suggest to you, that in light of the ruling that the Speaker has given us, that each time the hon. member gets up in this mischievous fashion, he is out of order.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, may I just speak to you and perhaps they can eavesdrop or go out, whichever they please. The Speaker, when asked, gave his ruling, and I will quote the relevant paragraph. "The member for Scarborough West is quite correct in his submission. The ruling may—

**Mr. Chairman:** York West, the member for York West.

**Mr. MacDonald:** That was wrong. It was Scarborough West. The Speaker made an error. Sometimes our stenographers make errors. The Speaker had difficulty tolerating the error today, but it is made sometimes, even in his own office. I quote:

The member for Scarborough West, is quite correct in his submission that a ruling may not be requested or made, under rule 21 until the vote has actually been cast by the member in question, at which time the matter is raised not on a point of the order—

The hon. member has been playing mischievously on this game for three weeks now.—at which time the matter is raised, not on a point of order, but by a motion to set the members vote aside on the grounds that he has direct pecuniary interest.

In other words, one cannot anticipate the member's action and rising on a point of order before the event. I suggest to you, Mr. Chairman—

**Hon. Mr. McKeough:** Why do you not go back? He told them to stay away?

**Mr. MacDonald:**—that all of these points of order are raised mischievously. They are

in defiance of the Speaker's ruling and each time they are raised you have the responsibility, and the obligation, to bring it to an end, right there. Because the rules have been clarified as to how it is handled.

**Mr. White:** Mr. Chairman, I would like to speak.

**Mr. Sopha:** Mr. Chairman, the remarks of the leader of the NDP—

**Mr. Chairman:** The member for High Park said he had the floor first, speaking to the point of order.

**Mr. Sopha:** I want to say, in respect to the point of order, raised by my friend from London South, that I entirely disagree with him. I think the only honourable thing that these two members could have done is that which they have done. And that is stay away. And having listened to the member for York South for nine years in his disquisitions on Caesar's wife, I think they had no alternative in the circumstances and I convey my admiration to them for staying away from the House while this is discussed.

**Mr. White:** Mr. Chairman, the leader of the NDP has not referred to my comments. I have some general remarks to make on this matter and on this government policy.

**Mr. MacDonald:** Well, go ahead and do it.

**Mr. White:** And I am most anxious to place my own personal views on the record.

**Mr. P. D. Lawlor (Lakeshore):** Go ahead and by all means do so.

**Mr. White:** I would very much prefer to wait and see if these directors of Brown Camps will be in the House as they said they would be.

**Mr. Lawlor:** No necessity. We are dying to hear you.

**Mr. White:** It may be—it may very easily be—

**Mr. MacDonald:** He is out of order, Mr. Chairman.

**Mr. White:** It may very easily be as the member for Sudbury says—

**Mr. Chairman:** Order. Order!

**Mr. White:** —honour compels them not to vote—

**Mr. MacDonald:** Mr. Chairman—

**Mr. White:** —but honour compels them also to be candid about it.

**Mr. Chairman:** Order. Order!

**Mr. MacDonald:** Mr. Chairman—

**Mr. Chairman:** Order. Order!

**Mr. MacDonald:** Mr. Chairman, the hon. member is violating a Speaker's ruling, for his own mischievous purposes.

**Mr. Chairman:** Order please!

The members will remain seated and silent for a minute I will attempt to rule on the point of order that has been raised.

**Mr. Sopha:** Mr. Chairman, you know where they are. They are making the great breakthrough in Quebec.

**Mr. Chairman:** I do not care where they are. In view of the ruling made by Mr. Speaker, which was read quite correctly by the member for York South, it is my view that any discussion in this respect at this time is entirely out of order.

The members are not in the House. The ruling indicates that only after they have voted may there be any discussion whether they have had in fact the right to vote and at this particular time, any discussion on that particular ruling is entirely out of order and I say to the member for London South that he will have an opportunity—before vote 2006 is completed—to speak in any matter he wishes pertaining to that particular vote.

The member for Quinte.

**Mr. R. T. Potter (Quinte):** Mr. Chairman, I think when the hon. leader of the Opposition quoted his figure of 5,000 emotionally disturbed or 50,000—whatever it is—I think he missed a few. After listening to the so-called debate in this House today I am sure we have a lot more emotionally disturbed, and they are not all in Brown's homes.

**Mr. Trotter:** Speak for yourself.

**Mr. Winkler:** That includes you.

**An hon. member:** That includes you.

**Mr. Chairman:** Order!

**Mr. Potter:** I would like to ask the Minister why—

**Mr. Sargent:** He is speaking for the government.

**Mr. Chairman:** Order!



**Mr. Potter:**—emotionally disturbed come under The Department of Social and Family Services? He has stated that the experts are in The Department of Health. I believe that it is a medical problem and I wonder what the reasoning is behind it being in The Department of Social and Family Services, or if there has been any thought to transferring it to The Department of Health?

**Hon. Mr. Yaremko:** Mr. Chairman, I went into the traditional growth of the care of children within the province and, traditionally, they came under The Department of Public Welfare. The Department of Social and Family Services that had jurisdiction over children's institutions and has the range of care under the children's institutions expanded to include not only the tradition of shelter and care, but treatment such as the Madame Vanier in London, the Mount St. Joseph in Hamilton, the Protestant children's village in Ottawa, Sacred Heart in Scarborough, boys' village in Downsview and Sunnyside in Kingston.

These institutions began to look after a particular kind of child, the emotionally disturbed. With our coming to grips with the whole broad picture, with the policy outlined in the white paper, there will be a change in shift; they will be shifted to treatment. There is some question as to where the line of treatment takes place and I am one of those who believes as a layman that treatment means more than putting a bandage on, that you do not have to apply medicine or bandages to treat children. I am hopeful that Dr. Dymond will come up with a scheme that will cover all of those who need treatment of any kind, of any description, and gradually the emphasis of responsibility will be in The Department of Health, although they may stay with us technically in order that we may recover from Ottawa 50 per cent of the dollars we spend.

**Mr. Chairman:** Did the member for Parkdale have further comments regarding emotionally—

**Mr. Trotter:** I have further comments from what I said this afternoon, Mr. Chairman, as a result of hearing the Minister and listening to the member for Kingston and the Islands; and even the remarks of the member for Quinte.

Mr. Chairman, like so many people I cannot understand why The Department of Social and Family Services has the sole charge of emotionally disturbed children

because the whole picture is very hazy. My impression is, and one of the very weaknesses of government policy is, that the emotionally disturbed children have fallen between two empires. When we discuss it with The Department of Health, they say no that will come under The Department of Social and Family Services; yet the member for Quinte gets an answer from the Minister saying he hopes that the Minister of Health will come up with an answer.

The whole difficulty in this problem is simply that there is no firm government policy and we may disagree if there are experts in this field. But I can only recommend the Minister, and anyone else who is in doubt, to read the report of the committee on youth, which had before it many distinguished people in this field. It also had available many pamphlets and had many briefs submitted to it that are certainly worthwhile. When the Minister gives us the very hazy and fog-bound answers that he has given us with regard to government policy—and this is in regard to his statement just shortly after 6 o'clock this evening—I am more worried and concerned than ever that so little is being done.

The hon. member for Kingston and the Islands made a game attempt—I could say lame but I said a game attempt—to defend the Minister and his policy. But what the member for Kingston and the Islands said in defending the Minister is not what he said in his report on the committee on youth and I remind you that he is the chairman.

In summing up, Mr. Chairman, I would like to read some words from that report on this very subject, and I might say that it was emphasized again and again throughout this report, which consists of over 275 recommendations. It deals certainly with more than just emotionally-disturbed children. It covers youth in all its aspects, and it urged that some type of centralisation within the government—they recommended a department of youth. Certainly a committee of Deputy Ministers of four or five departments should be formed in order to deal with these problems that affect our young people—not just the statements that we have had from the Minister this afternoon and this evening that we are continually talking. He and the Minister of Health are continually talking! We just do not have the facilities, we do not have the policies that we should have in regard to the emotionally disturbed children. This report of the committee on youth came out in 1967—just over a year old—and this is what it says and it

consisted of a chairman from the government party and a majority of government members. I just wish the Minister would take even this one page, page 87, to heart.

"Community Based Residential Centres to Provide Diagnostic and Treatment Services for Emotionally Disturbed Children" is the heading and to support what the member for Quinte said, although it is really in regard to Social and Family Services, it is listed under Health. This is the conclusion of this whole problem.

Residential treatment centres are in short supply. Many children are thus being sent to inappropriate institutions such as training schools, children's aid group homes and charitable institutions for the homeless, when in reality they require special treatment for numerous physical and mental handicaps. When emotionally disturbed children are placed in the wrong treatment institutions, the damage done is two fold.

First they do not receive the much needed treatment. Second, the institutions concerned cannot provide the best service to those children for whom the particular institutions were designed. The effects of this situation involve many more children than is necessary or desirable.

Now I may inject here, Mr. Chairman, it has come up from time to time—how many children are really involved? We have heard the figure of 50,000 children in Ontario. If you read some of the briefs that were presented to this youth committee, that figure of 50,000 is well substantiated and it is certainly no exaggeration whatsoever. When it talks about sending an emotionally disturbed child to the wrong institution the report goes on:

How does a disturbed youth fare in such a situation? Not very well. Because of the lack of examination and treatment facilities he is lumped together with children and adults—two groups to which he does not belong—and when he needs psychiatric help examination and treatment should be separate from other groups, especially for in-patient psychiatric hospital treatment. In-patient facilities for the treatment of disturbed youth should be distinctly separate from those of adults.

Well now, this report came out in March of 1967. To give you some idea, there has been hardly any change since then, very minute if any at all. This was a situation written by this report:

As of this report there are no separate provisions for in-patient children 12 years and over in all of Metropolitan Toronto. Children referred from the juvenile courts of the province have no children's wards with special care of advanced mental illness and face a middle to crowded adult wards of mental hospitals. The Clarke institute of psychiatry built as a replacement of the former Toronto psychiatric hospital was designed to have a section of its 75 bed accommodation made available to young persons. To date, staff shortages and other pressures have precluded any admission of young persons requiring treatment. This condition prevails throughout the province and poses a serious threat to much-needed treatment for mentally-ill and emotionally-disturbed youth.

I could go on, but I will just skip the rest and go to the recommendation made by this committee and that recommendation incidentally, differs from what the hon. member for Kingston and the Islands said. He spoke of how good the facilities were in Kingston and that Sunnyvale in Kingston has a good reputation. But it can only partially begin to deal with the situation in that area.

There is not a single area anywhere in Ontario that is properly serviced for the treatment of emotionally disturbed children. There are many civil servants working with this provincial government and certainly in the social planning council who can tell you that this is the situation.

The hon. member for Kingston and the Islands encouraged the private volunteer organizations be supported. Indeed I agree that they do a great work, but the main recommendation of the committee was this—and I would like to read it because this should be the policy of the government. I again emphasize that it is coming from a committee that spent two and a half years on this subject.

They recommended that more regionally-located, residential diagnostic and treatment centres for emotionally disturbed and retarded and other medically handicapped children be established by the provincial government. This does not mean to say that you do away with all private institutions. But basically the responsibility—and again I repeat, and repeat because the minister ignores it—the responsibility is with the government. And it is only the provincial treasuries, or federal treasuries for that matter, that can begin to cope with these

new social and health situations that face our modern society.

So, I ask the Minister—and I am not attempting to read the whole 275-and-some-odd-page recommendation of this report—I am reading one that is utterly essential and affects thousands of children immediately and is going to affect our society tremendously unless we do something now. I think that it is disgusting that the Minister can stand up as he has done this afternoon and has utterly ignored the policies that must be given. To me he has given ridiculous and nonsensical answers. He has not faced up to the issue one iota and it is simply time that he does. I would just like again to underscore and re-emphasize that I for one am going to repeat and repeat this in this House, in its committees, until this government wakes up.

**Mr. Chairman:** Is there any other member who wishes to speak on the issue of the mentally disturbed children before the member for—

**Mr. Sopha:** Yes, I would just like to add a word and make the record complete. The member for York South referred to the books of Brown Camps, that they were open to inspection. I merely want to ask, not hoping to get an answer, but I would like to ask—and indeed many of the public must be inquiring about this and many may wonder whether the figures of \$29.60 a day is an adequate figure. Is this the proper figure that ought to be spent for the care of these unfortunate children?

When I consider that figure, I am bothered by this statement reported in the *Toronto Telegram*—the member for York South referred to it, on April 26, 1968. I would like to read this into the record, against the background, of course, where my leader has said with his usual penetrating good sense, and I completely endorse the position that he takes in this regard, that this is a public responsibility. Now it is carried out by a private, apparently profit-making organization. Against that background I read this statement:

Mr. Brown said last week that his company now holds \$1.5 million in real estate, purchased partly through the fees. He said that all the real estate is held in the name of Brown Camps Leasing Ltd., the holding company of which he is president and his wife the secretary. Mr. Brown said that his company just breaks even on the

operation but he said that there was no legislation that could stop him from going out of business and selling his real estate holdings at a profit.

I think that that is just an incredibly astonishing statement for the man to make. It means, of course, that the \$4 million being spent by this government out of this vote at least partly is going to the creation of a private enterprise empire by this individual.

**Mr. MacDonald:** At one half the government's cost.

**Mr. Sopha:** By this individual.

**Mr. MacDonald:** Providing the services at half the government cost.

**Mr. Sopha:** That may be. But the principle involved is that if this be so, as Mr. Brown says it, we have an obligation and the government has an obligation—which so far it has not discharged—to ascertain—

**Mr. MacDonald:** You are on the other side of the fence now?

**Mr. Sopha:** I have always said this from the opening, and I have never deviated, that the government has an obligation to ascertain whether the money is being properly spent, because as a small "I" liberal, I cannot sit idly by and watch government moneys being used by an individual for the creation of an edifice of capital accumulation.

**Mr. MacDonald:** On the highway contracts, you mean?

**Mr. Sopha:** That is wrong. I am not talking about highway contracts, I am talking about this—and this, I contend earnestly, bears investigation by this Minister. So far in this debate, he has not provided us with any fact upon which we can come to any conclusions, or indeed the public outside—that we may come to the conclusion that this money is being properly spent.

It is a fantastic amount of money and I fail to see on business principles, knowing nothing about the care of emotionally disturbed children at all, but from purely business principles, and we are talking in round figures of \$4 million a year, that one can certainly conceive very easily of an amortization schedule with that amount of money that could provide the capital plant necessary, owned by the public, for the care of these children and more important than the capital plant, the acquisition of the staff—even taking



over the staff accumulated by the organization known as Brown Camps.

I fail to see what is wrong with that proposition, but I do see this—the member for York South, having raised it—that this is a very unsatisfactory situation and must indeed cause wonderment, if not dismay, among many members of the public beyond those who have their children in these institutions.

The public must really wonder why the government has so lagged in this regard to put the thing on the rails in the way my friend from Parkdale so emphatically and eloquently put it. Surely the Minister and his staff of advisors, as well as the Treasury board and the government as a whole, will consider taking early steps to invalidate and embrace these unfortunate young people in our midst.

Really, above and beyond everything that has been said here tonight—all the points of order, and all the illusions that have been made whereas they might be germane—beyond that the main point is the adequate care of these youngsters in our midst, because we face the terrible concept of wastage of their talent if we do not move in some direction. I sit down with a great feeling of discouragement that in this area, not only have the appropriate steps not been taken, but in the Minister, and his associate, the Minister of Health, the reason for the halting approach that they make is that they simply do not know what they should do.

That is a long way from the proper exercise of governmental responsibility; indeed from the stewardship of the powers in government. I hope to hear within a very short time that a reassessment of this whole business is made so that the public can feel that everything reasonable is being done to get the public sector into this vital area. That simply put, I think, is the principle involved here and all the rhetoric of the member for York South about highway contracts only confuses the issue because when looked at it is fundamentally simple.

Once again, I say that because of the ultimate end of these moneys that we are voting now, I really believe that those two members, whoever they may be, did the only thing they could do in these circumstances—to stay away from the House. I again tender them my congratulations for taking a very ethical stand.

**Mr. MacDonald:** Mr. Chairman, on a point of order, that is the most specious speech I

have heard tonight. He is playing the same mischievous game.

If the hon. member wants to have an examination of the expenditure of public funds, I repeat to him—Brown Camps have said their books are open, but if he is really honest about it and not just playing a mischievous game, he will join with us in wanting an examination of the same expenditure of public funds across the board, including highway contracts. But of course, he was not interested in that.

**Mr. F. A. Burr** (Sandwich-Riverside): Mr. Chairman, having waited—

**Mr. Chairman:** Order. Is the member for Sandwich-Riverside intending to speak on emotionally disturbed children?

**Mr. Burr:** No, I thought—

Interjections by hon. members.

**Mr. White:** Mr. Chairman, I think it is most unfortunate that two extremely complex issues are being dealt with at one time—that is to say, the problem of emotionally disturbed children in this jurisdiction, and the problem of a conflict of interest possibility—

**Mr. MacDonald:** Out of order. The Speaker's ruling, Mr. Chairman.

**Mr. White:** —of the member for Beaches-Woodbine and the member for Scarborough West.

**Mr. MacDonald:** Mr. Chairman, I rise on a point of order.

**Mr. White:** And now I would like to talk about emotionally disturbed children.

**Mr. MacDonald:** Mr. Chairman, the Speaker's ruling—you were not in the chair at the time—but I shall read it to you again:

The member for Scarborough West is quite correct—

**Mr. Chairman:** I did hear the member read—

**Mr. MacDonald:** Did you hear it? All right. It states clearly that no point of order can be raised at any point—

**Mr. Nixon:** He cannot raise the point.

**Mr. MacDonald:** Right. He cannot raise it. The only thing he can do is to make a motion and that motion must be made at the end of the debate. If there has been a vote and if the hon. members have engaged in the

vote, he can make a motion. Otherwise, Mr. Chairman, he is out of order to comment on it.

**Hon. Mr. Grossman:** Yes, to comment on it?

**Mr. MacDonald:** To comment on it. No, Mr. Chairman, I shall read the Speaker's ruling for the benefit of the hon. Minister of Reform Institutions:

Mr. Chairman, I rise on a point of order.

The member for Scarborough West is quite correct in his submission and a ruling may not be requested or made under rule 21 until a vote has actually been cast by the member in question, at which time the matter is raised, not on a point of order, but by a motion to set the member's vote aside on the grounds that he has a direct pecuniary interest. In other words, one cannot anticipate the member's action or rise to a point of order before the event.

Mr. Chairman, there is no legitimate area for discussion of this issue. It has been settled by the Speaker and if the hon. member is now going to anticipate something that has not taken place, he is defying the Speaker's ruling.

**An hon. member:** What has he got to hide?

**Mr. MacDonald:** Nothing.

**Mr. Chairman:** May I say that the member for London South had only commenced his remarks and we have not yet had an opportunity to hear in what direction he intended to—

**Mr. MacDonald:** Dealing with conflict of interest is out of order.

**Mr. Chairman:** I was not aware that he was going to do that, but—if I might be allowed to comment on the point of order—the member for York South has now brought to the attention of the House again the ruling of the Speaker in saying that a ruling may not be requested or made until a vote has actually been cast by the member in question.

**Mr. MacDonald:** Right!

**Mr. Chairman:** I must say that there has not yet been any action in this House on which I think objection could be taken or a ruling requested, but I suggest to the member for London South that he now continue his remarks and we will see just where they do lead.

**Mr. White:** Thank you, Mr. Chairman. I want to speak about emotionally-disturbed children in this province and I want to say,

by way of preface, that I think it is completely despicable for the member for York South to try to entangle the problems of his party and his members in this very serious social problem.

**Mr. MacDonald:** Out of order, Mr. Chairman. He is defying the Speaker's ruling and he is persisting in it.

**Mr. White:** Speaking to the problem of emotionally-disturbed children, I want to remind the members of this House that this is a very new and very complex and very troublesome area of mental health. It was only three or four years ago that a friend of mine in London explained the serious and tragic circumstances relating to one of his own children who had a serious emotional disturbance.

He explained to me that there was no facility in Ontario to deal with it and I think I am correct in saying there was no facility in Canada to deal with it. There was a very fine institution in Ann Arbor but the cost of that institution was something like \$1,500 a month for out-of-state patients, so we are not—

**Mr. MacDonald:** Brown Camps is filling that gap.

**Mr. White:** Do not dare interject that after your pious platitudes. At any rate, in the last three or four years some very dramatic changes have taken place and some very great progress has been made. Much of this progress has been made in the public sector.

I point in particular to the children's psychiatric research institute in London, which won one of President Kennedy's awards six or seven years ago, whose superintendent is now a senior official in The Department of Health and who may be present tonight, and who himself has won American awards and Canadian awards. I point out that in this particular institute they are dealing with a wide range of retardation and with some emotional disturbance, at the children's psychiatric institute in London, which is thought by most specialists in this field to be one of the finest such institutions in North America.

There are private organizations of a non-profit nature—and I think now of the Madame Vanier institute for children in London. It is non-profit in that it is a non-profit corporation, incorporated as such, and is receiving substantial funds from the province of Ontario and from other contributors. They

have, I think 12 or 15 emotionally-disturbed children in a central location in London.

Then we have a number of private, profit-making organizations like Brown Camps and there are some advantages to this public, private non-profit, and private-profit mix and I am going to suggest and I am going to argue for the next few minutes that it is perfectly appropriate in this field to have this mix between private and public organizations.

There is a role to be played in this province by private organizations of one kind or another. This is borne out by many of the statutes and many of the estimates that we deal with here annually. It can be said in the area of health with hospitals and nursing homes. It can be said in the area of education with a wide variety of private institutions like the University of Western Ontario; public institutions like the school boards of this province. It can be said in agriculture, as a matter of fact, where we make contributions of one kind or another through joint enterprises with private organizations.

It is not an unusual situation at all, and if there is a monopoly by government in health, if there is a monopoly by government in the field of emotionally-disturbed children, the emotionally-disturbed children will suffer, because private organizations have certain advantages over public organizations.

They are able to enlist the support, and the energies, and the dedication of local citizens in a way that certainly is not possible for the Ontario Hospital in London, for example, although there is or was a citizens' auxiliary. It simply is not possible for that large public institution to attract the energies of large numbers of local citizens as is the case with the Madame Vanier institute.

**Mr. Sopha:** Well, does the Toronto General hospital—

**Mr. White:** You give your speech and I will give mine.

Secondly, a local private institution, I think, has a better awareness of the needs of the community, in many instances at any rate. Third, I suggest that having some number of private institutions in this and other fields provides a challenge and an abrasiveness which stimulates the private institutions and the public institutions. And I think we are indebted to the private schools of this province because they continually poise an alternative to the monolithic state school system.

I am saying in this area of emotional disturbance that the Madame Vanier centre, for instance, can attempt programmes which may be difficult for the children's psychiatric research institute—for one of a number of reasons. For instance, the members of the Maycourt club in London provide very full staffs for the Madame Vanier institute and they act, in a sense, as mothers to these youngsters.

And I think that that would not be possible with a provincial institution. They can be much more experimental, much more bold in their application of some new and startling techniques. And I think that the Brown Camps is a perfect example of this experimental treatment which seems strange to us laymen but which—I am told by certain senior specialists—in the children's psychiatric research institute in London has given beneficial results with some of these youngsters. The methods, quite frankly, are so unusual that I suspect a public institution could not attempt them. I do not want to go into the details of those programmes now; I do not know enough about it and I do not know enough about these fields. I suspect that a public institution could not utilize, at this point in time, the radical treatment methods which are employed sometimes with success in the Brown Camps. And the fact that they have had extraordinary profits, I think, does not detract from the efficacy of their treatment, and I would certainly not want to see that facility terminated.

**Mr. Chairman,** that deals with what I had to say on the subject of emotionally-disturbed children.

The leader of the NDP has risen to his feet twice to quote Mr. Speaker's ruling, and I claim the right to read from page 2811 of *Hansard* a portion of the request that the member for Scarborough West put to Mr. Speaker on his behalf, and on behalf of the member for Beeches-Woodbine—

**Mr. MacDonald:** Mr. Chairman, on a point of order—

Interjections by hon. members.

**Mr. Chairman:** Any discussion pertaining to the conflict of interest at this time is entirely out of order.

**Mr. MacDonald:** That is the point I wanted to make, Mr. Chairman. The quotation has been put to the Speaker; the Speaker has ruled; the hon. member for London South cannot, in effect, try to reopen the issue and query the ruling.



**Mr. White:** Mr. Chairman, for my guidance then, can the leader of the NDP stand up, not once but twice, and read Mr. Speaker's ruling; and are you now saying that I cannot read one portion—

**Mr. MacDonald:** That is right; that is right!

**Mr. White:** —of the statement which gave rise to his ruling—

**Mr. White:** —and which Mr. Speaker dealt with, but which the leader of the NDP did not have the candour to read to us.

**Mr. J. Renwick (Riverdale):** You can challenge the ruling if you want to.

**Mr. Chairman:** The Chairman has made his ruling pertaining to the discussion of conflict of interest. It is quite clear. There can be no further discussion.

Vote 2006.

**Mr. White:** In conclusion then, Mr. Chairman—

**Mr. Chairman:** Order!

Vote 2006.

**Mr. White:** I am on the subject. In conclusion, let me say that I believe the government has moved very quickly, and very courageously, in this extremely difficult field. And I would not want peripheral matters to interfere with the progress they are making. I think that as time goes by, and perhaps in the near future, they may establish a more ambitious public programme. But this should not inhibit the good work being done by the Madame Vanier centre in London, and perhaps by private profit-making institutions also.

I note on page 8 of the *Globe and Mail*, Thursday, May 23, an article by John Dafoe, which says he—the member for Scarborough West—spends about six days a week in Montreal, returning to Toronto only for vital debates in the Ontario Legislature.

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, that is out of order.

**Mr. White:** And I say, sir—

**Mr. MacDonald:** Mr. Chairman, on a point of order—

**An hon. member:** Mr. Chairman, this has nothing to do with the estimates.

**Mr. White:** It is a matter of very great regret to me—

**Mr. MacDonald:** Mr. Chairman, on a point of order. On a point of order—

**Mr. White:** —that these two men would not be present for this important debate in this House tonight.

**Mr. MacDonald:** On a point of order. The hon. member for London South is defiantly—

**Mr. White:** It is a shameful, despicable, unmanly way for men to deal with their conflict of interest difficulties.

**Mr. MacDonald:** —persistently trying to defy the chair, to achieve his mischievous purpose.

**Mr. Chairman:** Order! Vote 2006.

Interjections by hon. members.

**Mr. Chairman:** Order! Order!

Is there anything further pertaining to emotionally disturbed children under vote 2006?

**Mr. Sopha:** I do not think—

**Mr. Chairman:** The member for Sandwich-Riverside had been attempting to get the floor before. I recognize the member for Sandwich-Riverside.

**Mr. Burr:** I am not emotional or disturbed.

**Mr. Chairman:** Does the member for Sandwich-Riverside wish to discuss emotionally disturbed children?

**Mr. Burr:** Mr. Chairman, I would like to bring up a non-controversial matter. Would that be all right?

**Mr. Chairman:** Pertaining to emotionally-disturbed children?

**Mr. Burr:** No.

**Mr. Chairman:** Does the member for Port Arthur have anything to say?

**Mr. R. H. Knight (Port Arthur):** Mr. Chairman, I won't be very long on this but I have listened to most of this debate about what this department and this province, and Brown Camps Limited, and so forth, are trying to do in the matter of the care and the rehabilitation of emotionally disturbed children. I must tell the House that I am very, very sorry to hear that Brown Camps is making a profit because—

**Mr. Chairman:** Order! Order!

**Mr. Knight:** Mr. Chairman, this pertains to emotionally disturbed children.

**Mr. Chairman:** Not with Brown Camps and whether there is a profit.

**Mr. Knight:** The issue, my friend, is this—

**Mr. Chairman:** Order!

**Mr. Knight:** —as long as that organization is making a profit, Mr. Chairman—

Interjections by hon. members.

**Mr. Chairman:** Order!

**Mr. Knight:** May I make my point, Mr. Chairman?

**Mr. Chairman:** If the member will refrain from any reference to—

**Mr. Knight:** I am only talking about a firm that is treating emotionally disturbed children.

**Mr. MacDonald:** Deal with emotionally disturbed children, not the alleged profits.

Interjections by hon. members.

**Mr. Knight:** As long as such—

**Mr. Chairman:** Order!

**Mr. Knight:** Mr. Chairman, may I make the point? Then you will see that my point is pertinent. As long as any organization that is dealing with emotionally disturbed children is making a profit, then we should hang our heads in shame. Do we have so many emotionally disturbed children in our society? I am more concerned about what we are doing to prevent the production of emotionally disturbed children. I would like to ask the hon. Minister how much of his budget for emotionally disturbed children goes toward prevention? That is what I am interested in. What kind of a society produces 5,000, 10,000 or 50,000 emotionally disturbed children? And I think this is what this department should be dealing in; the same as the hon. Minister of Reform Institutions deals with the prevention of crime as well as the correction of crime, and the rehabilitation of the criminal. And as a member of this assembly, I would be interested to know just how much is being done about prevention. And as long as I hear of an organization such as this one making a profit, it worries me, because they are dealing with emotionally

disturbed children. And we are all responsible for them. I would like to put the organization out of business. Period! I would like to see our society without emotionally disturbed children.

Interjections by hon. members.

**Mr. Knight:** I know this is impossible. But this is the objective; this is the end we should be working to.

**An hon. member:** How about starting on housing in Ottawa?

**Mr. Knight:** Well, there are a million things we can do, but I think that this department should be able to tell us in a year from now—we have a pretty good idea what is producing emotionally disturbed children.

**Mr. Chairman:** Order, order!

Will the member kindly address his remarks to the chair and discontinue the private conversation.

**Mr. Knight:** I am sorry. Well, I was speaking to you, Mr. Chairman, I just happened to be looking in that direction. I am very sorry. But I think I have made my point to the House, Mr. Chairman. This is a terribly serious matter, really. I am very fortunate that I do not have what could be really termed emotionally disturbed children in my family. But my heart goes out to the people who do, and I see them in many areas. And I think that this department should be concentrating in prevention just as well as correction and rehabilitation. And if the private sector is going to go on looking after the care and the rehabilitation of these children, then let the department concentrate its efforts in prevention. Thank you very much, Mr. Chairman.

**Mr. Chairman:** Is there anything further now before we move to the other aspects of vote 2006?

The member for Scarborough Centre has been waiting a long time.

**Mrs. M. Renwick:** Thank you, Mr. Chairman. I would like to go back to the beginning of my presentation if I may because it is a very urgent and important matter and the interruption has cancelled the train of thought for the benefit of any member in the assembly.

Speaking to vote 2006, item 5. Speaking, Mr. Chairman, on the brief presented by the Ontario children's aid society to the Minister of Social and Family Services—

**Mr. Chairman:** Order! Order please! Does the member propose to read an entire brief?

**Mrs. M. Renwick:** No sir.

**Mr. Chairman:** You are going to speak in connection with aspects of the brief.

**Mrs. M. Renwick:** Yes, sir, except to—

**Mr. Chairman:** Proceed.

**Mrs. M. Renwick:** Except to quote the most urgent paragraph of the brief which is their motion.

The brief, Mr. Chairman, from the Ontario children's aid to the Minister of Social and Family Services—a brief re financial guide lines. I would like to begin by saying that where one body supplies the money and one body spends it, as in this case, we recognize that there is need for some control. Since The Child Welfare Act places responsibility on the children's aid societies, for providing certain standards of service to children and families, the government must ensure that these bodies have the funds to carry out this responsibility in the manner which the government Act states, should be the level of service. Now following a crucial quote from the brief, Mr. Chairman, I would like to ask two further questions.

Just to state where this motion took place—at the annual conference of the Ontario association of children's aid societies when all 52 societies were represented by close to 800 delegates, the following resolution was carried with only one dissenting vote. I quote the resolution:

Whereas some of the recently announced guidelines regarding 1968 operating budgets of children's aid societies of Ontario may adversely affect their ability to continue services at a level required under The Child Welfare Act, 1965, be it resolved that the Ontario association of children's aid societies petition the Minister of Social and Family Services immediately to give serious consideration to an immediate review of the proposed reductions in operating budgets of the societies so that services to children and families will not be placed in jeopardy.

If this government is going to question children's aid society budgets, my first question is, Mr. Chairman: Is it prepared to judge them on some sort of objective criteria, such as salaries surveys to ensure that they attract and maintain staff in a continuing supply? This could be done, standards set, criteria set,

cost of service per child in various categories of care, cost of service per family in various categories could be set by an independent board made up of social workers, citizens, economists, and so on, which would give this government a criteria on which to judge the operation of the children's aid societies budgets.

Second: If there is a disagreement between children's aid societies and government regarding such criteria, would the government be prepared to set up an appeal board?

May I read briefly into the record the words of the executive secretary of the Ontario association of children's aid societies as reported in the Toronto *Daily Star* May 9, 1968.

Conceding the difficult economic conditions, Mr. Diamond—H. H. Diamond that is—said:

"In my opinion, it is a questionable practice to effect financial cut-backs without taking into account the needs of the families. The action which the government is presently taking may substantially impair a society service programme and be the means of depriving needy people of essential assistance."

Would the Minister answer my questions?

Are they prepared to judge by setting a criteria, and by setting an independent board to establish the criteria, and give these children's aids a place where they can review such a differing view on what is happening between the government and the children's aid?

**Hon. Mr. Yaremko:** Mr. Chairman, I preface my remarks and reply by saying to this House that the advances under The Child Welfare Act and the public financing under the Act are unequalled and, if the hon. member for Sudbury were here, I would be apt to say in the world.

**Mr. MacDonald:** Deal with the question, no political prologue—

**Hon. Mr. Yaremko:** We have put forward in the past three years.

**Mr. Nixon:** Answer the lady's question.

**Mr. MacDonald:** Answer the question—no political prologue.

**Hon. Mr. Yaremko:** The hon. member prefaced her remarks, but not only her own remarks by reading twice.

**Mr. Nixon:** Very rightly so.



**Hon. Mr. Yaremko:** Twice—I listened to her twice and followed twice from the copy; now surely I may be permitted at least about 30 words as a preface to this. I may say this, that in this year in which the children's aid societies saw fit to present the brief, had an increase, I believe, from 1966-67 of over 50 per cent. This amounts to over \$10 million increase this year—and was in spite of the guidelines outlined by the Prime Minister (Mr. Robarts) and the Provincial Treasurer where the overall budgeting of the province of Ontario went up 10 per cent and where the overall estimates of the department itself, the average, was kept within 10 per cent.

For the children's aid societies, the amounts of money available to them have gone up more than 20 per cent. Now for them to have gone up more than 20 per cent and for the department to have averaged out at 10, meant that other programmes within the department have gained less than the societies across the province. That is my preliminary remark.

As to the position—it is that the government and the children's aid societies certainly will sit down together and discuss the matter. I am just as anxious as they are to discuss all the problems because, as I say, the dollar that is spent, the taxpayer's dollar, which is spent—and the children's aid societies are now spending almost 100 per cent taxpayers' dollars—should be subject to the same type of control and scrutinies as is the department itself. Would that be asking too much? The Provincial Treasurer puts me and my officials through the grinder and that is his task to do so.

**Mr. MacDonald:** Now, will you answer her question?

**Hon. Mr. Yaremko:** I will answer her question.

We are very anxious to find out, and to be able to assess the full work of the children's aid society because I am interested in knowing, for example, in regard to the provision of dollars that we have made, has the rate of services kept pace? Now I know that the rate of services and the extent of services have gone up. It would be a good question to be able to measure the dollars against the services; to measure the service produced in 1964 and the dollars spent and the service in 1967.

I suggest to you that I have adopted new legislation and I thought it was well known to everybody that 1967 having been the first

full year of the operation, that 1968 would be a year of consolidation and that we will be able to sit down and examine both the dollars spent and the programmes initiated.

There is no desire on the part of anybody that programmes be curtailed or that somebody should do without the service. There are a limited number of dollars in this department, as in all departments, and we have got to make sure that the dollars are being used to the best possible advantage. As I said as a child welfare Act, the 60-40 removed the cork out of the bottle and every programme that anybody had in mind, good programmes, for many years came to the forefront. This is something that will have to be settled with the children's aid societies, which are one particular type of agency in the total field.

**Mrs. M. Renwick:** That is complaining.

**Hon. Mr. Yaremko:** It is complaining! I would be very surprised if the day comes when they do not complain.

**Mr. Nixon:** But they have a legitimate complaint.

**Hon. Mr. Yaremko:** Do they have a legitimate complaint that they do not have an open end on the taxpayers' dollars?

**Mr. Nixon:** No, people should be given the opportunity to make a legitimate complaint.

**Hon. Mr. Yaremko:** Well, the legitimate complaint—may make reference to the fact that they were advised during the year.

**Mr. Nixon:** In May, in this month!

**Hon. Mr. Yaremko:** This is a matter in which there may be some disagreement. I would hope that responsible people in the field of public service, whether they be in this Legislature or outside, spending the tax dollars, would have listened to what the Prime Minister and the Provincial Treasurer have been saying. They said that there were not the dollars to be spent.

**Mr. MacDonald:** Why did you increase the awards to horse racers 600 per cent?

**Hon. Mr. Yaremko:** Now, just a moment.

**Mr. MacDonald:** Why wait a moment? When the need is great, you spend the money, and emotionally disturbed children have this need.

**Hon. Mr. Yaremko:** And we have adopted \$227 million! The horse breeders cannot

even compare to the programme that we have for the human betterment. But I hope that those people who go out to the races will produce the dollars to be spent in this programme, I may say to the hon. leader of the Opposition that it is my understanding that there was a meeting in January of this year in which the directors were forewarned as to the expenditures and that they would have to do their budgeting and estimate their expenditures in the lights of the fact that there were not the dollars available at the rate that they had been available in the year past.

**Mr. MacDonald:** If the need is great, make the dollars available.

**Hon. Mr. Yaremko:** Now it is my intent to sit down with the children's aid societies and listen to their point of view and their belief—

**Mrs. M. Renwick:** When? I am sorry, Mr. Chairman.

**Hon. Mr. Yaremko:** I have the brief, which arrived in my office on May 16, 1968.

**Mr. Nixon:** And the directive arrived on their desks two weeks before.

**Hon. Mr. Yaremko:** I will sit down and discuss their programmes. They will, and I can say this now, they will have to cut their suits to meet the cloth that is provided, just as we in the department and other programmes which have not advanced as fast because of our concern in this direction. I will sit down with them, and I will discuss with them and I will say this, that I have had under contemplation, and I make this announcement that there will be engaged technical people to whom I will give terms of reference to make a complete study of the financial relations.

**Mr. MacDonald:** Another long term study?

**Hon. Mr. Yaremko:** No, no—not a long term study. This is something that will be embarked upon immediately so that we can assess the position of the children's aid societies *vis-à-vis* their claims. Certainly a government that has moved so far beyond any other government is going to listen with a sympathetic ear to the needs and the wants of the people who are to be serviced.

**Mr. Nixon:** I am sure, Mr. Chairman, that all of us can understand the Minister's difficult position when he has to abide by the edict that comes from above to economise. But this particular book of estimates must have been printed before the end of the year.

The information that is contained in it concerns the amount available for this purpose. The amount figured here must have been known to the Minister well in advance. For him to suggest that the directors of the children's aid societies should be watching the newspapers and listening to the radio to hear what the hon. Provincial Treasurer says about belt-tightening or something is ridiculous.

I believe that the main complaint of the children's aid societies is that the guidelines, as you call them—or directives as they actually are—were received by the children's aid societies after they had entered onto their budgetary commitments, and had them approved by the local municipal councils as required by the Minister's statute.

They were surely going by his policy statements of years gone by and what had happened in the previous years, and they now find themselves in the position where they cannot meet their commitments to their staff.

They find that the Minister's own department is hiring away their experts because they do not have this special 5 per cent limit that has been imposed by these directives.

**Hon. Mr. Yaremko:** Where in the brief is the hiring away of staff referred to?

**Mr. Nixon:** This is a complaint that is a common addition to the brief.

**Mr. Chairman:** The member for Scarborough Centre has not finished her remarks.

**Mrs. M. Renwick:** Mr. Chairman, I would just like to have something in the record for a couple of things that might mislead. The Minister said that he had listened to me read something into the record—and I understand that we have a right to read anything we like into the record, and I made mine particularly brief by just reading the resolution.

I would like, for the record—the Minister did not hear anything twice from me except for the interruption from the chair, and I bow to the interruption, and if he did hear anything twice from the second presentation I would like to know when.

**Mr. Chairman:** Well, may I just say to the member for Scarborough Centre that before the 6 o'clock recess, I believe that it was—

**Mrs. M. Renwick:** Ah, how true. Thank you, sir.

**Mr. Chairman:**—we had been dealing with emotionally disturbed children. When we resumed at eight, the member for Scarborough Centre proceeded to go out on a different aspect of the vote, and the Minister asked that the discussion regarding emotionally disturbed children be cleaned up before we proceeded with any other aspect. I think that that is the only interruption.

**Mrs. M. Renwick:** Would the Minister correct me if I am wrong, that he did not listen to me repeat anything in this last presentation twice? I think that this was an error.

**Mr. Chairman:** I did not personally, as Chairman, catch anything that had been said before.

**Hon. Mr. Yaremko:** Mr. Chairman, on a point of order. My remarks were not intended to be a reflection on the hon. member. *Hansard* will state what was repeated and what I heard twice—and read twice—from the hon. member. I was just answering the member for York South, and asking for myself the privilege that had been extended to the hon. member, that is all.

**Mrs. M. Renwick:** Mr. Chairman, when the hon. Minister shakes his hands at me and says: "What, do you want us to give money over with no control?"; I would just like to take the Minister back to the careful preparation that I made of this between six and eight for this particular aspect of it and I said that I recognized that there is need for some control. But there is also need for a very careful evaluation of what is learned through the study by the department. It must have a criteria by which to establish what they determine, and the criteria established would best be designed by an independent board.

I would like to ask, Mr. Chairman, of the Minister of the study which he said in all likelihood will be made.

Will this study be handled by an independent board or an independent group of persons?

**Hon. Mr. Yaremko:** The study will be made by a group engaged by the government on behalf of the government for the government—

**Mrs. M. Renwick:** For the government?

**Hon. Mr. Yaremko:** For the government, which has the ultimate responsibility to the taxpayers for the spending of their dollars.

**Mrs. M. Renwick:** Mr. Chairman, I submit most respectfully that the government also has a responsibility for the quality of service the children's aid is able to provide and therefore an independent body which will evaluate the government's participation and its problems fairly, without just a monetary interest, keeping in mind the children's aid society's problems and the quality of service which is set out in the government's own Act and the quality of service which the children's aid people would like to give according to the updated methods and standards of care. I think it is very important that it is not just a body appointed by the government to investigate what is happening to the dollar.

Mr. Chairman, I would like to say—has the Minister considered who is being deprived in this kind of cut-back? In an organization such as the children's aid? As the Minister said, Mr. Chairman, "they will have to cut their suits to fit their cloth." I would like to state that it is the "children" who are being turned down in the children's aid. In the discussion previous to 6 o'clock in the assembly, who was being deprived by service? Emotionally disturbed "children". And in vote 2007 we will see once again the deprivation of "children" for the sake of dollars under The Day Nurseries Act. In turning down the big brother movement who do we hurt? "Children." And this is happening. We turn down a \$30,000 request of the big brother movement in a society where we are purported to love our "children". Indeed, I am sure we do love our children, but what are we doing in these instances in relationship to the needs of children?

Under the Canada assistance plan, Mr. Chairman, millions of dollars will be released to the provinces as the age requirement for old age pension lowers. That is reducing payments under the province's Old Age Assistance Act programme and it is estimated by 1970 approximately \$135 million will be released to the provinces; about one-third of that will be to the province of Ontario. I would like to suggest, Mr. Chairman, that the spirit of the Canada assistance plan in the light of the monetary relief to the provinces was stated clearly in the policy statement of the Canada welfare council, when it said, "It is hoped that the provinces will use this money to enrich their programmes". I would like to suggest, Mr. Chairman, to the Minister, in the light of what we see is happening here, that some moneys, hopefully, will be



spoken for by the Minister to finance enrichment programmes—keeping in mind what is happening in our province to the needs of children.

I say, Mr. Chairman, that this government, by not specifically enriching programmes but instead cutting them back, is fraudulently accepting millions of dollars from the federal government under the Canada assistance plan. This is defeating both the purpose and the spirit of the Canada assistance plan, which was to be (1) an anti-poverty measure; (2) to raise the quality and quantity of social services; and (3) to unify them across Canada, so they would be representative of the nation. And we have all but opted out. However, Mr. Chairman, in this province we did not completely opt out. In this province the government changed the Acts, adjusted the skeletons of the Acts, and added a family service branch and a board of review, and are cutting back essential needs of such a body as the children's aid society.

**Hon. Mr. Yaremko:** On a point of order, Mr. Chairman, I point out to the hon. member for Scarborough Centre that *Hansard* will also show—

**An hon. member:** What is the Minister's point of order?

**Hon. Mr. Yaremko:** The point of order is that the hon. member is not talking on the estimates and *Hansard* will show that this is the second time that the hon. member has given this same statement.

**Mrs. M. Renwick:** The estimate is financed 50 per cent by the federal government.

**Hon. Mr. Yaremko:** The federal government is throughout the whole piece.

**Mrs. M. Renwick:** Okay, that is the point. I was speaking about the lack of use of the moneys provided by the federal government for use by this department. Mr. Chairman, if I may have the floor—

**Hon. Mr. Yaremko:** Mr. Chairman, to the tune of \$115 million, I ask the member for Sudbury?

**Mr. Sopha:** The Liberal government has been very generous.

**Hon. Mr. Yaremko:** After we put them on the road.

**Mrs. M. Renwick:** Speaking, Mr. Chairman, to vote 2006, did the Minister conduct a survey during 1966 for the society's staffing

standards; speaking to the item pertaining to children's aid?

**Hon. Mr. Yaremko:** I am advised we did.

**Mrs. M. Renwick:** Could I ask if the Minister would table in the House the results of that survey?

**Hon. Mr. Yaremko:** I am unfamiliar with the survey. I have not seen it, so I am not in a position to answer that question.

**Mrs. M. Renwick:** Mr. Chairman, I hope I will hear from the Minister some time in that regard, because staffing is an integral part of the brief presented to the Minister.

Could I ask, Mr. Chairman, how adoption is going in Ontario? How many children have been placed in the fiscal year ending March 31, 1968?

**Hon. Mr. Yaremko:** I think the figure of adopted children is slightly over 7,000.

**Mrs. M. Renwick:** Could I ask, Mr. Chairman, the rate of foster home care; the amount of money that is paid to a foster mother who is caring for a child for the agency?

**Hon. Mr. Yaremko:** I am advised that those rates are set by individual societies and they vary up to \$90 a month.

**Mrs. M. Renwick:** The maximum is \$90 a month?

**Hon. Mr. Yaremko:** We do not set any maximum. There is no maximum, but my understanding is that \$90 is the amount being paid.

**Mrs. M. Renwick:** Mr. Chairman, I am just trying to get correlation of relating facts throughout the Minister's department. May I ask, Mr. Chairman, just roughly what is the amount granted by the government for the care of a child in other than its own home? Roughly the amount.

**Hon. Mr. Yaremko:** There is no such figure. It varies right across the board depending on the type of institution, the type of foster home. There is no set figure.

**Mrs. M. Renwick:** In my head, Mr. Chairman, I am trying hard to relate it to the \$10 a month that is added under The General Welfare Assistance Act pre-added budgets for each additional child over a certain number—wondering how much it costs the government to keep an individual child in some other home if it did not have a father and mother.

Could I just ask something about applications for children's institutions? Are there any pending applications? I would like to ask the Minister, Mr. Chairman, of children's institutions.

**Hon. Mr. Yaremko:** I am advised that there were and there are always applications. Over my desk, periodically, there comes the necessity for approval of institutions and the necessary orders-in-council to be passed.

**Mrs. M. Renwick:** Are there too many, Mr. Chairman, to enumerate easily—too many pending?

**Hon. Mr. Yaremko:** I have not the pending ones. I would have a list of about 32 that are already listed.

**Mrs. M. Renwick:** Could I ask, Mr. Chairman, the ones that have been granted, have they been given the amount that was requested?

**Hon. Mr. Yaremko:** Once the children's institution is established and incorporated, and if they build a physical plant, then the capital grants are made; up to \$5,000 a bed. Once they are in operation, we pay up to 80 per cent of the operating costs of the individuals there. The amendment to The Children's Institution Act which was passed, which went through committee of the whole, related to the approval of the corporation and institution, and the operating of the institution to the same date so that the operation grants can be made effective immediately upon operation.

**Mr. Chairman:** Vote 2006. The member for Sandwich-Riverside.

**Mr. Burr:** Mr. Chairman, I have almost forgotten what I was going to ask the Minister now.

On January 16 a report in the *Globe and Mail* described an experiment conducted by two Metro agencies—the family service association and the children's aid society—which had offered an integrated programme in Lawrence Heights, each one contributing two staff workers and sharing the cost of one office and one secretary. And the suggestion was made that this might have far reaching effects in the social services field. The programme co-ordinator sums up the experiment in these few words, which I shall read:

The goals of both our agencies are the same, mainly the prevention of family disintegration. I am not worried about agencies being amalgamated out of exist-

ence. I am in favour of more amalgamation if it means a better and more economical way of administering social services.

Now the question I have of the Minister, Mr. Chairman, is has the department studied this experiment? Is it a successful experiment and is he intending, if so, to promote further joint co-operation of this kind?

**Hon. Mr. Yaremko:** Mr. Chairman, this matter was very thoroughly—and at great length—discussed this afternoon and I think a reading of *Hansard*, in which the member for Etobicoke and the member for Downsview—in whose riding it is participated—would indicate the full scope of the discussion which was held this afternoon.

**Mr. Burr:** Thank you.

**Mr. Chairman:** The member for Welland South.

**Mr. R. Haggerty (Welland South):** Thank you, Mr. Chairman. I would like to commend the Minister in his efforts in implementing a private member's bill in the county of Welland to providing residence homes for the retarded persons. At the present time, two resident homes in Welland county will be completed and opened for residence by September 1968 and perhaps sooner. These residences will permit family ties to be maintained and through training, the retarded individual could be put into a position where he was not a permanent burden on the taxpayer.

I might say, Mr. Chairman, in the county of Welland, in one of the townships, Bertie, there, they do have a retarded programme where these adults look after a Centennial park and they do a wonderful job. They look after the grounds, the tennis courts and the flower gardens.

The four county associations have one of the best programmes for the retarded children and adults in the province.

There have been a number of interested groups from New York state viewing the programmes in schools, workshops, and new resident homes in this country, for they lack such a programme in the United States, and perhaps the member for Welland, and the member for Niagara Falls, would convey these thoughts too.

**Mr. Chairman:** Vote 2006? The member for High Park.

**Mr. Shulman:** Mr. Chairman, there is one matter that has not been raised under this

particular estimate and I have waited, thinking perhaps someone else would raise this matter, but as no one has I shall pursue it myself.

This refers to the adoption of children outside of this country. Now I raised the matter of one particular child that was sent to Peru during the debate on the Speech from the Throne. As nothing has come back from the Minister on that particular subject, perhaps I could ask him a few questions at the present time. I do not wish to go into the details of that particular case again but just to refresh the House's memory and your memory, sir, I would like to remind you this involves two healthy children, boy and girl, who were sent to Lima, Peru, for adoption. The serious aspects of the case developed because a Canadian citizen who was aware of the circumstances attempted to stop this—one of these children at least from being sent out of the country and wrote to numerous officials, including the Deputy Minister of this particular department and also the member for Eglinton (Mr. Reilly) and others, but was quite unsuccessful.

Perhaps one of the most serious aspects of the case was that the head of the children's aid society involved, when questioned about this matter last fall, made a public statement in which he said that the child had been sent to Peru with the knowledge of the mother, the Peruvian adopting parents were related to the child; and that the child was ill and so could not be placed in Canada.

These facts, unfortunately, are not correct. The parents were interviewed and they both denied having any relatives in Peru, while the adopting parents in Peru were phoned and denied being related in any way to the child. The child was seen by several people at the time of adoption, when it was six months old, and it was perfectly healthy at that time. At birth, it was a completely normal child with the exception of a slight shortening of one muscle in its neck, which is a very common condition. It is easily remedial and it was remedied within the first few weeks of life.

I find that attitude and statements of the gentleman who is in charge of the children's aid society quite difficult to understand and when I wrote to him, he replied and I quote:

We are aware of the identity of the individual who violated recognized ethical standards and the law pertaining to interference of wards of a children's aid society. In the latter, our solicitors are currently considering legal action.

I think it is highly significant, Mr. Chairman, that the interest of this man was not in the welfare of the particular child or in the issue that was brought up of the adoption of a child outside of his country—a healthy infant may I say—but his interest was in who had let the information get out to the public, and what efforts they could make to take legal action against this man.

I am going to ask the Minister if he has looked into this case since I first raised it in the House, and if there is any explanation for the rather strange series of events that occurred in this particular case. Furthermore, in addition to this, I would like to ask about general policy in the sending of Canadian—Ontario—children to other countries? Let me emphasize again, so we do not have the great red herring drawn across the trail that was drawn across last fall, these were healthy white infants.

**Hon. Mr. Yaremko:** Mr. Chairman, at this late hour I had not intended to really go into this matter at length. I wonder why the hon. member raises this issue again because he already got what he set out to get in making the charges which are typical of his actions. He made these remarks in his opening address and he got what he wanted—newspaper headlines, "Baby Shipped Out — Yaremko Is Blamed". Are you going to give me an opportunity of saying that I had nothing to do with it, is that the purpose?

**Mr. Shulman:** Mr. Chairman—

**Hon. Mr. Yaremko:** Mr. Chairman, I have got the floor and I am going to talk about the—

**Mr. Shulman:** Mr. Chairman, on a point of order.

**Mr. Chairman:** State your point of order.

**Mr. Shulman:** In my opening address, I gave the dates and I believe it was quite clear that this particular Minister was not the Minister at that time.

**Hon. Mr. Yaremko:** That is not the way the newspapers took it.

**Mr. Shulman:** Speak to the newspapers. I am not responsible then.

**Hon. Mr. Yaremko:** I quote from the *Telegram*:

He said—John Yaremko, Social and Family Minister should get out for having allowed the export of Canadian babies to other countries—



**Mr. Shulman:** Mr. Chairman, this is not in *Hansard*—on a point of order!

**Hon. Mr. Yaremko:** Just a minute, I am pointing out that the kind of remarks that the hon. member makes in this House lead to this kind of reporting.

**Mr. Shulman:** You had better speak to the newspapers.

**Hon. Mr. Yaremko:** And that is the whole purpose, I am beginning to think—at least in my opinion, by the reactions that I see in the newspapers as to the statements—of the bulk of the statements the hon. member makes.

**Mr. Shulman:** The Minister is wrong again.

**Hon. Mr. Yaremko:** I did not see the hon. member get up in the House on a point of privilege and say that he was misquoted. No, because he had smeared somebody.

**Mr. Shulman:** Mr. Chairman, on a point of order. I have asked a question here and the Minister is not attempting to answer it.

**Mr. Chairman:** Order, please!

**Hon. Mr. Yaremko:** Mr. Chairman, certainly I looked into the matter.

**Mr. Chairman:** Order, please! I would like to say to the hon. member that his last statements, and his remarks regarding the general policy of the department were quite in order, but I do not think it is proper to pursue a specific case again in the manner in which he has done and I do not think the Minister should at all pursue that particular case. The general policy of the department in connection with adoptions, as the member has suggested, is perhaps in order.

**Mr. Shulman:** Mr. Chairman, on your ruling may I say, sir, that this case is an example of a situation involving the sending of healthy children out of this country and as such, quite properly, it should be brought up. As such, we certainly should have an explanation from the Minister as to why these children are sent out, how many other children are being sent out and what is the policy of the government?

**Mr. Chairman:** I think the reference to the case, is perhaps all right in the context it is used—as an example for the general policy of the department. I think the Minister's reply should only be surrounding the general policy.

**Hon. Mr. Yaremko:** Mr. Chairman, in pursuance of our policy, I looked into this matter

to see the truth of the allegations made by the hon. member, and he read from the letters. In the letter he wrote to Mr. Markle, one of the questions was, "Was the mother informed that her child was going to Peru?" And then he got a reply and the reply contained a paragraph which stated—

This case illustrates one of the reasons why natural mothers who give up their babies for adoption are never informed as to placement.

The hon. member wrote and asked the question and got an answer. He stood up in this House where Mr. Markle cannot defend himself and said that Mr. Markle lied. I say that the hon. member lied.

**Mr. Shulman:** On a point of order. I have been called a liar, Mr. Chairman, by this speaker. I am going to draw to your attention the fact that Mr. Markle publicly made a statement. I am prepared to produce a witness who was present when he made his statement that the mother had been informed her child was sent to Peru. I repeat my statement that Mr. Markle lied. I demand the Minister withdraw his comment.

**Hon. Mr. Yaremko:** Mr. Chairman, let us get this straight. Here is a letter from the member for High Park to Mr. Markle.

(1) "Was the mother informed that her child was going to Peru?"

The answer came back, amongst the others, which said—from Mr. Markle—"this case illustrates one of the reasons why natural mothers who give up their babies for adoption are never informed as to placement." Now that is crystal clear what Mr. Markle said.

**Mr. Shulman:** That is what he said in the letter but that is not what he said in public. He said the opposite in public, and I can prove it.

**Hon. Mr. Yaremko:** Mr. Markle in his letter to me says:

I categorically and emphatically deny that these statements were ever made to the press.

And, Mr. Chairman, to quote a case—the *Polsuns* case—where one of the Supreme Court judges of this province made a statement: When it comes to a question of whether to believe Mr. Markle or to believe the hon. member opposite, I believe Mr. Markle.

**Mr. Shulman:** Mr. Chairman—

**Hon. Mr. Yaremko:** I was just going to complete the statement.

**Mr. Shulman:** I believe you had sat down.

**Hon. Mr. Yaremko:** I thought you were rising on a point of order.

**Mr. Shulman:** I sat down, then I stood up when you sat down.

**Hon. Mr. Yaremko:** I thought you were rising on a point of order.

**Mr. Shulman:** Do you wish to continue, Mr. Minister?

**Hon. Mr. Yaremko:** Yes, I do.

**Mr. Shulman:** Please continue.

**Hon. Mr. Yaremko:** The technique of the hon. member is wonderful. You know how he uses language—listen to this—

Despite the government having received advance warning about the adoption the child was sent to Peru. About that nation let me quote from *Time*, November 3, 1967: Peru seemed like a nation under siege. Last week in Lima gangs of young—

I thought it was simultaneous with the adoption. That was four years after the adoption took place.

**Mr. Sopha:** I thought the adoption caused the riot.

**Hon. Mr. Yaremko:** Nowadays that description can describe almost any place in the world. Mr. Chairman, let me sum up. The interest of the child is foremost—to find a home for the child. First you try to find a home for him in Ontario and if you cannot find a home you look across Canada, and if you cannot find a home for him in Canada, you find him a place, a home around the world. I may say then that this is one of the questions that the committee which I set up will review and make recommendations.

**Mr. Shulman:** Mr. Chairman, I have not had my question answered so I will rephrase it. I know it is difficult for this Minister to understand, but we will try again.

In this particular case, Mr. Chairman, did you look into the circumstances? Was an effort made to adopt this child in Ontario, and if it was not—and I am referring now to both children that were sent to Peru—would you please explain why this was in conflict with the policy that you have just expressed?

**Hon. Mr. Yaremko:** Mr. Chairman, there was nothing in what I said that was in conflict with my policy. I am satisfied that the procedures which were carried out in accordance with the rules and regulations, the practices and policies, of the children's aid societies and of the department and in the interests of the child. The children that were placed now have homes.

**Mr. Shulman:** Well, we will try again, Mr. Chairman. In this particular case, Mr. Chairman—

**Mr. Chairman:** Order! Order!

**Mr. Shulman:** I have not had an answer to my question, Mr. Chairman.

**Mr. Chairman:** Order! The member for High Park specifically asked the Minister whether or not they had investigated the possibility of finding a home in Ontario. The Minister replied that the full investigation took place in accordance with the rules and records and regulations of the children's aid societies which is to find, in the Minister's words, "a home for the child in Ontario, if possible, if not a home some place". In my view this adequately answers the member's question.

**Mr. Sopha:** Mr. Chairman, may I ask a question?

**Mr. Chairman:** Yes.

**Mr. Sopha:** Since your Act is called The Child Welfare Act and the adoption procedures are within that Act, would you review your policy, I ask the Minister, through you, Mr. Chairman, in respect of the necessity for your approval for adoption of adults who are *sur juris*? Would you review that? I just do not see the necessity for the director of child welfare to have to approve such adoptions. Surely the judge, upon a proper application, with the adult before him, the adoptive parents before him, can decide whether or not orders should go. And really there is no necessity for your director of child welfare to get into the matter at all. Would you review that?

**Mr. Chairman:** The Minister indicates he will do that.

Vote 2006? The member for Scarborough Centre had the floor unless she yields to the member for High Park.

**Mrs. M. Renwick:** Was the member for High Park not on before? I would like to ask, Mr. Chairman—

**Mr. Sopha:** Go ahead, my dear!

**Mrs. M. Renwick:** Mr. Chairman, what is the very first procedure taken by the department when children are about to be taken from a parent or parents and made, I presume, wards of the children's aid before they are Crown wards? What is the very first action taken to protect those children?

**Hon. Mr. Yaremko:** Well, if it comes to our attention we bring it to the attention of the relevant society and the children's aid society picks it up from there.

**Mrs. M. Renwick:** Mr. Chairman, I am trying to get at what efforts are made to leave the children in care of some natural relationship within the family; or if they, in fact, have been deserted, Mr. Chairman.

What I am trying to get at, is there any monetary assistance offered to the relative to keep the children in the homes of relatives rather than have them wards of the children's aid and then Crown wards and then have to go through the procedure of adopting them? Mr. Chairman, all I am trying to ask of the Minister is, what is done to protect the children in a natural setting?

**Hon. Mr. Yaremko:** It is to be remembered that about 40 per cent of the budget of the children's aid society is spent in this type of thing and I think their main aim is, if possible, to get the child back into the family setting if at all possible. Of the some 17,000 wards who come into their care during the course of a year, a goodly number are returned to family settings and when they are returned to family settings there are provisions they can come under in The Family Benefits Act for assistance in that regard.

**Mr. Chairman:** Vote 2006 agreed to?

**Mrs. M. Renwick:** No, Mr. Chairman. Sorry, I have waited a long time to ask these questions since they first arose in my mind.

**Hon. Mr. Grossman:** You are nagging.

**Mrs. M. Renwick:** Mr. Chairman, I am thinking in particular of leaving the children; not possessing the children and then returning them. I am trying to think of what prevention is offered by the department to leave the children before they are taken. I am thinking specifically, if the Minister will help to correlate the reality of it, of the five children, two of whom were or are Crown wards—Valerie and Peggy. I have read the transcript of the Timbrell inquiry, not the report from

the judge, but the transcript, Mr. Chairman, which is a very long task.

My understanding from the transcript is that these children were, in fact, in the care of a grandparent or grandparents, who found it financially impossible to continue to keep the five children with them—or however many of the children they were able to keep—from falling into the ranks of the children's aid, thence Crown wards, thence the responsibility of the government of going through lengthy adoption procedures.

They were in a setting with grandparents. What I am trying to get at, Mr. Chairman, is there any procedure where, financially, the grandparents might have been assisted, kept the children in the setting and not ever being the responsibility of this government for adoption, at least just the responsibility financially.

**Hon. Mr. Yaremko:** As I said earlier, there is provision. There can be provision under The Family Benefits Act under certain circumstances. As I say, the children's aid society does counselling. I have given figures here that over 34,000 children were so counselled in their own homes during 1967 and less than 500 were taken out of homes. So a tremendous number of children are serviced right within their own home settings.

**Mrs. M. Renwick:** Mr. Chairman, I would like to ask then about the number of less than 5,000 that are taken out of the home setting. How many became Crown wards and how many—

**Hon. Mr. Yaremko:** I used the figure 500.

**Mrs. M. Renwick:** Approximately, am I correct, Mr. Chairman, approximately 500?

**Mr. Chairman:** Five hundred, and I think the member said 5,000.

**Mrs. M. Renwick:** Five thousand?

**Mr. Chairman:** The Minister said 500; the member said 5,000.

**Mrs. M. Renwick:** Did I say 5,000?

**Mr. Chairman:** You said 5,000.

**Mrs. M. Renwick:** Mr. Chairman, I am very sorry. Of the 500 children taken from their home setting, thence the full responsibility, not just the financial responsibility of the government. Under the Act, the "good parent" is the Minister. Of those 500 children taken, Mr. Chairman, I would like to know how many were able to be returned to a



home setting. Second, how many became Crown wards?

**Hon. Mr. Yaremko:** I do not have those figures before me, Mr. Chairman.

**Mrs. M. Renwick:** Could I ask, Mr. Chairman—you can appreciate, Mr. Chairman, I have waited a long time to ask these questions—months since the judge's enquiry. May I ask the procedure of the Minister in adopting out sibling children, brothers and sisters, which are difficult adoptions? What are the guidelines suggested to the local agency at the present time by the Minister to assist the local agency in doing a thorough search of any possible opportunity of making what has, perhaps for them, become a more difficult adoption than an individual child or a small baby?

**Hon. Mr. Yaremko:** If my recollection is right, did the hon. member not ask this question during the course of the session and I replied to it? I should be very pleased to send over to the member in the near future a copy of those guidelines.

**Mrs. M. Renwick:** Mr. Chairman, the Minister has perhaps jogged my memory. My interpretation of the suggested guidelines, correct me if I am wrong, reading from the report of Judge Waisberg in the Timbrell inquiry, is that five things should be done. An attempt to adopt the children locally, then the move into an agency, at least a regional meeting, using also *Today's Child*, television, then using the whole province, the entire province, in order to place the children.

**Hon. Mr. Yaremko:** Yes, that is the procedure. The circuit gets wider and wider.

**Mrs. M. Renwick:** Well, Mr. Chairman, I would like to ask in that specific case then, of the adoption or at least of the Crown wards, Valerie and Peggy. Am I correct in my interpretation of the judge's report that only two things were done to adopt the two children into, hopefully, one family? That is that the local records were searched and one regional meeting in Hamilton took place, and there was no further attempt made by the local agency to adopt the two children into one family, rather than separating them?

**Hon. Mr. Yaremko:** I would have to review that whole thing. I had no occasion to go into the matter at that degree.

**Mrs. M. Renwick:** Mr. Chairman, with all due respect, that matter was worthy of the

Minister's greatest attention because what was in fact happening was that two small children, part of a family of five, were about to be separated. It was the only thin line of communication they had left in the world, and they were primarily separated because not a great enough search was made in the whole of the province to place the two children.

**Mr. Chairman:** May I say to the member—

**Hon. Mr. Yaremko:** Mr. Chairman, I am advised that they were advertised in *Today's Child*.

**Mrs. M. Renwick:** I can correlate this, Mr. Chairman, into exactly what we were beginning this discussion on—the staffing of children's aid societies, because the children's aid do not have—

**Mr. Chairman:** Order! I do not think the member should expect to go into a complete review—

**Mrs. M. Renwick:** No, it is not a complete review.

**Mr. Chairman:** —of the Timbrell case, because the report has been made. The Minister is in full possession of it. If the member wishes to inquire as to his attitude on some of the recommendations, that would be all right. But to go into all the details of the case is entirely out of order.

**Mrs. M. Renwick:** Well, Mr. Chairman, it was very unpleasant to have to refer to that old case, but I was using it as an illustration as to what is happening in the children's aid societies and why their brief to the hon. Minister is a very valid representation on their behalf.

One of the things which came out of the judge's enquiry was the shortage of staff of children's aid societies. Now, may I ask the Minister, how many people are in the child welfare branch? In what areas of operation do they come?

**Hon. Mr. Yaremko:** The complement, Mr. Chairman, is 72. And there are, I would say, about 25 categories, classifications.

**Mrs. M. Renwick:** Thank you. Can the Minister tell me how many cases of separation of siblings have taken place in the province up to the fiscal year to March 31, 1968?

**Hon. Mr. Yaremko:** We do not have that statistic.

**Mr. Chairman:** Vote 2006. The member for High Park.

**Mr. Shulman:** Mr. Chairman, I would like to pursue the question of adoption of children outside of this country a little further. First of all, for the year 1967, would the Minister be so kind as to give me the figures of the number of children adopted outside of this country, where they were sent, and by which agency?

**Hon. Mr. Yaremko:** In 1967, there were 103 outside-of-Canada adoptions.

**Mr. Shulman:** That is very interesting, Mr. Chairman. Where were they sent?

**Hon. Mr. Yaremko:** Ninety-six to the United States; six to the West Indies; and one to South America.

**Mr. Shulman:** May I ask which country in South America, Mr. Chairman?

**Hon. Mr. Yaremko:** I do not have that information, Mr. Chairman.

**Mr. Shulman:** Perhaps we could guess, Mr. Chairman, what country was involved. I would like to ask, Mr. Chairman—

Interjections by hon. members.

**Mr. Sopha:** One out of several million and all that—

**Mr. Shulman:** Oh, Mr. Chairman, just for the benefit of the member for Sudbury, let me—

**Hon. Mr. Yaremko:** One out of 7,000 adopted.

**Mr. Shulman:** This is not one of the several million. This is a new one, Mr. Chairman. The two that I referred to before were not in the calendar year 1967 so the member for Sudbury, as usual, is almost correct. However, Mr. Chairman, I would like to know from the Minister the number of children that were sent outside of the country. Were they sent by one particular agency, and do you have a breakdown, Mr. Chairman, as to which agencies arranged these adoptions?

Interjections by hon. members.

**Hon. Mr. Yaremko:** I think by far the largest number were by the Catholic children's aid society of Toronto.

**Mr. Shulman:** This is what I wanted to pursue, Mr. Chairman. Was an effort made in all of these cases to adopt these children in this country? And I specifically ask you, Mr. Chairman, regardless of the religion of those people seeking children.

**Hon. Mr. Yaremko:** I would expect so.

**Mr. Shulman:** I would expect so too, Mr. Chairman. But was it?

Interjections by hon. members.

**Mr. Shulman:** Am I to get an answer, Mr. Chairman?

**Hon. Mr. Yaremko:** Mr. Chairman, surely that is the kind of a question for which we would have to get a whole IBM or relative electronic machinery set up to answer.

**Mr. Shulman:** It is a rather important question.

**Mr. Chairman:** I do not think it is related to the estimates.

**Mr. Shulman:** I beg your pardon, Mr. Chairman. There is a great deal of money given to the children's aid societies, and one of the functions of the children's aid societies—

Interjections by hon. members.

**Mr. Chairman:** Order!

I think the member would be better advised to put this question on the order paper. It is not directly related to the estimates.

**Mr. Shulman:** I am sorry, Mr. Chairman.

**Mr. MacDonald:** Mr. Chairman, this harassing on an important public issue is something that puzzles me.

**Hon. Mr. Rowntree:** You are talking out of eight sides of your mouth.

**Mr. MacDonald:** Mr. Chairman, a few years ago this issue was of such lively concern that a leading Tory in the province of Ontario, Charlotte Whitton, was brought out by the children's aid societies, and related organizations, in Alberta to study the whole issue of the export of babies. And it is going on in the province of Ontario. The government may want to sweep it under the rug, but there are a lot of people who are interested in whether or not it is justified. So I suggest to you, Mr. Chairman, there should be no effort to cut off getting to the bottom of exactly what is happening on this issue.

**Mr. Chairman:** The Chairman is not attempting to cut off anything relevant to the—

**Mr. Winkler:** On that point of order, Mr. Chairman. I think the members of the Legislature are sufficiently broadminded to believe that if it is done under the aegis of the Catholic church and their agencies in a foreign country, that it is satisfactory to us.

**Mr. Chairman:** The Chairman is not attempting to cut off debate on anything pertinent to the estimates.

Interjections by hon. members.

**Mr. Chairman:** Order!

In the opinion of the Chairman, the type of questions put by the member for High Park are not relevant to this particular vote. Any moneys voted for this year 1968-69—

**Mr. Shulman:** Mr. Chairman, I must insist on this point; with the amount of money that is being given by this government to the children's aid society, there is a duty and a responsibility, and it comes under this vote, for a certain amount of supervision of the children. Surely this is one of the functions of government.

If I may finish my point before you hammer me down, Mr. Chairman. It is brought out in this specific case by the correspondence which has already been read into the record; that this government give specific approval of every case, of every child that is sent out by this province.

Interjections by hon. members.

**Mr. Chairman:** Order, order!

I would point out to the member for High Park that, as the Chairman has expressed a few moments ago, the details of what happened to any one or two or the total number of cases to which the Minister replied, "some 94 went to certain countries", the disposition of any one item in this case, in this area, is irrelevant to the amounts of money voted for the year 1968-69; and I rule further debate on this point out of order.

**Mr. MacDonald:** Mr. Chairman, I rise to challenge your ruling. If you are, in effect—

Interjections by hon. members.

**Mr. MacDonald:** Mr. Chairman, if you are saying—

**Hon. Mr. Rowntree:** His ruling is not debatable. Call the question.

**Mr. MacDonald:** Are you in the chair or is the House leader in the chair, Mr. Chairman?

**Mr. Chairman:** Order!

**Hon. Mr. Rowntree:** On a point of order. The Chairman's ruling is not debatable. Call the question.

**Mr. MacDonald:** Oh, you are ordering him to call the question?

**Hon. Mr. Rowntree:** No, I am saying—

**Mr. MacDonald:** I am saying, Mr. Chairman, to the House leader—that if they are, in effect, saying that we cannot debate the children's aid societies and the expenditure of grants to them—

**Hon. Mr. Rowntree:** You are just making a political issue of the Chairman's ruling.

**Mr. MacDonald:** —then we have no alternative but to challenge the Chairman's ruling.

**Hon. Mr. Rowntree:** The Chairman has ruled; let us now vote on it. It is not debatable.

**Mr. MacDonald:** Right!

**Mr. Chairman:** The Chairman has ruled.

**Mr. MacDonald:** That is why I am challenging it. This is a legitimate point of debate.

**Hon. Mr. Rowntree:** A cheap political argument.

**Mr. MacDonald:** This is a legitimate point of debate.

**Hon. Mr. Rowntree:** A cheap political argument.

**Mr. MacDonald:** All right.

**Mr. Chairman:** The Chairman has ruled that there will be no further debate on that particular aspect.

**Mr. Nixon:** Mr. Chairman, I think it is also customary that when a ruling is challenged, that each party can put their position on the record, and I would ask you to give me that privilege, because I must support the challenge to your ruling.

In this particular case, there is no doubt in my mind that the funds we are asked to vote are being spent specifically by the administration of the children's aid branch,



and that it is under the direction of this department. The questions specifically had to do with the efforts to locate foster parents, without regard to religion, and I do believe that this was a very significant question, indeed, and one that should be answered. For that reason, I support the challenge.

**Mr. MacDonald:** You have been trying to sweep this under the rug long enough.

**Mr. Chairman:** Those in favour of the Chairman's ruling will please say "aye".

Those opposed will please say "nay".

In my opinion the "ayes" have it.

Call in the members.

**Clerk of the House:** Mr. Chairman, the "ayes" are 41; the "nays" are 23.

**Mr. Chairman:** The ruling is upheld.

**Mrs. M. Renwick:** Mr. Chairman, this will not take too long. I would like to ask two or three questions on The Child Welfare Act. There are 21 Acts under this department and this one I did not study, and I need a little interpretation.

I got my studying last winter from the judge's inquiry on this Act. I would like to ask if there is anywhere on the children's aid form to show if a family has a criminal background that should be taken into consideration before being given the care of a child for foster care purposes, and the same for adoptive care purposes?

**Hon. Mr. Yaremko:** Mr. Chairman, I do not have the form in front of me, but I would imagine that even if there were no specific questions, during the course of an interview, one would expect that this would be forthcoming in a general way. I do not necessarily mean that it should be the be all and end all of a situation.

**Mrs. M. Renwick:** Mr. Chairman, may I ask then, are there forms on the back of The Child Welfare Act—not the children's aid forms—that might provide that answer?

**Hon. Mr. Yaremko:** I do not have the forms in front of me.

**Mrs. M. Renwick:** Mr. Chairman, I would just like to state briefly that having read the transcript of the Timbrell case, as well as the judge's report, there was no form in any of the evidence at the inquiry which specifically asks of a family: "Do you have any criminal background that should be made available to use to peruse further," and hence

stop what happened in the case of the Timbrell family and the \$50,000 spent on that enquiry to find out how this came about.

I submit most respectfully, Mr. Chairman, that it really came about because nobody had a form in which they could answer as to the family's criminal background and no printed guidelines on the separation of siblings. It was discussed verbally, and by the time that it was discussed verbally at the level of the children's aid society out of Metro Toronto, it was watered down.

**Mr. Sargent:** On a point of order. Mr. Chairman, I say most respectfully to this hon. member that this is not the time to cry over again the Timbrell case.

**Mrs. M. Renwick:** Mr. Chairman, on a point of order, does the member have a right to address a member—

**Mr. Chairman:** The member is rising on a point of order.

**Mr. Sargent:** I think that this thing is going into infinity. It is up to the Prime Minister and the leader of the Opposition and the leader of the New Democratic Party to get together and set some form of limitation on these debates.

**Mr. MacDonald:** We tried to put a limit on the debates, but the lead-offs have gone for a full hour instead of the agreed upon 20 minutes. Perhaps we will have to go back and look at this so-called agreement again.

But, Mr. Chairman, on the point of order that has just been drawn to your attention, if \$50,000 is spent on a Royal commission, surely the purpose of expending the money is to find out where the mistakes were made, so that you will not repeat the situation.

**Hon. J. P. Robarts (Prime Minister):** Yes, but you do not agree with any Royal commission.

**Mr. MacDonald:** That is irrelevant.

**Mr. Chairman:** Order, order!

**Mr. MacDonald:** If the Prime Minister wants to make a mockery of the procedure in this House by continuing debates at this hour, and by the government engaging in that kind of conduct—for 15 years I have faced the barracking of you Tories and I am not going to be silenced by your din. There is no such loud noise coming from where there are a few ideas.

Interjections by hon. members.

**Mr. MacDonald:** I am speaking to a point of order.

**Hon. Mr. Rowntree:** That leader has lost four elections!

Interjections by hon. members.

**Mr. MacDonald:** And is working closer to power in each election.

**An hon. member:** A bit of humour!

Interjections by hon. members.

**Mr. Chairman:** Order, please.

**Mr. MacDonald:** The question of whether or not I am in favour of Royal commissions is irrelevant to the issue of how this government chooses to get itself off a hook at election time by appointing an inquiry. The fact is it has a Royal commission.

**Mr. Chairman:** Order please. The member is supposed to be speaking on a point of order.

**Mr. MacDonald:** Right. We had a Royal commission and there are recommendations from that Royal commission. Surely it is legitimate procedure to make certain that we avoid the same mistake. This is the first estimate since that Royal commission took place, so this is an entirely legitimate area for debate.

**Mr. Chairman:** On the point of order, the Chairman can find no grounds for ruling out this discussion of a recommendation that came about pertaining to that particular case. The member, I feel, is entitled to question the Minister in connection with any of the recommendations of future policies. I would say, however, that she should not attempt to review all the little details of that particular case. She may discuss the recommendations put to the department through the Minister.

**Mr. Sargent:** We are talking money, not recommendations or policy.

**Mrs. M. Renwick:** I would like to ask—

Interjections by hon. members.

**Mrs. M. Renwick:** Mr. Chairman, when children become Crown wards of the hon. Minister, and according to the Act he is deemed the “good parent”, what is the immediate procedure that follows? When children become “your children” according to the Act, as Crown wards, what is the

immediate action taken by your department to protect the rights of those children, as the “good parent”?

**Hon. Mr. Yaremko:** The Act which I understand the hon. member to have said that she read—

**Mrs. M. Renwick:** I did not say that I had read the Act.

**Hon. Mr. Yaremko:** Do you mean that the hon. member has not taken time out to read the Act?

**Mrs. M. Renwick:** One of 21 under this department that I have not read, Mr. Chairman.

**Hon. Mr. Yaremko:** The question is within the confines of The Child Welfare Act. The children's aid society then takes over and attends to the needs and wants of the child.

**Mrs. M. Renwick:** Thank you, Mr. Chairman.

When the local agency takes over and begins the investigation of the possibility of adoption, I presume locally, does the Minister get regular interim reports, so that acting as the “good parent” he is now in the capacity to watch every step of the adoption, as he would if they were his own children, or indeed if children of members of this assembly were orphaned and in the care of the hon. Minister as the “good parent”? Surely the hon. Minister has the responsibility of watching step by step the adoption, so that those children are protected from the time they are in his care.

**Hon. Mr. Yaremko:** Mr. Chairman, I say that I think all of the children's aid societies would be horrified at the aspect of me breaking myself up into a million pieces and leaning over the shoulder of every child welfare worker in the province, making sure that the child welfare worker is doing the best thing. This would really be doubling the number of people necessary, because for every worker in the children's aid society, I would have to have a worker standing side by side. Is the hon. member suggesting that this is what should be done? All I can say is that—

**Mrs. M. Renwick:** No, Mr. Chairman.

**Hon. Mr. Yaremko:** —all I can say is that we have a child welfare branch. We have capable people headed by one of the most capable women I have ever known in the field. We have a complement of 72. They

keep in regular touch with all the children's aid societies individually and as a group, and I go on the basis that they are carrying out their role within the department and that the workers within the children's aid society are carrying out their duties.

**Mrs. M. Renwick:** Mr. Chairman, the answer to the hon. Minister's question is no. I do not really mean that.

**Hon. Mr. Yaremko:** Well, my answer is that I think it would be ridiculous for me to even attempt to do so.

**Mrs. M. Renwick:** Mr. Chairman, the Minister asked me a question and I think it is only fair he should be allowed to do so—as I have asked him a good many in the last few hours.

The answer is “no”. I am not saying that the Minister in all likelihood, Mr. Chairman, should watch every move of the worker. That is not the point, exactly not.

I am asking him, does he watch every step of the child—the protection of the child? These are orphaned children—you can laugh and talk all you want—but these are orphan children, Mr. Chairman, no father, no mother, no relatives to take them. In the case that brought all this to my attention there were two of five children already split up—

**Hon. Mr. Yaremko:** And they are not orphans, they were not orphans.

**Mrs. M. Renwick:** The Minister has a responsibility under the Act to be a “good parent” and therefore, I would like to ask one question before finishing—how many Crown wards are there? I am only asking the Minister—

**An hon. member:** What is the function of the children's aid society then?

**Mrs. M. Renwick:** I am only asking the Minister: Does he protect the Crown wards not the workers? How many Crown wards are there under your care, in this province at this time—

**Hon. Mr. Yaremko:** I think, Mr. Chairman, there are some 17,000.

**Mrs. M. Renwick:** —now, at this time to whom the Minister is a “good parent”?

**Mr. Chairman:** Order please. Order.

**Hon. Mr. Yaremko:** There are 17,000 Crown wards?

**Mrs. M. Renwick:** Seventeen thousand Crown wards?

**Hon. Mr. Yaremko:** Seventeen thousand wards, of whom about 13,000, I believe, are Crown wards. Those are round figures.

Vote 2006 agreed to.

On vote 2007:

**Mr. Chairman:** The member for Parkdale.

**Mr. Trotter:** Mr. Chairman, I was wondering if the Minister could give some indication of how many day nurseries have been established since—

**Hon. Mr. Robarts** moves that the committee of supply rise and report certain resolutions and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of supply begs to report that it has come to certain resolutions and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, tomorrow being Friday we will meet at 10:30. We will go to the order paper and I would remind the hon. members of the House that there is a private members' hour at 12 o'clock until 1 o'clock and should the order paper be exhausted before 12 o'clock, we will revert to estimates.

**Hon. Mr. Rowntree** moves the adjournment of the House.

Motion agreed to.

The House adjourned at 11:40 of the clock, p.m.





ONTARIO

# Legislature of Ontario Debates

OFFICIAL REPORT—DAILY EDITION

First Session of the Twenty-Eighth Legislature

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Friday, May 24, 1968

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Speaker: Honourable Fred McIntosh Cass, Q.C.

Clerk: Roderick Lewis, Q.C.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, MAY 24, 1968

The House met at 10:30 o'clock, a.m.

Prayers.

**Mr. Speaker:** This morning we are pleased to have with us as visitors, students from the following schools: in the east gallery, from Swansea public school, Toronto, and Coniston public school, Coniston; and in the west gallery, from Applewood Heights secondary school, Cooksville, and St. Joseph's high school, St. Thomas. Later this morning, we will be joined by students from Hillcrest public school in Campbellford and Herron Valley junior high school, Don Mills. I am sure we welcome the young people who are here so early in the morning to see the Legislature in action.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

**Mr. Speaker:** Before the orders of the day, I have one or two matters that I would like to mention to the House.

First of all, I would inform the member for York South (Mr. MacDonald) that his comments yesterday in committee with respect to the identification of the member for Scarborough West (Mr. Lewis) in paragraph number 1 of Mr. Speaker's ruling of May 16 last, pointed out an error for which an erratum note had been prepared by my office for publication but had not yet been published.

With respect to a verbal encounter yesterday between Mr. Speaker and the member for High Park (Mr. Shulman), I would advise the members that the member has done me the courtesy of allowing me to see the question sheet from which he yesterday read the disputed question. I have also been afforded the courtesy of consulting his party's central registry of such questions and have discussed the matter both with the secretary in my office responsible for questions and the secretary in the New Democratic Party office in like position.

I was not present in my office nor in the buildings yesterday morning when the ques-

tion was submitted, discussed and alteration agreed upon. However, from my investigation of the whole episode, it is most apparent to me that there was a complete misunderstanding between the two secretaries involved, and the question as put by the member for High Park was that given to him as approved by Mr. Speaker, but was not that actually approved and given to me. While this does not alter the fact that the question was offensive and probably out of order as being a repetition of a question previously asked, it does explain the member's attitude on that occasion.

I have taken action to ensure that such a complete misunderstanding cannot again occur.

The member for High Park yesterday apologized to me. Today I offer my apologies to him.

**Mr. G. Ben (Humber):** Before the orders of the day, Mr. Speaker, I have two questions of the hon. Minister of Health.

The first question is: Has the Minister given consideration to making funds available for the setting up and operation of haemodialysis units in patients' homes? I should explain, Mr. Speaker, that these units replace a normally healthy kidney.

**Hon. M. B. Dymond (Minister of Health):** Mr. Speaker, I would not altogether agree with the hon. member that the unit will replace a healthy kidney. It takes over when the kidney no longer functions. However, that apart, this is a matter of great importance and a matter of great concern to people who need it. It is actively under study at the present time and we hope to have some decision very shortly concerning it.

**Mr. Ben:** I trust it will be a favourable decision, Mr. Speaker.

The other two questions are, Mr. Speaker: How many hospitals in Ontario, aside from the Owen Sound General and Marine hospital, have self-care units; and, what is the Minister's department doing to encourage or compel the establishment of such units in all other public hospitals?



**Hon. Mr. Dymond:** Mr. Speaker, I would ask that I take this question as notice because this will take a good deal of research and I did not get it until 10:15 this morning.

**Mr. T. Reid** (Scarborough East): Mr. Speaker, in the absence of the hon. leader of the Opposition (Mr. Nixon), I would like to place a question to the Minister of Education, notice of which has been given. The question is in five parts. I think I had better state all five together:

What is the significance so far as The Department of Education is concerned for the granting by the CRTC of a licence to the London board of education to set up a 2,500 MHz educational television system?

What grants in aid are being made by the province?

Will the Minister assure the House that open tendering will be a condition of any grant in aid for capital expenditure?

What efforts are being made to have this equipment built in Canada?

Finally, what technical reasons govern the choice of London as a site of the first such installation, apart from the interest of the board?

**Mr. E. Sargent** (Grey-Bruce): That is a good question.

**Hon. W. G. Davis** (Minister of Education): Mr. Speaker, in that I know the leader of the Opposition has a very real interest in this whole area of educational television, I am sure he would wish to be here when I provided the answer. Also, in that there is a fair amount of technical information necessary to answer this question completely, I shall take this as notice and have the answer available for the leader of the Opposition if he is here on Monday.

**Mr. V. M. Singer** (Downsview): What are the technicalities of London?

**Hon. Mr. Davis:** None.

**Mr. T. Reid:** Mr. Speaker, I have a question of my own to the hon. Minister, which I hope he will answer. I might just note that I would have been delighted to have heard his answer to the previous question this morning.

Mr. Speaker, this question is concerned with the George Brown college of applied arts and technology in the city of Toronto. It is in four parts:

First, who is the chairman of the board of governors of the George Brown college of applied arts and technology?

Second, who is the president of George Brown college? If the position of president is now vacant, has the position been advertised and when will this position be filled?

Third, is there an officially-established position of principal of the George Brown college? If the answer is "yes", who is the principal? If the answer is "no", who is the person responsible for the administration of the college when there is no president or when the president is away? And what are the academic and professional qualifications of this person?

Fourth, who are the chairmen of the various teaching departments of the college and what are their academic and professional qualifications?

**Hon. Mr. Davis:** Mr. Speaker, the answer to the first question is that the chairman is Mr. Barry Lowes. The president of the college has not yet been appointed. I understand the position has been advertised and the appointment will be, of course, at the discretion of the board. There is a position of principal established. The principal is Mr. C. C. Lloyd. Mr. Lloyd has his BA degree and also a technical institute teacher's certificate.

With respect to the fourth question, once again, Mr. Speaker, we received this question only some 35 minutes ago and it has been impossible to get the list of the heads of the departments. If the hon. member is anxious to have this, say, before the weekend, I am sure if he contacted either the chairman of the board, if he is available, or perhaps the principal, he could get this information. Otherwise, I shall have it for him on Monday.

**Mr. T. Reid:** Would the hon. Minister accept a supplementary question? It follows on from what he said.

Mr. Speaker, is there any general government regulation—or regulation by the colleges of applied arts and technology—concerning conditions about which members of the board may run for political office, at the federal or provincial levels? And similarly with members of the staff? Is there a regulation, for example, stating that the president may not actually run for provincial or federal office?

**Hon. Mr. Davis:** No, Mr. Speaker, and I am just doing this by memory and subject to

correction, but I do not believe there is anything in the legislation or regulations that in any way prohibits a person who is serving voluntarily—as they all do on boards of governors of the colleges of applied arts and technology—from offering himself for public service in this province.

**Mr. Speaker:** The member for Kitchener has a question from the other day.

**Mr. J. R. Breithaupt (Kitchener):** Mr. Speaker, I have a question of the Minister of Trade and Development, notice of which has been given.

Did the Canada Packers plant in Walkerton obtain a forgivable loan from the Ontario development corporation to the approximate extent of \$218,000? Did the Kraft Foods plant in Cornwall township obtain a similar loan for the approximate amount of \$500,000? Why were these well-established national industries given such assistance?

**Hon. S. J. Randall (Minister of Trade and Development):** Mr. Speaker, the Canada Packers plant in Walkerton was granted a forgivable loan of \$218,333 and the Kraft Foods plant at Ingleside, near Cornwall, was granted a similar loan in the amount of \$500,000. These industries were given assistance for the following reasons:

1. They will provide economic stability and substantial additional employment in Walkerton and Ingleside, both of which have been designated under the EIO programme as slow-growth areas.

2. In the case of Canada Packers, 66 new jobs will be created, resulting in an additional payroll of \$250,000 in Walkerton. In addition, the purchase of fowl in the general area will be increased by \$1 million annually to a level of \$4 million; 16,000 square feet of new plant space will be provided at a cost of \$351,000, as well as new machinery and equipment amounting to \$439,000, for a total outlay of \$790,000.

3. In the case of Kraft Foods Limited, provision of a forgivable loan of \$500,000 will result in an increase in employment of 88 in the next two years; the addition of 100,000 square feet of space, and \$4 million worth of new equipment.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I have a question of the hon. Minister of Energy and Resources Management. When will the Minister have replies to the four questions regarding approval of our new

sewage plant in Vaughan township, which I asked him on May 13?

**Hon. J. R. Simonett (Minister of Energy and Resources Management):** Mr. Speaker, as this matter is now under consideration, I am unable to answer the questions at the present time. I will give the hon. member an answer as soon as a decision is reached.

**Mr. Speaker:** The member for High Park has a question?

**Mr. M. Shulman (High Park):** Yes, Mr. Speaker. I have a question of the Attorney General. Why were no charges laid against Mr. Vern Grafstrom and Mr. I. R. Wookey in connection with the Canadian Oil takeover?

**Hon. A. A. Wishart (Attorney General):** Mr. Speaker, no charges were laid because, in the opinion of those responsible for law enforcement, there was no evidence to support a prosecution.

**Mr. Shulman:** Will the Minister allow a supplementary question? Has the Minister studied the letters which I presented here from senior officials in the Ontario securities commission suggesting that charges could be laid?

**Hon. Mr. Wishart:** I do not think, Mr. Speaker, that I have particularly studied those; the matter was reviewed at the time by the securities commission hearing and by the persons then responsible for law enforcement, and anything that the hon. member had presented has already been seen and reviewed many months ago.

**Mr. Speaker:** Before we leave the matter of questions and question period today, I would like to commend all those who submitted questions this morning. They are in proper form, as the members will have noticed; they ask questions and do not make statements or—

**Mr. Sargent:** And they do not embarrass the government!

**Mr. Speaker:** —or give rumours. And, I am pointing out—and the member for Grey-Bruce perhaps should listen carefully—that I will no longer accept questions which begin “in view of,” and state a fact or a rumour because the rules of the House expressly prohibit that kind of a question. So, beginning on Monday, a question so phrased will not be accepted by my office. If anyone has any difficulty with respect to that, I would suggest he consult the Clerk of the House

and ascertain what is the proper way in which to phrase questions.

**Hon. Mr. Dymond:** Mr. Speaker, before the orders of the day, the hon. member for High Park asked a question yesterday, No. 579:

1. Is the Tannahill ambulance service in Owen Sound using a station wagon as an ambulance, that is also used for transferring human bodies from the mausoleum at Greenwood cemetery to graves of the cemetery and to distant cemeteries for later burials?

2. If so, will the Minister take steps to stop this practice?

3. Is the Tannahill ambulance service in Owen Sound varying its rates according to the bloodiness of the injured person being transported?

4. If so, will the Minister take steps to stop this practice?

In reply: 1. The Tannahill ambulance service bought a 1968 model ambulance which complies with all requirements of the ambulance service regulations except for radio, and this is to be installed when the overall despatching arrangements for that area are firm. This vehicle is not used for transport of the dead; the station wagon, which was previously used before the licensing of an ambulance, has only been used for this purpose once since the new vehicle arrived, and this in response to overlapping calls for emergency assistance.

2. No further steps are required.

3. The answer is "no". It has been customary for many operators to charge more for highway accidents than for non-urgent calls. What relationship this may have to the bloodiness, I cannot tell. These calls do require the use of more equipment, dressings, and so on, and an additional charge for these has been added to the basic charge by many operators, as I am sure the hon. member well knows.

4. A standard schedule of charges for service will be established in regulations in The Ontario Hospital Services Commission Act which are now being prepared; these will take effect after July 1, 1968. Until that time, existing rate schedules will remain in effect.

**Mr. Shulman:** Will the Minister allow a supplementary question?

**Hon. Mr. Dymond:** No.

**Mr. Shulman:** Thank you, anyway, sir.

**Mr. Speaker:** If the member had been on his feet a moment before—

**Mr. Shulman:** On a point of order, I just wish to point out, sir, in relation to the new ruling re questions, that this may very well lead to misunderstanding because the "in view of" at the beginning of many questions is to allow the Minister to understand the circumstances. If the question just begins with the bare question, it may be very difficult for the Minister to find reference from which the information appeared. For example, I believe I asked a question yesterday which referred to material which was in the *Globe and Mail*; if we are not allowed to put that into the question, it is going to cause confusion in the House, and more difficulty and further waste of time.

**Mr. Speaker:** I did not say that the source should not be stated. All that I said was that those questions which began "in view of" and set out a rumour or a newspaper clipping would not be received in that form. I further suggest to all the members, and I suggest so to the member for High Park, that a few moments' consultation with the Clerk of the House—and I think the member was at the meeting when this matter was raised last Wednesday—will straighten this out and we will get questions which are proper and which ask the question the member wishes and give the Ministry the necessary information. I would think that once we found the proper way of doing that, there should be very little difficulty in all members following it. I acknowledge the force of the member's comment. It is a change, but I think it is one that we should make.

The Minister of Energy and Resources Management has an answer to a question.

**Hon. Mr. Simonett:** Mr. Speaker, I have the answer to question 548 asked by the hon. member for York South. The question was as follows:

In view of the convictions in the United States of top electrical companies for conspiring to rig prices, and the resultant court action of many American cities to review excessive outlays through those rigged prices, would the Minister indicate what action the Ontario Hydro Electric Commission intends to take to recover for the people of Ontario excessive expenditures that were made on their behalf in purchasing of electrical equipment from those companies over the period of many years?



And the answer: Ontario Hydro made few, if any, purchases from United States companies which had been convicted and ordered to pay damages for price fixing in court actions in the United States. Ontario Hydro has made many purchases from Canadian plants of subsidiaries of United States companies so convicted. In each particular case, however, Hydro's purchase was based on competitive bids involving other domestic manufacturers as well as numerous instances of foreign competition.

**Hon. R. S. Welch** (Provincial Secretary): Mr. Speaker, before the orders of the day, I would like to rise on a matter of personal privilege to clear up any misunderstanding that may result from discussions yesterday during a consideration of the estimates of my Cabinet colleague, the Minister of Social and Family Services (Mr. Yaremko). I put it that way because in checking the rough draft of these discussions of yesterday afternoon, I would like to refer to a paragraph attributed to the member for Scarborough Centre (Mrs. M. Renwick):

I saw the hon. Provincial Secretary in the halls of the assembly today, Mr. Chairman, and I asked him what relationship he had with preparing these pamphlets in different languages, and he shrugged his shoulders and intimated there was not any such thing. So, therefore, I really question that there is or has been, as the Minister answered the member for Parkdale, an on-going system of co-operation and discussion.

Without going into the merits of the particular discussion of that time dealing with co-ordination or co-operation, I would like to say that perhaps this indicates the difficulty of discussing matters out of context. I think that there has been an honest misunderstanding with respect to pamphlets, because what I want to assure the member for Scarborough Centre in this House so that the record is quite clear, is that The Department of the Provincial Secretary and Citizenship does in fact publish pamphlets, and in fact we have pamphlets, covering most of the departmental activities of this government. They are published in 11 languages, in addition to those in English and French.

The Department of Social and Family Services, the former department of welfare, of course is the subject matter of one of these pamphlets. So, to pay tribute where it is due, it was under the leadership of the now Minister of Social and Family Services, when he held the portfolio that I now hold, that this entire government series was inaugurated. If this was the point that was being made in this casual and informal discussion while each

of us was on our way to lunch yesterday, then this is the answer which the record should show. I have a complete series in Italian, German—in fact there are 11 different languages in addition to English and French.

There is also the greatest co-operation between all departments of government and this department with respect to dealing with our ethnic people. A case in point, Mr. Speaker, is the legal aid brochures. As the member for Riverdale (Mr. J. Renwick) will recall, there has been a series of meetings dealing with the best and most effective way to reach the people in the ethnic communities by publishing multilingual pamphlets, and particularly the major language groups in the province. I simply wanted the record to show that this particular paragraph—reporting on a very casual and informal discussion—really does not represent the full picture with respect to the co-ordination and co-operation which exists in this particular connection of ensuring that literature is available in various languages so that our people might understand those government services that are available to them. It is in the spirit that there has been this misunderstanding of the context that I wanted the record clarified, because I indeed wanted to pay proper tribute to the Minister of Social and Family Services for this work that he inaugurated when he was the Provincial Secretary.

**Mrs. M. Renwick** (Scarborough Centre): Mr. Speaker, I wonder if I could ask the Minister if he would table the pamphlets of his department that pertain particularly to social and family services of the department?

**Hon. Mr. Welch:** I would be very happy to do that.

**Mr. Speaker:** Orders of the day.

#### THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION ACT

**Hon. W. G. Davis** (Minister of Education) moves second reading of Bill 120, An Act to amend The Secondary Schools and Boards of Education Act.

**Mr. W. G. Pitman** (Peterborough): Excuse me, I wonder if you would permit a slight delay?

**Mr. Speaker:** This is the bill to amend The Secondary Schools and Boards of Education Act.

**Mr. Pitman:** This relates to retarded children?

**Mr. Speaker:** No, my order paper indicates that Bill 120 is printed and, since it has not had second reading, it cannot be reprinted.

**Hon. Mr. Davis:** This is the legislation dealing with take-over by the county boards and other boards of education, of the retarded children's education on January 1, 1969.

**Mr. Pitman:** Mr. Speaker, I will be very brief on this particular piece of legislation. I think that this is something which the retarded schools association and other groups have been requesting for quite some time. I would suggest to the Minister that he be congratulated for having brought this piece of legislation into the House. It is long overdue. I think now we can see a completely new direction in the role of The Department of Education which I hope will be extended to other groups. I think that one of the areas which is of deep concern across the province is the way in which we in our educational system deal with many who are in what could be called peripheral groups, or those who are not in the mainstream of education in our schools.

I am thinking particularly, Mr. Speaker, of emotionally disturbed children. It is quite true that The Department of Education at this time does make grants, and someone has suggested that they are rather minimal for the provision of psychological services to the boards of education across the province. I would hope that the Minister might consider the necessity of seeing his department move in a number of ways to deal with the hundreds of thousands of young people who are emotionally disturbed to some degree or other. I realize that the numbers are perhaps in question, but I suggest to you that the retarded children are but one problem—one part of the spectrum. I would hope that the Minister would see this Bill 120 as the beginning of a whole new direction on the part of The Department of Education to deal with all groups who are unable to take full advantage of the facilities and services which are provided through the regular curriculums and programmes.

I think that it is time we recognized the need for an educational bill of rights for this province, perhaps unwritten though it may be—

**Mr. Speaker:** Order. I would draw to the attention of the member that I have allowed latitude here, but this bill is on the new Act to provide the county divisional units to look after the education of the mentally retarded

and not any other group or an educational bill of rights, so perhaps the member would continue with respect to this bill?

**Mr. Pitman:** I am sorry for stretching your patience, Mr. Speaker. I shall conclude by simply stating that this party is in full accord with the bill, and we congratulate The Department of Education for bringing it forward, and we hope that it is the beginning of a total new thrust on the part of this department.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, I would like to say that the official Opposition supports this bill as a good step in the right direction and hope that it is part of a wider programme to reach the child with special problems. However, there are two reservations which we have on this, in that it does not go far enough.

One reservation has to do with the definition as I understand it, and I am sure that the hon. Minister will correct me if I am wrong, that deals only with the retarded child of school age. One of the things that many of us have run across in our own constituencies, as well as with the many voluntary groups, is the question of providing opportunities for children with these handicaps who are below the school age. Many studies now show that if we can reach these children earlier, we can do much more with them in the way of developing the resources that they have, in the education system. So I would commend to the Minister, Mr. Speaker, that he should become very involved with the issue that is receiving a great deal of attention south of the border, in the educational opportunities for children under the school age; particularly those at age four. I would like to see in future years, for this kind of education, Mr. Speaker, relation of the age barrier before these children can receive this type of care. It is the opinion of the official Opposition, Mr. Speaker, that this bill is definitely a forward move in the education of children with special handicaps.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I too rise to commend the government for bringing in this bill.

It is interesting that formerly the approach to mentally retarded was they should not be brought into the educational system because it was felt they could not benefit from it. The work of these volunteer groups that have established schools throughout the province has proven that they can benefit from it and I was quite interested last week to note

that the local school in Richmond Hill entered exhibits in the Richmond Hill fair two weeks ago—in open competition—and won several prizes in competition with local public school entries. It does show that this is a form of education where we can benefit children by the work.

**Mr. D. C. MacDonald** (York South): Mr. Speaker, I would like to add my congratulations to the Minister for bringing in this piece of legislation.

I now have a somewhat clear idea of what exactly what is meant by that familiar phrase around here, "In the fullness of time." I recall when the Minister was a lowly backbencher—back about 1957 or 1958, he supported the approach of some of the association for retarded children's classes in Peel county and made representations on their behalf to the government of the day that the fair way to deal with retarded children was to bring these schools within the regular school system so that parents who already have the burden of caring for a retarded child, would not have the financial burden in addition.

The Minister has now been Minister for six or seven years—

**Hon. Mr. Davis:** Six, less five months.

**Mr. MacDonald:** Six years less five months, so an idea which he pioneered and supported back in 1957 took five years and seven months under his direction to get into law. I repeat—that is some clarification of "in the fullness of time."

**Mr. V. M. Singer** (Downsview): Mr. Speaker, I do not know what happened in 1957-1958, but I do remember sometime in 1959 or 1960, when the Minister and I were sitting at an education committee meeting, the Minister, I remember very well, was sitting in the back row in committee room one. He stood up at that time and made a very passionate plea to the then Minister of Education that something be done to co-ordinate the education of retarded children into the school system. It has taken a long time; better late than never, and certainly this is a step forward.

**Hon. Mr. Davis:** Mr. Speaker, just to conclude the remarks on this—

**Mr. Speaker:** Perhaps the Minister would let me ascertain if there is any other member who wishes to speak. Is there any other

member who wishes to speak to this motion before the Minister closes the debate?

The Minister has the floor.

**Hon. Mr. Davis:** Mr. Speaker, just to clarify one or two chronological events. The discussion really originated, I think, in January or February of 1960, when the then member for Peel had the honour to move the Speech from the Throne, and reference was made to the problem of the retarded children. It was then discussed in the education committee some few weeks later.

I should also point out, Mr. Speaker, that while I recognize the necessity for members opposite to perhaps indicate that it has taken a period of time, I think I should point out, in fairness to the department, that it has meant a very genuine involvement with the associations and bringing them along with The Department of Education to this ultimate conclusion.

**Mr. MacDonald:** Does the Minister mean he had to persuade them to support their own representations?

**Hon. Mr. Davis:** In fact, if one looks at the speeches in the past two years, I think the member for Peterborough would recognize that it is only in the last 16 to 18 months at most, that the local associations themselves have felt that it was time to move from the retarded children's authorities approach to this type of approach.

**Mr. Singer:** You should have quit while you were ahead.

**Hon. Mr. Davis:** The other point I cannot help but make, Mr. Speaker, is that I am really very heartened by the support of the members opposite for this particular bill, in that it shows me that they are slowly coming around to recognizing the many positive aspects of Bill 44, which to a very great extent makes the programme under Bill 120 possible. And I am sure, Mr. Speaker, that this indicates that, a few weeks ago, if they had an opportunity to vote again, they would do so in a different way.

**Mr. Singer:** The Minister never knows when he is in a good spot, he pushes too far.

**Mr. Speaker:** I must say that so many of the comments that come from various parts of this House are so true on all sides of the House.

Motion agreed to; second reading of the bill.



**Clerk of the House:** The 9th order; committee of the whole House; Mr. A. E. Reuter in the chair.

#### THE CENTENNIAL CENTRE OF SCIENCE AND TECHNOLOGY ACT, 1965

House in committee on Bill 65, An Act to amend The Centennial Centre of Science and Technology Act, 1965.

Sections 1 and 2 agreed to.

On section 3:

**Mr. E. Sargent (Grey-Bruce):** Mr. Chairman, what is our prerogative here? Do we discuss the principle of this bill only, or what?

**Mr. Chairman:** No. Section by section.

**Mr. Sargent:** Mr. Chairman, this legislation is authorizing the delegation by the board to—

**Mr. Chairman:** Section 3 is the item we are dealing with; the principle has been discussed.

**Mr. Sargent:** I am sorry, I am too late then.

Sections 3 and 4 agreed to.

Bill 65 reported.

#### THE PUBLIC COMMERCIAL VEHICLES ACT

House in committee on Bill 66, An Act to amend The Public Commercial Vehicles Act.

**Mr. Chairman:** I believe there is an amendment to section 1 of this bill; the Minister.

**Hon. I. Haskett (Minister of Transport):** Mr. Chairman, I desire to propose an amendment to section 1 for the purpose of defining a tank-truck vehicle. I move that section 1 be amended by adding thereto the following clause:

j (a)—Tank-truck vehicle means a commercial motor vehicle, trailer or semi-trailer used for, or capable of, being used for the transportation of products in bulk and which contains, or to which there is attached, or upon which there has been placed permanently or otherwise, a closed tank container having a capacity of 500 gallons or more.

**Mr. Chairman:** Shall the motion carry?

**Mr. V. M. Singer (Downsview):** It is an amendment to what, Mr. Chairman?

**Mr. Chairman:** Section 1. It is an additional clause.

**Mr. Singer:** Clause 4?

**Mr. Chairman:** Clause j (a).

**Mr. Singer:** Mr. Chairman, one would think that when a Minister introduces something new in the form of an amendment, he would extend the courtesy to the Opposition to ensure that we have copies of it so we can follow and see what he is getting at.

**Mr. Chairman:** Shall the amendment carry?

**Mr. Singer:** I would like to see a copy of it and consider it for a moment because it might, perhaps, change the principle of the bill. I do not know why all these things are done in such mysterious and awkward ways.

**Mr. Chairman:** could the Minister tell us why he has introduced the amendment? What is the purpose of it?

**Hon. Mr. Haskett:** Mr. Chairman, I intimated before I read the proposed amendment that the purpose of doing it at this time, was to define—and it is going into the definition section of the bill—what a tank-truck vehicle is. I can perhaps describe it when we come to section 4 if it please the House, sir.

The reason we are defining a tank-truck vehicle is that in section 4, dealing with dump-truck operations, dump trucks *per se* are mentioned in the marginal note but are not mentioned in the section. The section deals with the transporting of certain defined or specified classes of materials and it was represented to us at our standing committee meeting recently, that it was possible to transport some of the defined materials in tank-trucks.

So, the purpose of introducing this definition into section 1 is that when we come to section 4 I may make a related amendment which, I might intimate to the House now, would be to except tank-trucks *per se* from the exemption.

**Mr. Singer:** Mr. Chairman, that makes a little more sense. Had the Minister done that in the beginning, there would be no reason to question it. But for some unknown reason, all these things are done in an unusual way so that we get a minimum of information and we are just expected to be rubber stamps for no reason at all.

**Mr. E. A. Winkler** (Grey South): I would like to ask the Minister if he has considered the advisability of including—it may be inherent in the amendment, that I do not know—the term “other bulk carriers” because I think that the intent here is good and I agree with it.

However, he is making the differential between a dump-truck and a bulk carrier in regard to a tank only, and I think it might be advisable unless, of course, as I said the Minister means this in his explanation, other bulk carriers as well.

**Hon. Mr. Haskett**: Mr. Chairman, I doubt that the term “bulk carrier” is one that we could properly define. The tank-truck vehicle is one that we thought might be impinged on unintentionally in section 4 and the tank-truck vehicle is, in the definition that is here introduced, one that is agreeable to the industry concerned.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

On section 4:

**Hon. Mr. Haskett**: In view of the action taken in amending section 1 to provide the definition for a tank-truck, I move that section 4, subsection 1 (a) be amended by inserting after “transportation” in the second line, “except by a tank-truck vehicle”.

**Mr. Chairman**: The member for Yorkview.

**Mr. F. Young** (Yorkview): Section 4, Mr. Chairman, is perhaps the most controversial section in this bill and one in which there was a great deal of representation at the committee level. There has been great concern across the province on the part of those who are now engaged in the industry and who had to get their PCV licence, class F, for the purpose of hauling the items mentioned in the legislation.

During the second reading of the bill, I had something to say about the background of this situation where the trucking industry, first in chaos under the private enterprise situation which existed in the early days, was gradually brought into order under the PCV and where those who operated trucks of this kind had to get their licence and operate under the rule of law. I am not going over that again but there are certain things, I think, that ought to be said in this House on behalf of the people who are now in possession of the licences and who see their livelihood threatened. As a matter of fact I

have a letter which was written on May 20, just the first of this week, and it says this, and I want to read it into the record because it puts the case pretty forcibly:

Dear Mr. Young:

With regard to PCV amendment Act, 1968, I would just like to express my feelings on this matter since it affects me personally and many of my friends for many years.

There have been certain restrictions in obtaining a PCV licence and I think these restrictions have served their purpose. When I came to this country some 15 years ago it was hard enough to make a living in a strange land whose language I could not then speak, and having to look after my family. And I worked hard. You cannot imagine what a great effort and how much money it cost me to obtain my PCV and earn a living. I had to do it the hard way.

However, now that times are better some are wanting to be able to obtain an open PCV at the snap of their fingers. If this comes about, what happens to me and to those like me? It is bad enough that the trucking industry has no union and that instead of rising, our wages are getting smaller due to the lack of organization among the truckers. But if this bill comes into effect you are literally taking food from our hands.

In spite of the fact that we had to fight for our PCVs, now anyone could come along and get this privilege for next to nothing. There are too many trucks on the road as it is without making the situation worse. I do not say that these future truckers should be unemployed but I do think that seniority should stand for something. After all this is considered in every other type of work. Thus I am opposed to the granting of licences with no restrictions. It would put the private truck owner like myself out of business.

Since the man with money who can afford to buy more than one truck could now operate freely and still make 90 per cent of the profits, these people would monopolize the trucking industry, as some are already doing. I have a mortgage on my house and truck to pay off. My children are going to school, one of whom is at the University of Toronto. My wife is sick and is not able to work. Thus I am the only one in the family who is working. I simply cannot afford it if

anyone on the street can take out a PCV licence.

I would appreciate it greatly if you could give some consideration to what I have just stated, for it applies not only to myself but to most of the men I am at present working with.

Thank you,

Sincerely,  
Donata Loretta,  
Loretta Haulage,  
19 Paramount Court,  
Toronto 15.

I think this does put the case for the people who are now in this industry and talking with them, with many of the truckers who are in my own riding, I find that today they are being rather badly squeezed by the contractors who are designating who shall operate and at what wages. These people have no way to protect themselves and they feel that if the licence is opened up, as this bill suggests, the contractors and those for whom they work will have complete domination and can put in their own trucks, or hire the cheapest on the road. The cheapest on the road will often mean the oldest, run by the man who is willing to work long hours, and will pay himself or his drivers very low wages without the benefits of fringe benefits and proper protection.

I know that the Minister is concerned about the safety of vehicles on the highways and he says that is, in effect, being looked after in another direction. But often, without a regular on-going inspection of these vehicles, the vehicle can be ready to fall apart and perhaps it might not be obvious to the onlooker.

I agree, Mr. Chairman, that some reform in this field is needed—and I think the truckers themselves agree with this, that there should be greater mobility, greater flexibility of operation in the province so that road contractors are not hindered as they are today with the PCV class F. The people who hold it and the truckers are willing that the legislation be introduced to bring that greater flexibility and that greater mobility. But when they try to organize, as they tried to organize into a union some time ago, they came up against The Labour Relations Act, and they are in effect small contractors often hiring labour. Then on the other hand they are up against The Combines Act where, if they combine as entrepreneurs, they can be prosecuted for violation of that Act. So they are in between;

they are neither fish nor fowl, and they feel pretty helpless in the total situation.

As I pointed out in the committee, this Legislature has found ways and means to protect other groups in our society who are in essentially the same position. The Ontario farmer, whose political power is far, far greater than the trucker's, has now the protection of marketing legislation. He is an—

Mr. Sargent: Not very much—

Mr. Young: I beg your pardon?

Mr. Sargent: Not very much.

Mr. Young: The legislation is there and it is gradually being improved, and while I agree with my hon. friend from Grey-Bruce that the legislation is not all perfect—and in this administration it is far from perfect—the fact is that we have found a way to give protection to the farmer entrepreneur who hires labour and who sells his products on the open market.

Surely we can find a similar kind of protection for these men who are in the trucking industry at this level; protection which can give them what they want, give them certain protections so that they are not at the mercy of the old free enterprise system as this legislation will place them, but which will also mean a little more fairness and flexibility on the part of those who employ their labour.

Mr. Chairman, I was very interested in the committee stage of this bill, that at the public hearing there were no representations in favour of clause 4 except by members of this Legislature. All the people who appeared, except the members of the Legislature, were against it. Whether that means something in terms of the general public or not, it is hard to say. It may be that the people who want to get into this industry are so unorganized that they had no spokesman but it is one of these things which makes one wonder.

So I would think, Mr. Chairman, that this House should refuse to pass section 4 of this bill and vote it down and that the Minister should take this whole matter under advisement. He should look at the plight of the small truckers in this province; and go back, consult with them, their associations, with the contractors who hire them and others and then come up with the kind of legislation which I believe can be evolved, which will give these people protection and, at the same



time, give the greater flexibility this legislation is striving to do.

This section will only set the clock back. This will only restore cut-throat competition in this phase of our society and we will then have to watch the little entrepreneurs—the little trucker such as the one who wrote me and whom I quoted this morning—being squeezed out and the industry, perhaps, taken over by fleets.

I do not know what will happen exactly but surely we can find that protection and we can improve on this legislation. I would hope that this House will turn down clause 4 and ask the Minister to take another long look at the better legislation which can be evolved to give these people protection.

**Mr. Chairman:** Section 4. The leader of the Opposition.

**Mr. R. F. Nixon (Leader of the Opposition):** Mr. Chairman, I expressed the views of our party on this bill in principle and since section 4 was the most controversial one, I spent most of my time referring to the principle contained in it.

I was not able to attend the committee meeting but I know that it was well represented by members of the trucking industry who had made their brief available to all of us as members of this House. The report from that committee meeting is essentially the one that has just been given to us by the hon. member who has just spoken.

The matter is of some considerable concern to those people who have made investment and commitment to this section of the industry, and now find that this has been undermined by the decision of the administration to remove whatever protection they did have.

The other side of the point, and the one that the Minister has supported for so long, is that there should be the kind of administration and enforcement that would permit the people who have class F licenses to undertake the business of gravel trucking with the type of protection that would enable them to keep their equipment in good order and in a safe condition; that would enable them to undertake competitive bids on the work that they are prepared to do; and, in this, to have a measure of competition that would be in the best public interest. But, on the other hand, they would have an opportunity at least to make a living in this very competitive business and as I have said keep their equipment in running order.

The bill does not adequately meet the objections that have been placed before the committee and before this House. I would expect that when the Minister was prepared to bring in some amendments—as he has in other sections and to a relatively unimportant degree in this section itself—that he might have been able to reach some sort of a compromise, as is the responsibility of the government, in meeting the needs of the people of this province who are caught up in the cut-throat competition associated with this type of business.

We, on this side of the House, do not agree with the principle that is contained in section 4. We believe that the government has not taken enough time to consult with those concerned. It is trying to draw these people into the standing committee after the bill has already received the support of the government and it is fairly fixed. Surely a consultation should have taken place at a time before that, so that the gravel truckers would have had an opportunity to assist the government in bringing forward a measure that would do something other than destroy the position that they have been endeavouring to establish for themselves in Ontario.

I would be interested in hearing what the Minister's views are in this concern, and would hope that he would consider withdrawing the section so that it can be amended and brought forward again in this session and so that we are not going to work the very serious hardships on these people that this bill would contain.

**Mr. Chairman:** Section 4. The Minister.

**Hon. Mr. Haskett:** Mr. Chairman, when the bill came before the House on second reading, expressions were made that it should go to the standing committee; that the members might be given the fullest opportunity to hear the objection that seemed very real and very substantial. I agreed forthwith that the bill should go to standing committee, and that those who were opposed should have the fullest opportunity to make their views known.

The bill, as the House well knows, went to the standing committee. The committee had an excellent attendance from all parties and those who wanted to put briefs before us had the fullest opportunity to do so. They were splendidly represented by outstanding counsel in three cases and for about two hours, we heard their counsel's representations.

The member for Wentworth (Mr. Deans), I think, made inquiry when the briefs had

been presented as to the proportion of the so-called dump-truck industry that was represented by those making their representations, and received the answer that about 10 per cent of the dump-truck operators were members of, or associated with, these organizations.

One of my colleagues received a petition signed by 18 of the dump-truck operators in his area, opposing it. When he made inquiry, or even before he began to make inquiry, he had conversations with some of them who said they did not know what the trouble was all about and 16 of the 18 eventually asked to be removed from having supported the Opposition. I give you that in passing.

I think the significant thing is that the groups that were represented by counsel at the hearing, were representing a very small minority of the dump-truck operators and I would think, for the most part, that they were speaking for those who had the so-called open Fs.

Of the 1,900 applications before the high-way transport board last year, 1,700 of the applications came from class F operators seeking certificates of public necessity and convenience. As I pointed out to this House on second reading, this is the only relaxation in the regulations with respect to dump-truck operators or those engaged in the transporting of the defined materials that is being made. We think that it, by itself, is beneficial.

We will continue to have the other licensing provisions under The PCV Act. We will not only continue these but we will move into a new area with respect to the safety inspections for a mechanical fitness certificate that will be required of this segment of the industry—this has been one of its weak spots.

And so I say to the House that, in my view, in all respects, the advances we are making with respect to the dump truck segment of the trucking industry are progressive steps. I have no doubt about this and I know that what we are removing is just, in effect, a nuisance to the dump truck operators generally because it puts an onus on the small dump truck operator that is not fair, is not practical and that, in a sense, is not realistic.

A dump-truck operator goes to a contractor and says, "I will haul for you." The contractor will say to him, "Have you got a PCV to haul for me?" "No, I have not," he says.

So, then the contractor has to go with the dump-truck operator to get his certificate of public necessity and convenience. That is, he has to have the job before he can get the

certificate. And he has to get the certificate before he can get the job. And this just seems a topsy-turvy way of doing business. We believe in the principle of public necessity and convenience where proving public necessity and convenience serves a useful purpose.

In this case, it does not serve a useful purpose in my view, and once more it places an onerous onus on the operator to have to come to Toronto repeatedly at the end of each job to prove another public necessity and convenience and to get a certificate, and then get a licence, for the job when a piece of construction on road work or other project on which he is engaged, runs out in one township and opens up in another.

We thought we might have taken, some years ago, a useful step in this direction by widening the areas that could be covered by the certificate, but that in itself offends the whole principle, and makes a mockery of the principle of public necessity and convenience if you are going to give a licence for a wide territory, on the proving of a public need in a small or single instance.

So I say, quite frankly, to hon. members, and I say it with confidence, that the principle of proving public necessity and convenience, with respect to the dump-truck operator, the small operator, the owner-driven truck, or the chap with one, two, or three trucks, just is not practical nor is it realistic. And I appeal to hon. members to think of it in this way.

We had members opposite, in the committee, who heard the impassioned pleas so ably presented by outstanding counsel. When the chips are down and they had heard these briefs, and I had made my reply, we had one member from this side who was incompletely informed on the situation and who supported the move to not report section 4. He was supported by three members of the NDP. Of the four members of the Liberal Party present, one joined them, and the other three—two of whom had expressed themselves very forcefully in favour of the section—supported the move.

So we have three of the four Liberal members of the committee satisfied that what we are doing is good. I say to you, without hesitancy, and with confidence, that this is a good move in all respects, and I ask the House to support it.

**Mr. Chairman:** Does section 4, as amended, stand as part of the bill?

All those in favour of amended section 4 forming part of the bill, will please rise.

All those opposed will please rise.



**Clerk of the House:** Mr. Chairman, the "ayes" are 47, the "nays" 25.

**Mr. Chairman:** Section 4 of this bill stands.

Sections 4 to 9, inclusive, agreed to.

Bill 66 reported.

### THE CORONERS ACT

House in committee on Bill 70, An Act to amend The Coroners Act.

On section 1:

**Mr. Sargent:** Mr. Chairman, with all respect, I would like to suggest that Bills 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 are all dealing with the transferring of the costs of administration of justice, and they are all amending legislation, and they all have no content in them. I would suggest that the Chair consider to save the time of the House, that we amend them all in one motion.

**Mr. P. D. Lawlor (Lakeshore):** Mr. Chairman, I wish you would read them. I cannot agree to that. These bills, some of them, have a considerable amount of content and we will not have to spend a great deal of time on them. But there are two or three questions in some of those bills, particularly the justices of the peace bill.

**Mr. Chairman:** All right. Shall section 1 stand as part of this bill?

Sections 1 to 5, inclusive, agreed to.

Bill 70 reported.

### THE COUNTY COURTS ACT

House in committee on Bill 71, An Act to amend The County Courts Act.

**Mr. Chairman:** Shall section 1 stand as part of the bill?

**Mr. Lawlor:** No, we can get an overall coverage, Mr. Chairman, on a whole host of these bills by answering one simple question. As I see it, the court clerks and similar individuals all the way through this number of bills, will be paid now under Bill 69, which we have put through, under section 7 of that bill. This will no longer be done in the legislation, but by the Lieutenant-Governor in council through the regulations. Is that correct?

**Hon. A. A. Wishart (Attorney General):** Mr. Chairman, the bill, section 1, simply repeals section 15 of The County Courts Act which provides for payment of the clerk by the county, the sum of \$10 for each day's

attendance at the sittings of the county court. There is no replacing provision in this bill we are discussing, Bill 71. But we go to The Administration of Justice Act—which we have passed through committee and through second reading—and it provides, under section 7, that the Lieutenant-Governor in council may make regulations requiring the payment of fees for anything required or authorized to be done, and so on, providing for payment of fees and expenses and so on. So I would presume that certainly the payment will be made by the province and the amount will be fixed by regulations by the Lieutenant-Governor in council, under The Administration of Justice Act.

Sections 1 to 3, inclusive, agreed to.

Bill 71 reported.

### THE COUNTY JUDGES ACT

House in committee on Bill 72, An Act to amend The County Judges Act.

Sections 1 to 5, inclusive, agreed to.

Bill 72 reported.

### THE CROWN ATTORNEYS ACT

House in committee on Bill 73, An Act to amend The Crown Attorneys Act.

**Mr. Lawlor:** Under this Act, The Crown Attorneys Act as it now is—under section 18, again the Lieutenant-Governor through regulations makes provision for these Crown attorneys. Under section 18, then, there are regulations and under regulation 68 of RRO 1960, certain provisions are made for fees for Crown attorneys. What I would like to know is whether that regulation will be repealed or suspended in view of the coming into effect of your new administration Act which we passed the other day.

**Hon. Mr. Wishart:** Mr. Chairman, I have not got section 18 before me. I have the main body of The Crown Attorneys Act in front of me, but not that section. I would think that the regulation language would read "the Lieutenant-Governor in council may make regulations" and that that is an inclusive section providing for perhaps, among other things, payment of fees to the Crown attorney. Thus it would just fall into disuse as one of things that, while the Lieutenant-Governor may do it, he may no longer require to do it under The Crown Attorneys Act, and the fees will be fixed under The Administration of Justice Act, section 7. This would be my answer on that question, sir.



Sections 1 to 3, inclusive, agreed to.

Bill 73 reported.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs) moves that the committee rise and report one bill with certain amendments, the certain bills without amendments, and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

**Mr. Chairman:** Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments, and certain bills without amendments, and asks for leave to sit again.

Report agreed to.

**Hon. H. L. Rowntree** (Minister of Financial and Commercial Affairs): Mr. Speaker, I wonder if we could call order number 23, being a private member's bill?

#### THE PUBLIC UTILITIES ACT

**Mr. A. K. Meen** (York East) moves second reading of Bill 23, An Act to amend The Public Utilities Act.

**Mr. Meen:** Mr. Speaker, this bill is intituled An Act to amend The Public Utilities Act. It contains two distinct and quite isolated proposals. The first one under section 1 comprises an amendment to section 27 of The Public Utilities Act for the purpose of giving to Hydro commissions an extended right to terminate Hydro service to customers. In section 2, the amendment would apply to section 41 of The Public Utilities Act to permit a Hydro utility to place accident insurance on its commissioners in just the same way as councils for municipalities may do today under The Municipal Act.

I will attempt to deal for a few minutes with these two sections. Dealing firstly with the proposed amendment to section 27, I would point out that there are some 350 Hydro utilities in Ontario providing the people of Ontario with this necessary service. In the course of provision of this service, of necessity it has to be billed and paid for after the service is provided. With our growing migratory populace—the populace becoming more and more mobile as the years go on, particularly in these urban and suburban areas of ours—the difficulty in the collection of outstanding accounts has been growing more important and larger, and something

has to be done. I would give a few illustrations of the problems which some of the utilities—particularly in this area—are facing today. In the city of Toronto where they had, in 1967, an excess of revenues over expenses of some \$990,000, they had to write off approximately \$75,000 as uncollectable accounts; or approximately 7 per cent of net revenue. The borough of York with a net revenue of \$55,000 in 1967, had to write off \$9,600 which is a colossal percentage of 17 per cent. In my borough of East York where the net revenue is some \$38,000, Mr. Speaker, the write-off has been \$5,300 or 14 per cent. On a percentage basis, these have varied considerably and widely in these municipalities. One of the major reasons is that some of the municipalities collect a deposit from the customer. This deposit has reduced the write-off on some of these accounts by a very significant amount. But the problem is that, in order to keep adequate accounting on these deposits and credit the customers with interest takes the work of several people on a full-time basis. Most of the municipalities have found that those people can be better employed doing other work, with a reduction in the total cost of operating this kind of service in the overhead picture of the municipality, but with a consequent and quite inevitable result that the write-off of accounts increases substantially.

In North York, the Hydro commission which I have personally been associated with for some years, found that it was a great deal cheaper to assign these people to other tasks and to return the deposits to all of the customers. I discovered in my research on this that most of the other municipalities have found likewise.

The utilities do try to co-operate among themselves and, for example, if commission A discovers that there is an account owing by one of its customers to commission B, A will add B's outstanding account onto its bill and submit it to its customer. By and large this has been a satisfactory way to collect these accounts because so many of them are inadvertent. They have been oversights on the part of the customer moving from one area to another, and so the customer pays the account and that money is then remitted by commission A back to commission B. But if the customer was really out—if I may use the colloquial expression—to “beat” commission B, all he had to do was to say to commission A, “You cannot do that to me, I do not owe you any money for hydro-electric energy and if you take a look at The

Public Utilities Act you will see that you do not have authority to turn off my hydro unless I am indebted to you for the supply of energy". We have had some of these cases so that the very people who are setting out to "beat" the commissions are the very ones who are already familiar with the Act as it stands.

**Mr. V. M. Singer (Downsview):** Terrible people; we should hang them all.

**Mr. Meen:** The point is this, Mr. Speaker, Hydro was set up in 1906 by this Legislature as a partnership among all of the utilities; the communities in our province on the one hand, and Ontario Hydro on the other. We think of this as a partnership in power, a partnership in the provision of hydro in Ontario and, in many respects, this partnership works very well. For example, the pooling of power generation and primary distribution costs on a province-wide basis; the rate stabilization funds that have been available; and the broad research facilities that are provided by Hydro for the use of, and are always available to, the local municipal utilities.

But like all other businesses these days, Hydro has found the cost of the provision of electricity continually escalating—not just for labour, but for material and construction, and the fact that the hydro generating end of this partnership is gradually running out of cheap available water power and is having to turn more and more to generation of electricity from steam, generated in turn by coal or nuclear power. These last two sources of energy are vastly more expensive. Consequently both Ontario Hydro, in the generation of the energy and provision of that energy at cost to municipalities, and the municipal commissions themselves, have been seeking every means possible to cut down on the cost of administration and of generation and so on, in order to continue that everlasting and, I am afraid, elusive goal of keeping the costs of energy at a very basic level.

Having investigated all of these avenues, this appears to be one which by the terms of the present legislation is not open to the utilities. They are 350 separate corporate entities in this province and I might note, Mr. Speaker, that this is not a problem which the major competitors of Hydro, namely the gas companies, face here in Ontario. I said gas companies deliberately because there are some five or six, but if you compare that with the 350 Hydro utilities in the province you will note that there is a very substantial difference.

Northern and Central Gas Corporation Ltd., which is a continuation of the Northern Ontario Gas Company—and Twin Cities and Lakehead companies and American companies as well, I believe—is one. The Union Gas Company of Canada Limited and its subsidiary, United Gas, which handles the general Hamilton area, is another. Others are the Kitchener utilities commission and the Kingston utilities commission, and of course last, but by no means least—I expect it is by all odds the largest—the Consumers' Gas Company.

I would like to dwell for a moment on the area it covers, as one corporate entity. It has four separate divisions: 1. Metropolitan Toronto, including the city of Toronto and the five boroughs; 2. The east central district, they call it, which goes as far as Pickering, Ajax, Lindsay, Whitby, Bowmanville, and so on and up to Peterborough and Oshawa; 3. The north central district, including Richmond Hill, Newmarket, Aurora, Woodbridge, Markham, and all up through that end; and 4. The west central, which is the area lying west of Metro Toronto, essentially the county of Peel, Brampton, Orangeville, Clarkson, and so on. But that is all one corporate entity. So, if a customer of the Consumers' Gas Company moves from one of our Toronto boroughs out to Brampton, or in the other direction, from Brampton into Scarborough or North York or the city of Toronto, leaving an outstanding account, he cannot "beat" the gas company, if I may repeat that colloquialism. They simply add it to his account and say, "Well, yes, you owed us X dollars from your contract in Brampton, but now you must pay that before we will provide you with gas service here in the city of Toronto." So they do not face this problem, but the utilities do.

To talk about the Consumers' Gas again for a moment, in this same general area serviced by Consumers' Gas there are some 50 hydro utilities; so there is a 50-to-1 ratio in this area. Thus, this proposed amendment would put the hydro utilities in essentially the same position as the Consumers' Gas Company is in Metro Toronto, for example. It would put the 50 in the same position as the Consumers' Gas is today and would enable them to significantly reduce these write-offs. No one is going to suggest that the write-offs would be reduced completely. There are bankruptcies, there are all kinds of reasons in addition to the basic attempt by a customer to avoid the payment of an account. No one would seek to abrogate the rights of a debtor to avail himself of these other provisions of our law. But in this area, where he sets out



for no good reason to simply refuse to pay an account, thinking he can avoid it by removing himself from that particular jurisdiction, then this is where the amendment to the present legislation would be most helpful.

Dealing for a moment, Mr. Speaker, with section 2, this amendment authorizes a public utilities commission to extend accident insurance coverage to its commissioners, just—as I said at the commencement of my remarks—as a municipality may do for members of its municipal council under the present legislation. The Municipal Act, RSO 1960, chapter 249, was amended in 1961 by adding to it section 406 (a). Section 406 (a) reads:

The council of a municipality may pass bylaws for providing by contract with an insurer, licensed under The Insurance Act, group accident insurance to indemnify any member of council or his estate against loss in case he is accidentally killed or injured while travelling on the business of the corporation, or in the performance of his duties as a member of council, either within or outside the municipality.

In 1967 a further amendment was made to that section which enabled also the placement of group public liability and property damage insurance by a council of a municipality upon its councillors likewise travelling in the business of the council. But for some reason which I have not been able to fathom this was not extended to cover hydro utilities. I suppose it just was not thought of at the time.

Actually, both these amendments in 1961 and 1967 were included in much larger "housekeeping" bills introduced by the Minister of Municipal Affairs of that time. Despite a good deal of research by my parliamentary assistant—if I may use the expression, my research assistant, Mr. Robert Patton—and by myself, we were unable to disclose, in any debate on either of these bills, discussion on these points. It would appear therefore, Mr. Speaker, that the Opposition, and indeed all members of the House, felt that this was a sound principle to incorporate into The Municipal Act. I quite agree.

I suspect, though, that no one thought of the hydro commissioners, who are in an analogous position, but perhaps even a more hazardous position in some respects. They are not councillors representing one ward; they are elected at large in the municipality and travel the four corners of that municipality in the course of their elective duties. In addition—and I can assure the members that this has been my personal experience—from time to time in the course of determining the validity

or otherwise of proposals that are put to commissioners by their staff, commissioners sometimes find themselves in more hazardous locations, electrically-wise, in the investigation of some of these matters. It would seem quite unfair that there is no capacity in the legislation at the present time for a commission to carry a similar type of insurance on its commissioners. In both cases, sir, these proposed amendments have been debated at length in the forum of the annual meetings of the Ontario municipal electric association and have been heartily endorsed. I would therefore suggest and urge that this Legislature adopt these proposed amendments into legislation at the earliest possible moment.

**Mr. D. M. Deacon (York Centre):** Mr. Speaker, I rise in support of the statements of the member for York East in most aspects of this bill.

I am surprised that the Ontario municipal electric association has not made its point in this matter much earlier and made it known to members of the Legislature—either through mailing their recommendations to members or making their recommendations available to the legislative library, which I find did not know that such an association existed. After all, it does carry out a very important function in the province; but somehow or other has not made itself known in a way that we as members of the Legislature can be informed of its recommendations. It is therefore good that it has been brought before us by this bill.

I was also interested in the member's comments concerning the bad debt experience in comparing it to net earnings. I think that many merchandising operations would be delighted if they could have such a fine experience in bad debt collections. I understand that in some cases their shrinkage is greater than their net profit and certainly does add to the cost of goods that the public has to buy, or wants to buy.

The fact that 60 per cent of people who move—the population is moving more now than it ever did in days gone by—never leave a forwarding address, does complicate the problem of bill collection by utilities. Of course, they are a little different from private business in that private business has the privilege of not selling merchandise or service; the utilities has the obligation to serve just by the very nature of its role as a single-service and non-competitive monopoly.

I am surprised that the experience in deposits is so poor and that mechanism has not been adopted in utilities so their costs would be low in regard to this; because many busi-



nesses, private businesses, use deposits very effectively as a means of maintaining good collection habits, or good collection experience.

However, I found examples of hardship in arbitrary cut-off of utility services where people have a disputed bill and they do not have an opportunity to fully settle the disputed amount before their services are cut off. Certainly in the case of this legislation I would think that great care would have to be exercised by any municipal corporation before it would arbitrarily cut off service to a new user of the service when it is not sure that the bill is in dispute and that is not the reason for it not being paid.

As far as insurance is concerned, it is also a situation that, after all, you can only say you are in favour of it because it is a very necessary and logical matter that insurance is available in this dangerous occupation—particularly at times of storms when men have to go out to remote points. They would be adequately covered in the normal way if you were in any other line of endeavour.

These are the main points I have to bring up in this bill.

**Mr. Singer:** Those are not employees. He is talking about insuring commissioners.

**Mr. Deacon:** Oh, the member is quite right. Although I think accident insurance of this type is something that is carried by companies on executives. I do not think it is necessarily a dangerous occupation, therefore the rates should be very low.

The point I would like to make here is that these are housekeeping amendments; these are amendments that should have been brought in when the bill was amended last year, I believe. Those recommendations had already been made by the Ontario municipal electric association, and probably put before the government, and it seems a shame to spend the time of this House, when we have so much business to carry out, on a debate of this sort. It is certainly a good bill, but it is not a debate that would logically take the time of the members' hour this morning.

**Mr. F. Young (Yorkview):** Mr. Speaker, this bill is significant for several reasons. The first one is a rather intriguing one to me, that the member who introduced it was the man who in his maiden speech castigated socialists for their point of view. Now he brings forward the concept in the second part of the bill that the public authority should be responsible for the payment of insurance premiums for these rugged individuals who

are the bastions of our society. Where is the rugged individualism left in this kind of situation? I just do not understand it.

I have no objection fundamentally to this kind of thing happening; I was the beneficiary of that sort of thing on council and planning boards in the municipality in which the hon. member served his term on the commission. But why he is not fighting against this extension of the socialist principle I find it hard to understand. This is a strange thing.

The second thing that I cannot quite understand is in the first area of the bill. And I quote some very significant words uttered in this House on February 19, 1968, by the hon. member for York East: "We decry monopoly," he says. "We decry it in government just as much as in private enterprise." And yet, he is now bringing forward a plan whereby the public utilities commissions across this province have a complete monopoly in bill collecting, in saying who can have and who cannot have service. It is the kind of monopoly that makes me shudder just a bit. I think that before a bill like this is passed there would have to be some pretty careful scrutinizing of the clauses and some changes and some safeguards within it.

I agree that the problem that has been posed by the hon. member for York East should not be fundamentally the problem of the local Hydro people. If the hydro is going to be supplied—and it must be supplied in most cases to people because of the kind of weather we have and all kinds of conditions here—then the local Hydro should not be stuck with the bills of people who may move and fail to pay. That is, there should be some means by which society at large is able to compensate the local Hydro for the losses in this regard and, fundamentally, it does point to one of the failures in our society—most of these people do not pay, or leave the bills unpaid, because of a vicious nature. There are some who are trying to do the Hydro out of a few dollars, and it is very few. By and large the people who are faced with this problem are moving across the borders of municipalities; perhaps they are evicted. It may be that the breadwinner has had tough luck; perhaps he is out of work.

It may be that a kind hearted apartment owner has seen that the family has grown to three or four children and he wants them to have more space than he has in his own apartment building, so he gives them an eviction notice; but of course it is not for that purpose he gives it to them, it is generally because he does not want children in

there. I have had many cases where people were evicted and had to move across the border of a municipality and the expense of moving was such that these people were left destitute. They were on the borderline of poverty in the first place, and the expense of moving left them in a position where they just could not pay the Hydro bill that they had left behind.

If this legislation as we have it here is passed, then it means that all—what was it—municipality B has to do is to write municipality A and say that this family has not paid its bill. Municipality A says, "All right, we do not give them hydro," and so the family comes into a house or apartment with an electric stove and oil furnace, but cannot cook and cannot get heat. So this seems to me to be a safeguard that must be put into a bill of this kind; that there must be some reference to somebody who will rule on these kinds of situations.

**Mr. J. H. White** (London South): A very strange speech!

**Mr. Young:** This is socialism that he is talking about today—a perverted kind, to give power to a corporation to do this to people after this society has kept those people on the borderline of poverty; and there are too many who are kept on that borderline by this government and this society.

We are not talking about Hydro commissioners here, we are talking about the people who have to move from one municipality to another and find themselves in a position where they have not been able to pay the bill. Under this legislation, they would not have power to serve their needs in the new municipality. Mr. Speaker, I think that what the hon. member said, when he talked about the situation with respect to Consumers' Gas versus the municipal Hydro retail business, was, in effect, that the individual municipalities should not be in the business as they are today.

He may have been saying this and this may be one of the solutions to which we ought to look—that Metropolitan Toronto ought to do the retailing of power within its boundaries. This would knock out the problem that the hon. member has mentioned. It would knock out the commissioners, and, perhaps, a lot of the commissioners that are not too essential to retailing power of this kind. So it may well be that the larger unit of retail will make it possible for us to overcome some of these difficulties. It also makes it possible for computers and

other sophisticated machinery and methods to overcome some of this problem.

Fundamentally, of course, I think that we have to come back to the problem of what causes people to renege—the social problem of income, cost of moving, eviction of our people, and fundamentally to the whole problem of the shortage of housing in our society. So, we would like from this side of the House, sir, to see some of these difficulties resolved before we could approve a bill of this nature. Perhaps the hon. member who introduced it has some answers to give, or some amendments that he might introduce, to solve some of these problems, but until they are resolved, we certainly reserve our opinion about it and could not support the bill as it stands on the order paper today.

**Mr. Speaker:** The member for Peel South.

**Mr. R. D. Kennedy** (Peel South): Mr. Speaker, I would like to comment for a few moments on section 1 of the bill. In Mississauga, in 1966, there were about 26,000 consumers. They paid hydro bills totalling some \$2.5 million and this works out to an annual average domestic bill of some \$100. Of this 26,000, 4,775 moved away and so, accordingly, there were this number of final bills. The movement was just under 20 per cent of the total number of consumers which, I understand, is about the average annual turnover of householders in Metro and this vicinity. The large turnover was mentioned by the member for York East and this is significant when advancing the method of collection of arrears, as stated in Bill 23. The 4,775 final bills totalled \$45,000. Now, 148 of these bills were uncollectable, and the total uncollectable money was \$2,000. This only worked out to about \$13.20 apiece, and in areas in which they do not take security deposits, this might run up only to something of the order of \$18, so the individual amount is small.

Population-wise, the percentage of bad debts involves only one half to one per cent of the total number of consumers. This was for 1966; the record is approximately the same for other years. This is the trend. In 1966, we had 85 requests by our utility from other utilities asking for aid in recovering bad debts, and in this same period, we made 14 requests. I mentioned the average of \$13.20. This does not mean that there are not certain debts that exceed this by substantial amounts. It was mentioned that the Toronto Hydro system had an average annual



loss over a period of the last four to five years of about \$85,000 per year. And, in fact, in 1967 they wrote off \$113,423 but some of this was brought forward from 1966.

The member for York East stated that in North York, with about 100,000 consumers, where they do not take the deposit, they lost \$26,000 from 1,500 accounts and this works out to something in excess of the \$13 figure. Present methods of collecting arrears in a municipality can include the discontinuance of power.

There is no reason why this technique should not be extended and this is all the section asks. There should not be any barriers, due to municipal boundaries, to make the task of collecting outstanding arrears more difficult. If I might digress for one moment, Mr. Speaker, this money on deposit can be used by a commission; in other words, it is not held in trust. In this way, they reduce borrowings. We have on deposit about \$110,000 now.

Some have claimed that these deposits should not be used for commission purposes but should be held in trust. I am informed that there was a case in Ottawa where this was contested but the courts upheld that the utility could legally use deposit funds. The use of these funds is no reason for maintaining the practice of deposits, so perhaps if the amendment was made, there would be less, if any, need for deposits.

Until there is an improved method, I feel sure Mississauga is going to maintain the practice of requiring deposits.

I have also heard, Mr. Speaker, discussion of outstanding accounts by the OMEA.

A minority think we should ignore these cases. In other words, give the delinquents a start—a chance to start anew—but I do not go along with this because experience has shown that rather than start anew, they continue on their wayward ways and we should not give them any encouragement. Utilities are reasonable in the matter of arrears. They will permit an orderly repayment schedule, and take into account the total household budget as well, but they do want their money.

So The Public Utilities Act should be amended to grant the utilities added licence to collect their outstanding accounts. I believe, within reason, in the policy of hot pursuit, if I might use the term, in the collection of arrears. These efforts should include the right for a commission to refuse hydro for debt anywhere in Ontario. I think though that evi-

dence of arrears in writing, and this bothers me some, as in the amendment, should be supported clearly beyond any reasonable doubt. We must avoid problems in the legality of the method and it should be worked out by legal officers so that the technique is spelled out properly and is not challengeable by the delinquents or by the courts.

I would suggest that a common form might be developed that could be used in any jurisdiction in the province.

Finally, Mr. Speaker, the responsibility of Hydro commissions is to put every effort forth to liquidate arrears, in line with good business practice. This should include the right to refuse power as contained in section 1 of Bill 23 and so, Mr. Speaker, I support this amendment.

**Mr. Speaker:** The member for Grey-Bruce has the floor.

**Mr. E. Sargent (Grey-Bruce):** Mr. Speaker, I would like to say very briefly on this bill and amendment that although I have the greatest respect for the member for York East—I know he has had a great record of public service for his people there—I question the wisdom of whoever screens this legislation since he let a thing like this ever get before the House. We have much more important things to discuss in this Legislature than such trivial matters as this, which are in the domain of the PUC alone I would suggest. I suggest that the bill is unnecessary and time consuming, when we spend an hour on this which is entirely a matter in the hands of the local commission. I say this kindly, Arthur.

**Mr. Speaker:** The member will please say "kindly" through Mr. Speaker.

**Mr. Sargent:** Mr. Speaker, the amendment says that it is optional and I think that that in essence is the performance or function of the commission. I think that hydro is one of the most important commodities that we have in our lives today and for any commission to even think of cutting it off—cutting off the power to give food, the power of heat, the power of light and safety—is poor politics on the part of the commission at any time. When I was mayor of our city, I left instructions that this would never happen in Owen Sound and it never did happen. So for anyone to entertain the fact that they—

**Mr. Young:** The former speaker spoke for this bill.

**Mr. Sargent:** Pardon?



**Mr. Young:** The former speaker spoke for this bill.

**Mr. Sargent:** He is speaking, which is his forte, as a perfectionist in business. I think the area of politicians, as we are here, is the area.

**Mr. D. C. MacDonald (York South):** You are not a perfectionist in business.

**Mr. Sargent:** Oui, oui.

I think that our job in government is to serve the people. When this happens in a municipality—very briefly, Mr. Speaker—it is the function of the PUC to work this out, negotiate this with the delinquent person either through welfare or through a time payment plan, but never, at any time, cut off this very basic commodity.

And the second part of this bill is an effort to give the commissioners something that they should be ashamed to ask for. I would suggest that, with the permission of my hon. leader (Mr. Nixon) we are looking out the window on this one.

**Mr. MacDonald:** That is par for the course—two Liberal speakers and two policies.

**Mr. Speaker:** The member for Eglinton (Mr. Reilly) has left.

The member for London South.

**Mr. White:** Mr. Speaker, I record with some regret my complete and unalterable opposition to section 1. My regret springs only from my respect for the distinguished member for York East whose views and mine so often coincide. I ally myself with the minority in the OMEA, cited by my friend from Peel South, who think that a debtor in these circumstances should have a chance to start afresh.

I think there is too much bureaucracy and too much hounding of that small number of citizens who have not got a fair share of this country's resources. Parenthetically, I mention that I read just a week ago that 20 per cent of the population of the United States, the lowest 20 per cent, enjoy only 5 per cent of the gross national income, whereas the top 5 per cent of the population have 20 per cent of the gross national income.

**Mr. MacDonald:** Gosh, I think the hon. member is a red Tory!

**Mr. White:** We have striven from this side time and time again, in a great variety and quantity of social legislation, to remedy this imbalance, and every session that passes sees

new hallmarks in this continuous advancement. I think as a matter of fact, sir, if you do not mind my generalizing for a minute, we are far too strict in our efforts to collect relatively small sums of money from those citizens who have been overpaid in their allowances, more often than not through no fault of their own. I hold in my hand, a letter from a 72-year-old woman—

**Mr. Speaker:** Order, order. This, I am afraid, does not fall within the concept of—

**Mr. White:**—which typifies, to my way of thinking, Mr. Speaker, the situation in which this class of citizen finds himself. This 72-year-old woman is being asked to repay a couple of hundred dollars that was overpaid to her through no fault of her own, and I draw the parallel, Mr. Speaker, with the effort now being made in section 1 of this bill. I simply think that society should not ask and government has no right to hound these people to that extent.

Ontario Hydro, as a matter of fact, is a prime offender in this instance, in part, because of its monopolistic power and in part because of the moralistic attitudes that socialists and some small number of civil servants have with respect to debts and other social problems.

**Mr. MacDonald:** What does that badge read?

**Mr. White:** I point out to you, Mr. Speaker, that there are no operating costs involved and so there is no economic loss. I use that term advisedly in the hope that my friend from Scarborough East (Mr. T. Reid) will benefit from this reference—

**Mr. Sargent:** You are getting no reaction.

**Mr. White:** There is no economic loss, because this service is unlike the sale of goods where resources of one kind of another go very directly into the production of that product and if the product is not paid for then there is a very real loss to the producer or to the seller, in a way that is not true in this particular service. The losses, as I suggest, are very small compared to the gross. Would I be correct in saying that it was no more than a fraction of one per cent?

**Mr. Meen:** Around one.

**Mr. White:** A very small percentage of the overall figures.

**Mr. Singer:** Very misleading figures.

**Mr. White:** I point out to you, sir, that these monopolies have now a very great

advantage over private enterprises, and so if these particular government institutions, or public institutions, are given this further advantage, then they are disadvantaging the private sector of the economy in a way that I do not think is appropriate.

In concluding my brief remarks on this section, I think that the debtor classes are disadvantaged here in the total scheme of things. We have done a lot to remedy that, I would say, at every level of government and in the various parties. We have a long way to go. Certainly this section I would be a retrogressive step. I would go even further and I would make it impossible for a public utility to withdraw services in the winter time at least.

Speaking to section 2, I think it is entirely reasonable that the members of a PUC—the commissioners—should be given this protection and that their families should be given this protection when they are involved in public business. I point out to you, Mr. Speaker, that on occasion, members of this Legislature are afforded this kind of insurance protection when select committees travel to faraway places, often by aircraft. I have never heard, I think, sir, any objection from anybody, anywhere, inside or outside—

Interjection by an hon. member.

**Mr. White:** Indeed you did, because I remember my learned friend the chairman of the select committee on consumer products, when we flew to Los Angeles, made it very clear to us that we were covered by a special insurance policy, and the leader of the NDP did not object. Why should he have, because what if that plane had gone down with a dozen legislators? Why should their families not have been benefited, or more correctly, protected, in view of the fact that we were called upon to travel those long distances at some risk to ourselves, I ask advisedly?

**Mr. MacDonald:** The hon. member's risk was greater after he got to Los Angeles.

**Mr. White:** You and I have shared every risk, you may recall.

I would say, sir, that section 2 is entirely appropriate, and as a matter of fact I think that we should consider, here in this Legislature, having the same kind of overriding protection for the members of this Parliament.

**Mr. Speaker:** The member for Scarborough East.

**Mr. T. Reid (Scarborough East):** Mr. Speaker, in talking about Bill 23, I think I would like to say that my first reaction is that it represents the attitude of the government in terms of being another step, albeit a fairly small step, which makes the large groups in our society—in this case the large public utilities—more dominant over the individual in our society. I think this reflects the corporate view of the Conservative Party and, to some extent, the party on my left, rather than the concern with the individual.

I was tempted to say, and here is where I listened with great interest to the member for London South, that most people that do not pay their electrical bills right on time have a very good reason for not paying them—they cannot afford to. I am tempted to say that the poor in our society get such a raw deal from the social, educational and taxation systems, as well as the government expenditure systems, that they might have a moral right to get their heat and light in the winter time and not pay the costs for this. I think if they feel that they are living in a society that gives them a raw deal they might have a chance to kick back in a very, very minor degree and say: "I protest. This society has given me a raw deal. I need my heat and light in the winter time and if I cannot afford to pay for it I am still going to get it, and I dare you to take me to court."

The interesting point here is, and I think studies would show this—and I would like the member for Peel South perhaps to let me know if these studies have been made—the poor pay a larger proportion of their income—or at least the bills they get for their electrical services represent a larger proportion of their income—than do the rich.

One of the main reasons for this is very simple, if you look at it in terms of square footage in which they live. The cost of lighting and heating—if you are heating by electricity—is that the cost per square footage is much higher than for the same square footage in a rich home. It is very simple. There are no storm windows on; the doors are leaky; the floors are leaky and, quite often there are earth basements that make the house much colder. They get caught in a shelter which has a high leakage factor and this means that they have to pay higher bills on a percentage basis, or per footage basis, than the rich.

This is a regressive form—this is what it amounts to on both indexes—of charging for electrical energy in their home.

I was interested in the member for Peel South talking about "hot pursuit" after these people who do not pay their bills. My immediate reaction was that you are trying to bring about a "defoliation" of the poor—take the clothes off their backs, strip them naked—by going in hot pursuit. I think if you want to adopt hot pursuit, let us go after some of the people who do a lot of tax dodging in this province. You get much higher returns per dollar spent.

A couple of specific points, Mr. Speaker. Section 1 of the bill says that the evidence must be supplied in writing for the corporation or commission to which the applicant or customer is so indebted. It says nothing there about the individual who is in debt. It does not say that this person can come and put his case forward toward the public utility. He cannot even put his case forward; he is just cut off, for there is no appeal section in this at all. I would just say that surely if the government wants to ram this through as it can with its majority, surely it must put in there that the customer should have a chance to have his say and put his side of the case to the public utility which wants to cut off his electrical energy.

You know, Mr. Speaker, this is interesting because it gets to a concept of democracy. The traditional concept of democracy is not that you let everyone have an equal vote but at least that you, in decision making, let everyone have his say. In that sense, this section 1 does not give the individual—the customer who is claimed to be in debt by a corporation or a commission, a big body—his say, and surely this person must have his say if we are to have democratic laws in this province. The various hon. members have mentioned the question of disputed bills and what I have said is on that.

Another point: I was wondering if the member for York East had consulted the federal authorities as to whether or not section 1 contravenes the federal anti-combines laws. I am not too sure it would, but it certainly is a type of combination within a public utility. Surely our laws apply to public utilities as well as to private corporations.

Another point, Mr. Speaker, I would like to make is that the hon. member for York East gave us a description of why this problem does not plague the Consumers' Gas Company, for example. He made the statement that "the customer cannot beat the gas company" by not paying his bill in one municipality when he goes out to another area, because the outstanding charges are trans-

ferred from one area to another area. I was interested, Mr. Speaker, that he went on to say that this is what he was trying to incorporate in section 1 of this bill. That is nonsense, because if he wanted to incorporate a similar type of thing here he would have written a clause that talked about transferring bills from one jurisdiction to another jurisdiction, rather than simply cutting off supply if the bill is not paid in another area. This is probably quite complicated, but the logic of his argument is at fault here.

Another point, Mr. Speaker, I would like to mention here is that the member for York East stressed at the beginning of his remarks that since the population is becoming so mobile and moves around so much more, that this increases the difficulty of this public utility collecting its outstanding accounts. Yet what evidence did he offer for this? He simply gave us 1967 figures. Mr. Speaker, I submit that if he wants to make a premise, if he wants to support his premise, he cannot support it by referring to statistics for one year. We may find that if he compared 1967 figures to 1957 figures, while there has been an increase in mobility and people, the proportion of outstanding debts is falling. So his argument might have nothing to do necessarily—at least he has not proven it to my satisfaction—with the increase in mobility of our population.

Finally and in conclusion, Mr. Speaker, I would like to say that the logical extension of the argument of the member for York East, as represented in section 1, is simply this. He is saying that when a person in our society who has an outstanding debt to someone else in our society, regardless of what that debt is about, goes to get a service or goods from someone else in our society, no matter what type of goods that is, that service will not be provided because he has an outstanding debt. That is a general principle which I object to very strongly. I object to the monopoly position within a particular type of goods, and I object most strongly because it could set a precedent for a much larger type of infringement of individual liberties and rights in our society.

**Hon. Mr. Rowntree:** Mr. Speaker, on Monday we will continue with the estimates of The Department of Social and Family Services.

Hon. Mr. Rowntree moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1:00 of the clock, p.m.







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